



## CHAPTER lxxxix.

An Act to confirm the construction of certain waterworks by the Corporation of Bedford and to authorise them to construct further waterworks to confer powers upon the Corporation in regard to their water and electricity undertakings and for other purposes. A.D. 1927.

[29th July 1927.]

**W**HEREAS the borough of Bedford is under the management and local government of the mayor aldermen and burgesses of the borough of Bedford (in this Act referred to as "the Corporation") who acting by the council of the borough are the council of the urban district which comprises the borough :

And whereas the Corporation are the owners of the waterworks which supply water throughout the borough and to part of an adjoining district :

And whereas in order to enable them to meet the increased demand for water within the area supplied by them the Corporation have constructed certain waterworks which are described in this Act and it is expedient to sanction and confirm the construction of such waterworks and to authorise the Corporation to abstract water from the river Ouse and to use such water for the purposes of their water undertaking :

And whereas it is expedient that the Corporation should be empowered to make and maintain the additional waterworks by this Act authorised and to

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A.D. 1927. — make further provision in regard to the water undertaking of the Corporation and the supply of water by them :

And whereas the Corporation are the owners of an electricity undertaking by means of which they supply electricity within the borough and certain places in the neighbourhood thereof and it is expedient to make further provision with regard to the electricity undertaking of the Corporation :

And whereas it is expedient to make further provision with regard to the finances of the Corporation and the application of the revenues derived from their several undertakings :

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 :—

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The construction of the waterworks sanctioned and authorised by this Act - 32,200

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

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

And whereas plans and sections showing the lines and levels of the works authorised by this Act and 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 the lands required or which may be taken for the purposes or under the powers of this Act have been duly deposited with the clerk of the peace for the county of Bedford and are in this Act 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 A.D. 1927.  
this present Parliament assembled and by the authority  
of the same as follows:—

PART I.

PRELIMINARY.

1. This Act may be cited as the Bedford Corporation Short title.  
Act 1927.

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

Part I.—Preliminary. Act into

Part II.—Lands and waterworks. Parts.

Part III.—Water supply.

Part IV.—Electricity.

Part V.—Financial.

Part VI.—Miscellaneous.

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

(1) The Lands Clauses Acts with the following  
exception and modification:—

(a) Section 127 of the Lands Clauses Con-  
solidation Act 1845 (relating to the sale  
of superfluous lands) is not incorporated  
with this Act;

(b) The bond required by section 85 of  
the Lands Clauses Consolidation Act 1845  
shall be under the corporate seal of the  
Corporation and shall be sufficient without  
the addition of the sureties mentioned in  
that section;

(2) The Waterworks Clauses Act 1847 except—

(a) the words “with the consent in writing  
“of the owner or reputed owner of any  
“such house or of the agent of such owner”  
in section 44;

(b) sections 75 to 82 (with respect to the  
amount of profit to be received by the  
undertakers when the waterworks are carried  
on for their benefit); and

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(c) section 83. (with respect to the yearly receipts and expenditure of the undertakers)

- (3) The Waterworks Clauses Act 1863; and
- (4) 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 waterworks authorised by this Act and "the centre of the railway" means in the case of the reservoir (Work No. 5) authorised by this Act the boundaries of such reservoir and in the case of the other waterworks the centre of such waterworks respectively.

Interpreta-  
tion.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts 1875 to 1925 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

(2) In this Act unless the subject or context otherwise requires—

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

"The borough" means the borough of Bedford;

"The town clerk" and "the treasurer" mean respectively the town clerk and the treasurer of the borough and respectively include any person duly authorised to discharge temporarily the duties of those offices;

"The general rate fund" and "the general rate" mean respectively the general rate fund and the general rate of the borough or (until the date when the first new valuation list made under Part II. of the Rating and Valuation Act 1925 comes into force in the borough) the district fund and the general district rate of the borough;

"The county council" means the council of the administrative county of Bedford;

- “The Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and by this Act; A.D. 1927.
- “The tribunal” means the tribunal or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;
- “The points of intake” means the intakes on or near to the bank of the river Ouse at the commencement of the lines of pipes (Works Nos. 1 and 2) authorised by this Act;
- “Daily penalty” means a penalty for each day on which an offence is continued by a person after conviction;
- “Telegraphic line” has the same meaning as in the Telegraph Act 1878;
- “Statutory securities” has the meaning assigned to it by section 3 (Interpretation) of the Act of 1902;
- “Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;
- “Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation;

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“The Act of 1902” means the Bedford Corporation  
Water Act 1902.

(3) In the construction of the provisions of the  
Lands Clauses Acts and of the Waterworks Clauses  
Acts 1847 and 1863 incorporated with this Act the  
expressions “the promoters of the undertaking” and  
“the undertakers” mean respectively the Corporation.

PART II.

LANDS AND WATERWORKS.

Power to  
take lands.

5. Subject to the provisions of this Act and for  
the purposes of their water undertaking the Corporation  
may enter on take and use all or any of the lands  
delineated on the deposited plans and described in  
the deposited book of reference.

Period for  
compulsory  
purchase  
of lands.

6. The powers of the Corporation for the com-  
pulsory purchase of lands for the purposes of this Act  
shall cease after the expiration of three years from the  
thirty-first day of October nineteen hundred and twenty-  
seven.

Extinction  
of private  
rights of  
way.

7.—(1) All private rights of way over any lands  
which the Corporation are authorised by this Act to  
acquire compulsorily shall as from the date of the  
acquisition of such lands by the Corporation be ex-  
tinguished.

(2) Provided that the Corporation shall make full  
compensation to all persons interested in respect of  
any such rights and such compensation shall be settled  
in manner provided by law with reference to the taking  
of lands otherwise than by agreement.

Compensa-  
tion in  
case of  
recently  
acquired  
interest.

8. For the purposes of determining any question  
of disputed compensation payable in respect of lands  
taken under the powers of this Act the tribunal shall  
not award any sum of money for or in respect of any  
improvement alteration or building made or for or in  
respect of any interest in the land created after the  
nineteenth day of November nineteen hundred and  
twenty-six if in the opinion of the tribunal the improve-  
ment alteration or building or the creation of the  
interest in respect of which the claim is made was not

reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act. A.D. 1927.  
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**9.**—(1) 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 any other local Act for the time being in force in the borough and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interest 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.

(2) The Corporation shall not (unless the Minister of Health otherwise direct) sell lease exchange or otherwise dispose of any of the lands to which this section applies except at the best price or on the best terms which can be obtained for the same but a purchaser or lessee shall not be concerned to inquire whether the direction of the said Minister is necessary or has been obtained.

(3) Section 25 (Power to retain sell &c. lands) of the Act of 1902 is hereby repealed.

**10.**—(1) 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 re-sale 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 or under any other powers and such application shall be in addition to and not in substitution for any other mode of extinguishment provided Proceeds of  
sale of  
surplus  
lands.

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A.D. 1927. by this Act or any other Act under which such loans have been raised except to such extent and upon such terms as may be approved by the Minister of Health.

(2) Provided that—

(a) 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;

(b) 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.

(3) Any capital moneys received by the Corporation under the section of this Act of which the marginal note is "Power to retain sell &c. lands" on the re-sale or exchange of or by leasing any lands acquired under any local Act other than this Act shall be applied in the same manner as capital moneys received under that Act are applicable or in such other manner as may be approved by the Minister of Health.

Power to  
maintain  
water-  
works &c.

11. The construction by the Corporation of the works hereinafter described is hereby sanctioned and confirmed and subject to the provisions of this Act the Corporation may maintain and from time to time repair renew alter enlarge extend or discontinue those works and may use and employ the same for the purpose of taking intercepting and impounding water and may continue to take intercept and impound any water which can be taken intercepted or impounded by such works The works hereinbefore referred to are situate in the county of Bedford and are—

Work No. 1 A line of pipes with intake (No. 1) from the river Ouse commencing in the parish of Bromham at a point 0·1 chain or thereabouts west of the south-west corner of the enclosure numbered 23 in the parish of Saint Paul on the  $\frac{1}{2500}$  Ordnance map of the borough (edition of 1926) and terminating in the borough in the water collection chamber of the Corporation;



Work No. 2 A line of pipes with intake (No. 2) from the river Ouse commencing in the said parish of Bromham at a point 0·8 chain or thereabouts north-east of the said corner of the above-mentioned enclosure and terminating in the borough in the said water collection chamber of the Corporation; A.D. 1927.  
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Work No. 3 An adit situate in the borough commencing at the existing well in the pumping station No. 2 of the Corporation and terminating at a point 0·9 chain or thereabouts north-west of the north-eastern corner of the said pumping station No. 2.

12.—(1) Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the works hereinafter described. Power to make additional water-works.

The said works will be situate in the county of Bedford and are :—

Work No. 4 An adit (being an extension of an existing adit from the well of the Corporation in their pumping station No. 1) commencing at a point 7 chains or thereabouts south-eastwards of the southern corner of the said pumping station No. 1 and terminating in an existing adit at a point 0·5 chain or thereabouts north-west of the termination of Work No. 3 the construction of which is sanctioned and confirmed by this Act;

Work No. 5 A storage reservoir (in one or more divisions) in enclosure No. 2 in the parish of Saint Paul on the  $\frac{1}{2500}$  Ordnance map of the borough (edition of 1926).

(2) The Corporation may upon lands acquired by them for the purposes of or in connection with the water undertaking of the Corporation whether under the provisions of this or any other Act make and maintain all such works and conveniences as they may consider necessary or convenient in connection with or subsidiary to the waterworks sanctioned and confirmed or authorised by this Act or the existing or authorised waterworks

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A.D. 1927. of the Corporation or for inspecting maintaining repairing  
— cleansing managing working or using the same :

Provided that—

(a) Nothing in this subsection shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them :

(b) Any electric apparatus shall be so made maintained and used as not to cause any interference with any telegraphic line belonging to or used by the Postmaster-General.

Limits of deviation.

**13.** In the construction of the works authorised by this Act the Corporation may deviate to any extent not exceeding the limits of deviation shown on the deposited plans and they may also deviate from the levels shown on the deposited sections to any extent Provided that no embankment for a reservoir shall be constructed at any greater height above the general surface of the ground than that shown upon the deposited sections and five feet in addition thereto.

Period for completion of works.

**14.** If the works authorised by this Part of this Act and delineated on the deposited plans and sections are not completed within a period of ten years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed Provided that the Corporation may extend enlarge alter reconstruct renew or remove any of their works and plant as and when occasion may require.

Power to take waters.

**15.**—(1) Subject to the provisions of this Act the Corporation may abstract collect and divert the waters of the river Ouse at the points of intake by means of Work No. 1 and Work No. 2 the construction of which is sanctioned and confirmed by this Act and may appropriate distribute and use the same for the purposes of their water undertaking :

Provided that the internal diameter of Work No. 1 and Work No. 2 at the points of intake shall not without the further authority of Parliament exceed six inches.

(2) The Corporation may also collect impound take use divert and appropriate for the purposes of their waterworks all such underground springs and waters as will or may be intercepted by the other works the construction of which is sanctioned confirmed or authorised by this Act.

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**16.** For the protection of Robert Partridge or other the owner for the time being of the mill in the parish of Kempston known as "the Kempston Mill" (hereinafter in this section referred to as "the owner") the following provisions shall notwithstanding anything contained in this Act and unless otherwise agreed in writing between the Corporation and the owner apply and have effect in relation to the exercise by the Corporation of the powers of this Act (that is to say):—

For protection of Robert Partridge and others.

- (1) "The signed plan and section" means the plan and section signed in duplicate by the Right Honourable the Viscount Hutchinson (Earl of Donoughmore) the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords and the other in the Private Bill Office of the House of Commons:
- (2) The internal diameter of Work No. 1 and Work No. 2 the construction of which is sanctioned and confirmed by this Act at the points of intake shall not at any time exceed six inches and the Corporation shall so construct and maintain their works as not to cause water to flow into the said Work No. 1 and Work No. 2 otherwise than by gravity:
- (3) So much of the said Work No. 1 and Work No. 2 respectively as is shown upon the signed plan and section shall for so long as the Corporation abstract water from the river Ouse by means of those works be maintained by the Corporation in the position and at the level shown on the signed plan and section:
- (4) The Corporation shall not for the purpose of distribution abstract collect or divert water directly from the river Ouse otherwise than by means of the said Work No. 1 and Work No. 2 or either of those works:

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Provided that—

- (a) The Corporation shall be entitled during any period in which they are repairing renewing altering or cleansing the said Work No. 1 and Work No. 2 or either of those works to construct maintain use and employ temporary lines of pipes with intakes in substitution for the said works or either of them but such temporary lines of pipes with intakes shall comply in all respects with the requirements of subsection (2) of this section and shall not be laid at a lower depth than the works for which the same are temporarily substituted;
- (b) Nothing in this section shall interfere with the right of the Corporation to abstract from the river Ouse such water as is required by them for the use of the boilers and condensers of the engines at their pumping stations but the Corporation shall return to the river or to their condenser water pump suction chamber all water abstracted from the said river for such use except so much thereof as is necessarily lost in the process of condensation :
- (5) The Corporation shall permit the owner or any person duly authorised in writing by the owner to act as his agent (the owner or such person being accompanied by a representative of the Corporation if the Corporation so desire) at all reasonable times and from time to time to enter upon and inspect such of the works of the Corporation as may be reasonably necessary for the purpose of ascertaining that the foregoing provisions of this section are being observed :
- (6) Within seven days after the date of this Act the Corporation shall pay to the owner the sum of one thousand eight hundred pounds together with interest thereon at the rate of five pounds per centum per annum computed from the fourteenth day of March nineteen hundred and twenty-seven to the date of actual payment :

(7) The provisions of this section shall be taken to be in full compensation for the value to the owner of the waters of the river Ouse which the Corporation may abstract collect and divert under the provisions of this Act and for all damage sustained or to be sustained by the owner by reason of the exercise of the powers vested in the Corporation by this Act or any Act incorporated therewith: A.D. 1927.

(8) During the remainder of the term granted by an indenture of lease dated the twenty-eighth day of June one thousand nine hundred and nineteen and made between Robert Partridge of the one part and G. Horn (Kempston) Limited of the other part the provisions of subsections (1) to (7) of this section shall apply and have effect as if the expression "the owner" included the said G. Horn (Kempston) Limited their successors and assigns:

(9) The agreement dated the fourteenth day of March one thousand nine hundred and twenty-two and made between the said Robert Partridge of the first part G. Horn (Kempston) Limited of the second part and the Corporation of the third part is hereby cancelled and annulled:

(10) Nothing contained in the foregoing provisions of this section shall prejudice or affect any application which the Corporation may make to Parliament in the future for the alteration or amendment of the provisions therein contained or any opposition which the owner may offer to any such application.

**17.** For the protection of Leonard Taylor Simpson or other the owner for the time being (in succession to the said Leonard Taylor Simpson) of the navigation rights of the river Ouse from the town of Bedford past St. Neots and St. Ives to the sea (in this section referred to as "the navigation owner") the following provisions shall notwithstanding anything contained in this Act and unless otherwise agreed in writing between the Corporation and the navigation owner apply and have

For protec-  
tion of  
Leonard  
Taylor  
Simpson.

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- (1) The provisions of subsections (1) (2) (3) and (4) of the section of this Act of which the marginal note is "For protection of Robert Partridge and others" shall apply and have effect for the protection of the navigation owner as if those subsections were set out in this section:
- (2) The Corporation shall permit the navigation owner or his duly authorised agent (the navigation owner or his said agent being accompanied by a representative of the Corporation if the Corporation so desire) at all reasonable times and from time to time to inspect the said Work No. 1 and Work No. 2 for the purpose of ascertaining whether the provisions of this section are being complied with:
- (3) If any damage shall be occasioned to the said navigation rights by reason of the abstraction of water from the river under the provisions of this Act the Corporation shall pay to the navigation owner as compensation for such damage such sum as shall be determined by an arbitrator to be appointed by the Minister of Health:
- (4) The provisions of this section shall be taken to be in full compensation for the value to the navigation owner of the waters of the river Ouse which the Corporation may abstract collect and divert under the provisions of this Act and for all damage sustained or to be sustained by the navigation owner by reason of the exercise of the powers vested in the Corporation by this Act or any Act incorporated therewith:
- (5) Nothing contained in the foregoing provisions of this section shall prejudice or affect any application which the Corporation may make to Parliament in the future for the alteration or amendment of the provisions therein contained or any opposition which the navigation owner may offer to any such application.

**18.**—(1) 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.

A.D. 1927.  
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Limiting powers of Corporation to abstract water.

(2) For the purposes of this section the wells and pumping stations of the Corporation and works connected therewith existing at the passing of this Act and referred to in the section of this Act of which the marginal note is "Power to make additional waterworks" and any alterations enlargements and extensions thereof on the lands referred to in the said section shall be deemed to be works authorised by this Act and the said lands shall be deemed to be specified in this Act.

**19.**—(1) The Corporation shall not after the expiration of three years from the passing of this Act supply for domestic purposes any water taken diverted or appropriated by means of Work No. 1 or Work No. 2 the construction of which is sanctioned and confirmed by this Act until the same shall have been—

Provisions as to purification of water.

- (a) drawn from a reservoir or reservoirs which shall be constructed (in so far as the same is or are not already constructed) and from time to time (as may be necessary) enlarged so as to be of an aggregate capacity of not less than three times the maximum daily supply of water for the time being afforded by the Corporation from the works in or by means of which the water derived taken diverted or appropriated from or by means of the said Work No. 1 and Work No. 2 is supplied;
- (b) treated by means of chlorination plant to be provided by the Corporation and maintained by them in good working order;
- (c) filtered by means of sand filtration at a rate which shall not exceed the rate of four hundred and fifty gallons per square yard per twenty-four hours:

Provided that the Corporation may substitute for the methods of treatment prescribed by this subsection such other methods of treatment as may from time to time on the application of the Corporation be approved by the Minister of Health.

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(2) The medical officer of health for the time being of the Corporation shall be in constant control of the treatment and examination of all water so abstracted collected or diverted which is to be used for domestic purposes. He shall carry out such tests and analyses for the Corporation as may be necessary for an efficient control of the quality of the water and the records of all such tests and analyses made by him shall be furnished by him to and shall be retained by the Corporation for a period of one year and copies of the results of such tests and analyses shall on request made within such period be supplied to the Minister of Health together with such information relating to the water supply of the Corporation as may be required by him.

(3) For the purposes of this section the expression "maximum daily supply of water" means one-seventh part of the greatest quantity of water supplied by the Corporation in a period of a week commencing at twelve o'clock midnight on Sunday night.

(4) The Corporation shall at the request in writing of the county council furnish to the county council copies of the results of all such tests and analyses as shall have been made by the medical officer of health for the time being of the Corporation under the provisions of this section during the period of one year immediately preceding the receipt of such request.

Temporary discharge of water into streams.

**20.**—(1) For the purpose of constructing enlarging extending altering repairing cleansing or examining any of the waterworks of the Corporation the Corporation may cause the water in any such works to be temporarily discharged into any available stream or watercourse. Provided that water so discharged shall be as free as may be reasonably practicable from mud or solid or offensive matter.

(2) In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by the exercise of such power the amount of compensation to be settled in default of agreement by arbitration.

Works to form part of undertaking.

**21.** Subject to the provisions of this Act the waterworks sanctioned and confirmed by or to be constructed under the authority of this Act shall for all



purposes be deemed to form part of the water undertaking of the Corporation. A.D. 1927.

22.—(1) For the purpose of protecting any of their waters and waterworks against pollution nuisance encroachment or injury the Corporation may by agreement purchase take on lease and acquire any lands and may hold such lands and any other lands which the Corporation may have acquired for the purposes of their water undertaking so long as they shall deem it necessary or expedient for those purposes.

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

(2) Provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any lands acquired under this section nor without the approval of the Minister of Health erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or connected with their water undertaking but the restrictions of this section as to the erection of buildings shall not apply in respect of lands leased or sold by the Corporation or appropriated by them for purposes other than purposes of the water undertaking of the Corporation.

(3) The Corporation may in and upon the lands referred to in subsection (1) of this section 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 from being polluted and the Corporation may for the purposes aforesaid carry any such drain sewer or watercourse under across or along any street or road traversing the said lands subject and according to the provisions of the Waterworks Clauses Act 1847 and this Act with respect to the breaking up of streets for the purpose of laying pipes.

(4) The Corporation may make and carry into effect agreements with the owners lessees or occupiers of any land 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 the Corporation are for the time being authorised to take.

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Provisions  
as to  
fouling of  
water.

**23.**—(1) For the prevention of the pollution of the river Ouse above the points of intake or of any river stream or watercourse through which any water may for the time being flow into that river above those points the Corporation may with the consent of the county council and of the district council in whose district such pollution occurs or subject to the provisions of this section of one of such councils if the other refuse or neglect to give such consent and decline or neglect forthwith to do the work themselves enforce the provisions of the Rivers Pollution Prevention Acts 1876 and 1893 or of the Public Health Acts with respect to such waters and watercourses or in respect of any nuisance which may exist in proximity thereto and the Corporation with such consent as aforesaid shall have and may if they think fit from time to time exercise such or the like powers as may for the time being be exercisable by such county council or district council as the case may be under any enactment for the prevention of the pollution of the said river or of any such river stream or watercourse or for the prevention or abatement of any such nuisance and the provisions of such enactment shall for the purpose aforesaid extend and apply with any necessary modifications to the Corporation. Provided that if the county council and the district council in whose district the pollution occurs or is likely to occur refuse or neglect for the space of fourteen days after being requested by the Corporation either to enforce the provisions of the said Acts or to consent to the enforcement thereof by the Corporation the Corporation may appeal to the Minister of Health who may give to them such consent and thereupon the Corporation may proceed to enforce the provisions of the said Acts.

(2) If in pursuance of any requirement by the Corporation any expenses reasonably incurred by any owner or occupier of lands in fencing off any watering place for horses or cattle on any river or stream and in providing or maintaining a convenient alternative watering place and supplying or keeping the same supplied with water suitable for the needs of horses and cattle in order to prevent the pollution or the risk of pollution of any waters of the river Ouse above the said points of intake or any waters which find their way into such last mentioned waters such expense shall be repaid to such owner or occupier by the

Corporation and may be recovered by such owner or occupier from the Corporation summarily as a civil debt. A.D. 1927. —

**24.** If any person shall knowingly and wilfully discharge throw or put or cause or suffer to fall or flow into the river Ouse between Work No. 2 the construction of which is sanctioned and confirmed by this Act and a point five miles from that work measured therefrom up the course of that river any offensive matter whether solid or fluid or any earth mud ashes dirt soil or refuse of any description so as either singly or in combination with other similar acts of the same or any other person to interfere with the due flow of the water or to pollute the water he shall for every such offence be liable on summary conviction to a penalty not exceeding five pounds Provided that where any offence against this enactment is committed from or out of any barge boat or other vessel the master or the person in charge of such barge boat or other vessel shall be liable to be proceeded against and punished under this enactment.

Prohibition of throwing offensive matter &c. into rivers.

**25.** It shall not be lawful for any person without the consent in writing of the Corporation to anchor moor fasten or lay any houseboat barge or other vessel used or adapted for human habitation in any part of the river Ouse or its tributaries opposite or alongside any portion of the banks of the said river which is situate within six hundred yards measured up the said river from Work No. 2 authorised by this Act or to bathe in any part of the said river which is situate within two hundred yards measured up the said river from the said Work No. 2 and if any person shall bathe or anchor moor fasten or lay a houseboat barge or other vessel in contravention of this enactment such person shall for every such offence be liable to a penalty not exceeding five pounds Provided that a person shall not be convicted of an offence under this section if he proves that the act complained of was committed without his knowing or having reasonable means of knowing that such act constituted such an offence.

Restriction on bathing or mooring vessels in river Ouse.

**26.** The Corporation shall take all reasonable steps to acquaint the masters and persons in charge of barges boats and other vessels navigating the river Ouse of the provisions contained in the last two preceding sections of this Act.

Notice to be given of two preceding sections.

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Cleansing  
of rivers.

27.—(1) The Corporation (if they think fit) may cleanse and dredge the river Ouse and protect the banks thereof within the limits mentioned in the section of this Act whereof the marginal note is "Prohibition of throwing offensive matter &c. into rivers."

(2) Before they commence to supply and so long as they continue to supply water from the river Ouse the Corporation shall to the approval of the Minister of Health take such effective means as they may from time to time be lawfully able to take to prevent any sewage or other offensive or injurious matter whether solid or fluid from passing or flowing into the said river down or through any sewer drain pipe or channel within the limits referred to in subsection (1) of this section.

(3) The Corporation shall make compensation to the owners lessees and occupiers of all or any parts of the said river who may be injured by any cleansing or dredging operations carried out by the Corporation under the provisions of this section such compensation in case of difference to be settled in a summary way before two justices and all expenses incurred by the Corporation including compensation payable by them under this section may be paid out of the general rate fund and general rate.

For protec-  
tion of  
London  
Midland and  
Scottish  
Railway  
Company.

28. The following provisions for the protection of the London Midland and Scottish Railway Company (in this section called "the company") shall unless otherwise agreed in writing between the Corporation and the company apply and have effect with reference to the exercise by the Corporation of the powers conferred upon them by the section of this Act of which the marginal note is "Cleansing of rivers" (that is to say):—

(1) The Corporation shall before commencing any work of cleansing dredging or protecting the said river or tributaries or the beds or banks thereof (hereinafter referred to as "the dredging works") within a distance of twenty-five lineal yards of any of the abutments or piers of any bridge carrying the company's railway submit to the principal engineer of the company for his approval plans and particulars showing

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the depth to which it is proposed to lower the bed of the river at least twenty-eight days before the commencement of any such work and if at the expiration of twenty-eight days after the receipt of such plans and information the company shall not have approved the same there shall be deemed to be a difference which difference shall unless otherwise determined be settled by arbitration in the manner hereinafter mentioned :

- (2) The company may carry out any works which are reasonably necessary for the protection of the abutments or piers of any of their bridges or for the stability of their railway consequent upon the dredging works and the reasonable expense incurred by them in so doing shall be repaid to them by the Corporation :
- (3) All dredging works shall be done under the superintendence (if given) and to the reasonable satisfaction of the principal engineer of the company and shall be done so as not to cause any injury to the said railways or works or interruption to the passage or conduct of the traffic over the railways of the company and if any injury shall occur to the said bridges railways or works or interruption to such traffic in consequence of the dredging works the Corporation shall make full compensation to the company in respect of such injury or interruption :
- (4) Any dispute or difference which may arise between the company and the Corporation with reference to the provisions of this section or in anywise arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer to be appointed by the President of the Institution of Civil Engineers on the application of either the company or the Corporation and the Arbitration Act 1889 shall apply to such arbitration.

29.—(1) Subject to the provisions of the Water-works Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes the

Meters in streets to measure

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A.D. 1927: Corporation may for the purpose of measuring the  
— quantity of water supplied or of preventing and detecting  
water or detect waste. waste affix and maintain meters and similar apparatus  
on the service pipes and mains of the Corporation and  
stopcocks in the pipes supplying houses with water  
and may insert in the roads or footways the necessary  
covers or boxes for giving access and protection thereto  
and may for that purpose break up and interfere  
temporarily with public and private streets sewers  
gas air or water pipes electric lines wires and apparatus  
and the provisions of the said Act with respect to the  
opening and breaking up of sewers drains and tunnels  
shall mutatis mutandis extend and apply to the breaking  
up and interference with gas or water pipes under the  
powers of this section.

(2) Provided that the Corporation shall not interfere  
with any telegraphic line belonging to or used by the  
Postmaster-General except in accordance with and subject  
to the provisions of the Telegraph Act 1878.

(3) Provided also that the Corporation shall not  
without the previous consent of a railway company  
exercise the powers of this section in any bridge  
carrying any road over a railway or in any street  
belonging to and forming the approach to any railway  
station or depôt but such consent shall not be un-  
reasonably withheld.

For pro-  
tection of  
county  
council.

**30.** In executing the works and exercising the  
powers authorised and conferred by the sections of  
this Act of which the marginal notes are "Power to  
hold lands and exercise powers for protection of waters"  
and "Meters in streets to measure water or detect  
waste" so far as they affect main roads and county  
or main road bridges of the county of Bedford outside  
the borough the following provisions for the protection  
of the county council shall except so far as otherwise  
agreed in writing between the Corporation and the  
county council have effect (that is to say):—

(1) All works to be laid in or along any main  
road or in upon or across any main road  
bridge shall be laid in such position in or at  
the side thereof as the county council in  
writing under the hand of their surveyor may  
reasonably direct:

- (2) The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purposes of laying pipes shall extend and apply to all main roads and county or main road bridges opened and broken up or interfered with by the Corporation in the exercise of the powers of the said sections Provided that the notice required by section 30 of that Act shall be not less than seven days instead of three days : A.D. 1927.
- (3) The plan required by section 31 of the last-mentioned Act shall be accompanied by a section of the proposed works and shall be delivered to the county council or their surveyor by the Corporation not less than in case of a bridge one month and in all other cases fourteen days before they commence to break or open up any main road or interfere with any county or main road bridge for the purpose of executing the works :
- (4) Nothing in this Act shall authorise the Corporation to interfere with the structural part of any county or main road bridge without the consent in writing of the surveyor of the county council which consent shall not be unreasonably withheld and may be given upon such conditions as the county council or their surveyor may reasonably determine Provided that the county council shall be deemed to have given such consent if within one month after plans showing such interference have been submitted to their surveyor he shall not have given notice to the Corporation objecting thereto :
- (5) Nothing in this Act contained shall interfere with the right of the county council to alter the level or deviate or improve in any manner they think fit any main road in or along which any work of the Corporation shall have been laid and the Corporation shall forthwith on receiving notice in writing under the hand of the clerk or surveyor of the county council alter the position of any such work in the manner and to the extent prescribed by such

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notice or as in the case of difference shall be determined by arbitration in the manner hereinafter prescribed and the expenses of any such alteration deviation or improvement shall be paid to the Corporation by the county council :

- (6) Nothing contained in this Act shall interfere with the right of the county council at any time or times to remove alter or rebuild any county or main road bridge or the approaches thereto over near or attached to which any work of the Corporation is carried in the same manner as they might have removed altered or rebuilt any such bridge or the approaches thereto if this Act had not passed and such work had not been constructed or laid over or near or attached to such bridge and in the event of any such bridge or the approaches thereto over or near or attached to which any such work is laid being removed altered or rebuilt as aforesaid the Corporation shall at the cost in all things of the county council alter the position of such work and any works by which such work is carried over or near or attached to such bridges or the approaches thereto as aforesaid Provided that during the removal alteration or rebuilding of such bridge as aforesaid the county council shall at their own expense afford all reasonable facilities for temporarily carrying such work across the stream or river so as not to interrupt the continuous supply of water or to diminish the pressure of such supply through such work :
- (7) All works of the Corporation shall be so executed by them as not to stop the traffic and so far as reasonably practicable as not in any way to impede or interfere with the traffic on any main road or over any county or main road bridge or the approaches thereto :
- (8) The county council shall not be liable for or in respect of any damage or injury done to any work of the Corporation by reason of such work being laid at a depth below the



surface of any main road insufficient for its protection from injury arising from the reasonable use of any steam or other roller for the repair of such road or from the passage of the traffic in such road or in repairing any county or main road bridge or the approaches thereto or by reason of the non-repair of any such road bridge or approaches :

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- (9) If any difference at any time arises between the county council and the Corporation touching this section or anything to be done or not to be done thereunder such difference shall be settled by an engineer to be appointed by the President of the Institution of Civil Engineers on the application of either party.

### PART III.

#### WATER SUPPLY.

**31.** When water supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in premises where horses carriages or motor cars are kept for private use the Corporation may if a hose pipe or other similar apparatus is used charge such additional sum not exceeding twenty shillings per annum (and where more motor cars than one are ordinarily kept a further sum not exceeding ten shillings per annum for each motor car beyond the first as the Corporation may prescribe) and any sum charged under the provisions of this section shall be paid half yearly in advance and be recoverable in the same manner as water rates.

Supply of water by hose pipe to stables &c.

**32.**—(1) For the purpose of complying with any obligation under the Waterworks Clauses Acts 1847 and 1863 to maintain any pipe or apparatus the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 (relating to pipes to be laid by the inhabitants) of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

Power to person liable to maintain pipes &c. to open ground.

(2) The Corporation may by agreement with any owner or occupier entitled or required to lay maintain

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Power to Corporation to repair communication pipes.

**33.**—(1) If by reason of any injury to or defect in any communication pipe which the Corporation are not under obligation to maintain there is any waste or risk of waste of water or injury or risk of injury to person or property or to the health of any person it shall be lawful for the Corporation by and under the direction of their duly authorised officer to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Corporation in executing such repairs shall be recoverable by the Corporation from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier.

(2) Provided that except in case of emergency the Corporation shall not under the powers of this section enter into any house or private premises unless they shall have given to the occupier of such house or premises and in any case where the communication pipe is repairable by the owner thereof to such owner not less than twenty-four hours' previous notice of their intention so to enter.

Maintenance of common pipe.

**34.** When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the waterworks engineer of the Corporation or other officer duly authorised in that behalf by the Corporation.

Register of meter to be prima facie evidence.

**35.**—(1) Where water is supplied by measure the register of the meter or other instrument for measuring water shall be *prima facie* evidence of the quantity of

water consumed and in respect of which any water rate is charged and sought to be recovered by the Corporation. A.D. 1927.

(2) Provided that if the Corporation and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

#### PART IV.

#### ELECTRICITY.

**36.** The Corporation may upon the application of the owner or occupier of any premises within their area for the supply of electricity abutting on or being erected in any street laid out or made and whether dedicated to the public use or not supply such premises with electrical energy and may lay down take up alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1926 and of the Bedford Electricity Orders 1890 to 1926 with respect to the breaking up of streets for the purpose of laying mains so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof and to any works constructed or executed by the Corporation under the provisions of this section Provided that nothing contained in this section shall apply to any street belonging to and forming the approach to any station or depôt of a railway company. Power to lay electric mains in private streets.

**37.**—(1) No consumer shall without the consent in writing of the Corporation use or suffer to be used (whether after transformation or conversion or not) for purposes of lighting or illuminating or for any process operation or purpose involving or requiring the use of light (all of which purposes are in this section referred to as "lighting purposes") the whole or any part of any electricity supplied to him by the Corporation for any other purpose. Use for lighting purposes of electricity supplied for power.

(2) Any consumer who without such consent shall use or suffer to be used for lighting purposes electricity

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A.D. 1927. — supplied to him by the Corporation through a meter fixed for the purpose of ascertaining the value of the supply to him of electricity agreed to be supplied to him for any purpose other than lighting purposes shall be subject to a penalty not exceeding five pounds and to a daily penalty of forty shillings and shall in addition be liable to pay to the Corporation at such higher rate as they may be for the time being charging for the supply of electricity for the purpose for which the electricity is used by the consumer for all or any portion of the electricity which has been supplied to him for any other purpose within one year previous to the date when the Corporation shall sue for any penalty as aforesaid.

(3) Any court having jurisdiction to impose such penalty may and on the application of the Corporation shall decide as to the portion (if any) of such electricity in respect of which the higher charge as aforesaid shall be payable to the Corporation.

(4) The provisions of section 18 of the Electric Lighting Act 1909 shall apply to any person whom the Corporation have reasonable grounds for believing to be acting contrary to the provisions of this section.

Provisions  
as to  
supply of  
electricity  
by agree-  
ment.

**38.**—(1) If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement. Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

(2) A consumer supplied with electricity by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be and are required to supply energy within the meaning of section 30 (Penalty for failure to supply) of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Corporation under such agreement unless

the provisions of that section are expressly excluded from application in any such agreement and if the Corporation fail to supply energy to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation :

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Provided that the provisions of this subsection shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

**39.**—(1) The maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of energy taken on extraordinary occasions or as a stand-by supply unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for those premises the sum so to be paid to be determined in default of agreement by arbitration in the manner provided by section 28 (Arbitration) of the Electric Lighting Act 1882.

Maximum power which may be demanded.

(2) The provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

**40.**—(1) The Corporation may make byelaws for the purpose of preventing fire or any injury to persons in any building or premises supplied or proposed to be supplied with electricity by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and may refuse to supply electricity or cut off and discontinue the supply of electricity to any building or premises in which such byelaws are not complied with.

Byelaws as to apparatus and fittings.

(2) The provisions of section 6 of the Electric Lighting Act 1882 shall apply to any byelaws made under this section.

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(3) No byelaw made under this section shall apply to or in respect of any building or premises (not being a dwelling-house) belonging to and forming part of the railway or any station or depôt adjoining the railway or railway sidings of any railway company.

Period of error in defective meters.

41.—(1) In the event of a meter of a construction and pattern approved by the Board of Trade or the Minister of Transport used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year or month unless it be proved to have first arisen during the then current quarter or month according as the account for the supply is rendered quarterly or monthly.

(2) The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

Further powers as to entry upon premises.

42.—(1) The powers conferred by section 24 of the Electric Lighting Act 1882 of entering premises for the purposes mentioned in that section shall extend to enable the Corporation to enter any premises to which electricity is or has been supplied by them (whether for the time being occupied or not) and in or upon which they have reason to believe that there is or has been any contravention of any of the Acts or Orders relating to the electricity undertaking or of any byelaw or regulation made thereunder and to inspect such premises and any electric lines wires fuses casings switches fittings lamps lampholders or other apparatus therein and in any case in which any such contravention is found to exist or to have existed to cut off and disconnect the supply of electricity to the premises.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 as extended by this section are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to them and if he cannot be ascertained by them after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

(3) Any person who shall refuse or neglect to admit any officer appointed by the Corporation to any premises which he is entitled to enter in pursuance of the said section 24 as extended by this section or shall hinder any such officer from entering any such premises or from exercising the powers contained in either of the said sections shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings. A.D. 1927.

43.—(1) A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless (a) it be in writing signed by or on behalf of the consumer and (b) it be left with or sent by post to the Corporation or given by the consumer personally at the office of the electrical engineer of the Corporation. Notice to discontinue supply of electricity.

(2) Notice of the effect of this section shall be endorsed upon every demand note for charges for electricity.

44.—(1) Any expenses incurred by the Corporation in carrying into effect the provisions of this Part of this Act and not otherwise provided for shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and not otherwise provided for and the provisions of section 7 (Expenses of local authority) and section 8 (Power of local authority to borrow money) of that Act shall extend and apply accordingly to such expenses. Receipts and expenses.

(2) Any moneys received by the Corporation under this Part of this Act shall be deemed to be moneys received in respect of the electricity undertaking and shall be applicable accordingly.

#### PART V.

#### FINANCIAL.

45.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the Power to borrow.

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general rate fund and general rate and they 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 thereof (namely) :—

Purpose.	Amount.	Period for Repayment.
(a) The purchase of lands for the waterworks sanctioned and authorised by this Act and of the lands referred to in the section of this Act of which the marginal note is "Power to take lands" and of lands already acquired by the Corporation for waterworks purposes.	The sum requisite.	Sixty years from the date or dates of borrowing.
(b) The construction of waterworks sanctioned and authorised by this Act.	£ 32,200	Fifty years from the date or dates of borrowing.
(c) The costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.

(2) (a) The Corporation may also with the consent of the Electricity Commissioners borrow such further money as may be necessary for any of the purposes of Part IV (Electricity) of this Act and with the consent of the Minister of Health such further money as may be necessary for any of the other purposes of this Act.

(b) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(c) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Minister or Commissioners with whose consent the money is borrowed.

(3) The provisions of this section shall not limit the powers conferred upon the Corporation by the section of this Act of which the marginal note is "Power to use one form of mortgage for all purposes."



46. In calculating the amount which the Corporation may borrow under the provisions of the Public Health Acts any sums which the Corporation may borrow under or for the purposes of this Act shall not be reckoned and the power of the Corporation of borrowing and re-borrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

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Certain provisions of Public Health Acts not to apply.

47. The Corporation shall pay off all moneys borrowed by them on mortgage under the powers of this Act either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within twelve months or when the moneys are repaid by half-yearly instalments within six months from the date of borrowing.

Mode of payment off of money borrowed.

48.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of any statutory borrowing power (except money borrowed by the issue of stock) such sinking fund shall be formed or maintained either—

Sinking fund.

(a) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a “non-accumulating sinking fund”; or

(b) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum or such other rate as the Minister of Health may from time to time approve will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an “accumulating sinking fund.”

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the

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(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the payment of which the sinking fund is formed Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5) (a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Corporation.

(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Corporation in addition to the payments provided for by this Act.

(7) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions

of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose and if it appears to the Minister of Health that any such increase is necessary the Corporation shall increase the payments to such extent as that Minister may direct.

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(8) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be sufficient to repay the moneys in respect of which the sinking fund is formed within the prescribed period the Corporation may with the consent of that Minister discontinue the annual payments to such sinking fund until the Minister of Health shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Minister of Health may determine.

(12) All moneys which at the date of this Act are standing to the credit of any sinking fund in respect of moneys borrowed otherwise than by the issue of stock

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A.D. 1927. — and not applied in repayment thereof shall be transferred to the sinking fund established under this Act and the sums so transferred shall be taken into account in calculating the future payments to be made to the sinking fund under this section.

Power to  
re-borrow.

49.—(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 forthwith to be 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 52 (Power to re-borrow) of the Act of 1902 is hereby repealed.

50. In calculating under subsection (2) of section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 the amount which the Corporation may borrow the amount at the time of such calculation of any sinking fund or redemption fund accumulated for the purpose of providing for the repayment of loans contracted by the Corporation under the sanitary Acts and the Public Health Act 1875 shall be deducted from the outstanding loans contracted by the Corporation under those Acts.

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As to  
section 234  
of Public  
Health  
Act 1875.

51.—(1) Where the Corporation have from time to time any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section.

Power to  
use one  
form of  
mortgage  
for all  
purposes.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the corporate seal of the Corporation and may be made in the form contained in the schedule to this Act or to the like effect.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever and shall also rank equally with all other securities granted by the Corporation at any time after the date of the first grant of a mortgage under this section.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(5) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods and by the means within and by which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the

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A.D. 1927. — payment of interest upon the sums secured by mortgages granted under this section.

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed.

Every such register shall be open to inspection by any mortgagee or other person entitled to any mortgage granted under this section during office hours at the said office without fee or reward and the town clerk or other the person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his estate rights and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in the schedule to this Act or to the like effect and shall not contain any recital trust power or proviso whatsoever.

(9) There shall be kept at the office of the Corporation a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the town clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his estate rights and interest in any such mortgage and no person except the last

transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby. A.D. 1927.

(11) If the town clerk wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a penalty not exceeding twenty pounds.

**52.**—(1) Notwithstanding anything contained in the Public Health Acts Amendment Act 1890 or in any other Act or Order on and after the thirty-first day of March nineteen hundred and twenty-eight the Corporation may (if they think fit) establish a fund to be called "the consolidated loans fund" to which shall be paid as and when they are received—

- (a) all moneys borrowed by the Corporation whether by issue of stock or other security together with any moneys borrowed without security in connection with the exercise of any statutory borrowing power;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose;
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt; and
- (d) a sum or sums equal to the aggregate amount of all dividends or interest payable in each year on the stock mortgages or other securities issued in exercise of the statutory borrowing powers of the Corporation and remaining outstanding:

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except of such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the date as from which the consolidated loans fund is established.

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(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

(a) in the redemption of stock or any other securities issued by the Corporation the purchase of stock for extinction or the repayment of any moneys borrowed by the Corporation;

(b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation; and

(c) in the payment of dividends and interest on stock mortgages or other securities issued in the exercise of any statutory borrowing power of the Corporation and remaining outstanding:

And the moneys of the consolidated loans fund not used or applied in these ways may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund including the interest arising from the investments thereof shall not except with the consent of the Minister of Health be used or applied otherwise than as provided in this subsection.

(3) Subject to any priority existing at the passing of this Act all stock of and loans to the Corporation and the dividends and interest thereon shall be charged indifferently on all the revenues of the Corporation and shall rank equally one with the other without any priority whatsoever.

(4) Save as in this section expressly provided all the obligations of the Corporation to the holders of stock or other securities of the Corporation shall continue in force.

(5) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister of Health and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

Investment  
of and  
payments  
into sinking  
funds.

**53.** When under the provisions of this Act or of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the



Corporation are empowered or required to form a sinking fund or loans fund the following provisions shall have effect with respect to the appropriate yearly sums and to the accumulations (if any) thereof required to be set apart for or paid into such sinking fund or loans fund for the purpose of providing for the repayment of moneys borrowed by the Corporation (that is to say):—

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- (a) The Corporation may (in addition to any other powers for the time being vested in them) invest the said yearly sums and accumulations in statutory securities;
- (b) The accumulations of the said yearly sums shall be paid and provided out of the general rate fund and the general rate and any interest dividends and the proceeds arising from the investment of the said yearly sums and the accumulations thereof (including such annual sums and accumulations as have been provided prior to the passing of this Act) shall be paid into and form part of the general rate fund.

54. Notwithstanding anything contained in any previous enactment the Corporation may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals depreciation contingent insurance or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:—

Use of moneys forming part of sinking and other funds.

- (1) The moneys so used shall be repaid to the lending fund within the period by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be repayable:

Provided that the Corporation shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding as the case may be as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be made out of the fund rate or revenue aforesaid or out of moneys

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which would have been applicable to the repayment of a loan if raised under the statutory borrowing power:

- (2) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power:
- (3) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactments as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

Application  
of money  
borrowed.

**55.** All moneys borrowed by the Corporation under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and to which capital is properly applicable.

Period for  
repayment  
of loans  
under Muni-  
cipal Cor-  
porations  
Act 1882.

**56.** Notwithstanding anything contained in the Municipal Corporations Act 1882 any money borrowed or to be borrowed by the Corporation in pursuance of that Act shall be repaid within such period not exceeding sixty years as the Minister of Health shall in each case prescribe.

Evidence  
of transfer  
or trans-  
mission of  
securities.

**57.** It shall not be obligatory on the Corporation to receive or register any transfer assignment certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any authorised security (except securities issued under the Local Loans Act 1875 and except securities to which regulations made under section 52 (Issue of stock) of the Public Health Acts Amendment Act 1890 apply) except upon the production to and temporary deposit with the town clerk of the security or the certificate thereof for the purpose of the endorsement thereon of a memorandum of such transmission or the

issue of a new security or certificate thereof and in case of the issue of a new security or certificate for the purpose of cancellation of the security or certificate so deposited.

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**58.** If any money is payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation.

Receipt in case of persons not sui juris.

**59.** Where more persons than one are registered as joint holders of any mortgage of the Corporation any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Corporation or the treasurer by any other of them.

Interest on mortgages held jointly.

**60.**—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

Return to Minister of Health with respect to repayment of debt.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the town clerk or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall

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A.D. 1927. — be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) Any provision (other than the foregoing provisions of this section) of any enactment now in force in the borough requiring an annual return to be made to the Minister with regard to the repayment of debt is hereby repealed.

Applica-  
tion of  
revenue and  
payment of  
expenses of  
under-  
takings.

**61.**—(1) Subject to the provisions of subsection (2) of this section notwithstanding anything contained in any previous enactment all money received by the Corporation on account of the revenue of the following undertakings of the Corporation (namely):—

- (a) the water undertaking;
- (b) the electricity undertaking;
- (c) the markets undertaking;
- (d) the baths undertaking;

shall be carried to and shall form part of the revenue for that year of the general rate fund and all payments and expenses made and incurred in respect of each of those undertakings in the same year shall be paid out of that fund.

(2) Nothing contained in this section shall be deemed to authorise the Corporation to apply or dispose of the surplus revenue of the electricity undertaking otherwise than in accordance with the provisions of section 43 of and the Fifth Schedule to the Electricity (Supply) Act 1926.

(3) The Corporation may (if they think fit) apply money received by them on account of the revenue of the water undertaking the markets undertaking and the baths undertaking in the construction renewal extension and improvement of the works and conveniences for the purposes of such undertakings respectively.

Separate  
accounts to  
be kept.

**62.**—(1) The Corporation shall notwithstanding the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue and as regards revenue accounts so as to show under a separate

heading or division in respect of each of the following undertakings of the Corporation (that is to say) the water undertaking the electricity undertaking the markets undertaking and the baths undertaking (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say):—

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- (a) The working and establishment expenses and cost of maintenance of the undertaking;
- (b) The interest on moneys borrowed and applied by the Corporation for the purposes of or connected with the undertaking;
- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed or applied for the purposes of the undertaking;
- (d) All other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) The amount (if any) paid to any reserve fund which the Corporation are by any Act or Order (whether passed before or after the date of this Act) or by this Act authorised to maintain.

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as may be reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

**63.**—(1) The Corporation may (if they think fit) provide a reserve fund in respect of the water undertaking of the Corporation by setting aside such an amount as they may from time to time think reasonable and investing the same in statutory securities and accumulating the same until the fund so formed amounts to the maximum

Water  
reserve  
fund.

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A.D. 1927. — reserve fund for the time being prescribed by the Corporation not exceeding one-tenth of the aggregate capital for the time being expended by the Corporation upon the undertaking.

(2) Any reserve fund which has been formed for the purposes of the said undertaking and which is in existence at the commencement of this Act shall be deemed to have been formed under this section.

(3) Any reserve fund formed under this section shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the water undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking or for payment of the cost of renewing improving or extending any part of the works forming part thereof or otherwise for the benefit of that undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(4) Resort may be had to the said reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

Commence-  
ment of  
certain  
sections and  
repeal of  
section 58  
of Act of  
1902.

**64.**—(1) The sections of this Act of which the marginal notes are :—

Investment of and payments into sinking funds;

Application of revenue and payment of expenses of undertakings;

Separate accounts to be kept; and

Water reserve fund;

shall not come into operation until the date upon which the first new valuation list under Part II of the Rating and Valuation Act 1925 comes into force in the borough.

(2) As from the said date section 58 (Application of water revenue) of the Act of 1902 is hereby repealed.

Appointed  
auditors.

**65.**—(1) The Corporation may from time to time appoint and pay one or more members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct in lieu of the auditors appointed

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under the Municipal Corporations Acts Any auditor or auditors appointed by the Corporation under the provisions of this section and for the time being holding office is or are in this section referred to as "the appointed auditor." A.D. 1927.

(2) If and while the Corporation exercise the powers of subsection (1) of this section section 25 (Borough auditors) of the Municipal Corporations Act 1882 shall not apply within the borough.

(3) Every appointment of an auditor or auditors under this section shall be in writing under the seal of the Corporation and may be for such term and subject to such conditions as the Corporation may think fit.

(4) Subsection (1) of section 27 of the Municipal Corporations Act 1882 shall apply and have effect as if the appointed auditor had been referred to therein instead of the borough auditor and in addition the appointed auditor shall be entitled to require from any officer of the Corporation all such papers books accounts vouchers sanctions for loans information and explanations as may be necessary for the performance of his duties.

(5) The appointed auditor shall include in or append to any certificate given by him with reference to the accounts of the Corporation such observations and recommendations (if any) as he may deem necessary or expedient with respect to the accounts and any matter arising thereout or in connection therewith.

**66.** The Corporation may pay out of the borough fund of the borough and (after the date upon which the first new valuation list made under Part II of the Rating and Valuation Act 1925 comes into force in the borough) out of the general rate fund as expenses incurred by them under the Municipal Corporations Act 1882—

Subscriptions to local government associations and other expenses.

(a) Reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of

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the attendance of any members or officers of the Corporation not exceeding in any case four at conferences or meetings of such associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings;

- (b) The reasonable expenses of the Corporation in providing public entertainments on the occasion of or otherwise in connection with any public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the borough.

PART VI.

MISCELLANEOUS.

Further powers for acquisition of land.

67.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any money so borrowed shall be repaid within such period as may be prescribed by the Minister of Health.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the general rate fund and general rate.

(3) The Corporation may so far as they consider necessary apply subject to the approval of the Minister of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired



under the authority of this section in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either— A.D. 1927.  
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- (a) in or towards the extinguishment of any loan raised by them under the powers of this Act such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health; or
- (b) in such other manner as may be approved by the Minister of Health.

**68.** The Corporation may purchase or take on lease and maintain houses and buildings for persons in their employment in connection with their water and electricity undertakings and they may also erect maintain and let any such buildings upon any land for the time being belonging or leased to the Corporation for those purposes. Dwelling-houses for employees and other buildings.

**69.** The Corporation may make byelaws for the prevention during the holding of any fair belonging to them in the borough of nuisances or obstructions on the land on which any such fair is held and for the regulation during the said period of the use of such land and the buildings stalls pens and stands thereon. Power to make byelaws as to fairs.

**70.—(1)** Any water rate or charge for electricity payable to the Corporation may be collected together with the general rate and the same books may be used for the said charges and rates. Water rate &c. may be collected with general rate.

(2) The general rate and the demand note and any other necessary documents to be used for the purposes of or in connection with the general rate water rates or charges for electricity shall be in such form as the Minister of Health may from time to time prescribe.

(3) The Corporation may demand water rates and charges both within and beyond the borough by half-yearly instalments in advance on the first day of April and the first day of October in each year but so that the same shall not be recoverable until the expiration of two months from the said first day of April and first day of October respectively.

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(4) (a) The Corporation may from time to time if they think fit make an allowance by way of discount not exceeding five per centum on the amount due in respect of any water rate or charge or any instalment thereof from every person who pays the same within such time after demand of the rate or any instalment thereof as the case may be as the Corporation may prescribe.

(b) Provided that the same rate of discount shall be allowed in similar circumstances to every person from whom such water rate or charge or any instalment thereof shall be demanded.

(c) Notice of this enactment shall be endorsed on every demand note for water rates and charges.

(5) Subsection (1) of this section shall not come into operation until the date when the first new valuation list made under Part II of the Rating and Valuation Act 1925 comes into force in the borough.

Application  
of provisions  
of Act of  
1902.

**71.** The following provisions of the Act of 1902 shall with any necessary alterations or modifications extend and apply for the purposes of this Act as if the same were re-enacted in this Act (namely):—

Section 15 (Corporation may acquire easements only in certain lands);

Section 19 (Persons under disability may grant easements &c.);

Section 22 (Reservation of water rights on sale);

Section 47 (Mode of raising money);

Section 48 (Provisions as to mortgages);

Section 53 (Protection of lender from inquiry);

Section 54 (Corporation not to regard trusts);

Section 57 (Application of borrowed moneys);

Section 60 (Expenses of execution of Act);

Section 61 (Inquiries by Local Government Board);

Section 64 (Informations may be laid by duly authorised officer);

Section 66 (Recovery of penalties);

Section 68 (Saving as to indictments):

Provided that for the purposes of such extension and application subsection (2) of the said section 61 shall be read and have effect as if in lieu of the words "three guineas" the words "five guineas" had been inserted therein.

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**72.** Where in any legal proceedings taken by or on behalf of or against the Corporation or any officer servant solicitor or agent of the Corporation or any committee of the council under this Act or under any general or local Act for the time being in force in the borough it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the council or to prove any resolution or order of the council or any resolution order or report of any committee of the council a certificate of such appointment authority resolution order or report purporting to be authenticated by the signature of the mayor or of the town clerk shall be *primâ facie* evidence of such appointment authority resolution order or report without further proof of the holding of any meeting or the production of any minute book or other record or document.

Evidence of  
appoint-  
ments  
authority  
&c.

**73.**—(1) Where any notice or demand under this Act or under any local Act or order or any 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.

Authenti-  
cation and  
service of  
notices &c.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act 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.

(3) Section 65 (Authentication and service of notices) of the Act of 1902 is hereby repealed.

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General  
provisions  
as to  
byelaws.

**74.** The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to byelaws authorised to be made by the Corporation under the powers of this Act. Provided that as respects byelaws made under the section of this Act of which the marginal note is "Power to make byelaws as to fairs" the Secretary of State shall be substituted for the Minister of Health as the confirming authority.

Application  
of section  
265 of  
Public  
Health  
Act 1875.

**75.** Section 265 (Protection of local authority and their officers from personal liability) of the Public Health Act 1875 shall extend and apply to the purposes of any local enactment (including this Act) as if the same were re-enacted therein.

Repeal of  
section 67 of  
Act of 1902.

**76.** As from the first day of April nineteen hundred and twenty-eight section 67 (Penalties to be paid to treasurer) of the Act of 1902 is hereby repealed.

Costs of  
Act.

**77.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation in the first instance out of the general rate fund and general rate but ultimately out of moneys to be borrowed under the authority of this Act for that purpose.

The SCHEDULE referred to in the  
foregoing Act.

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FORM OF MORTGAGE.

BOROUGH OF BEDFORD.

By virtue of the Bedford Corporation Act 1927 and of other their powers in that behalf them enabling the mayor aldermen and burgesses of the borough of Bedford (hereinafter referred to as "the Corporation") in consideration of the sum of pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the borough by (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of per centum per annum from the day of nineteen hundred and until payment of the principal sum such interest to be paid half-yearly on the day of and the day of in each year And it is hereby agreed that the principal sum shall be repaid at the town hall in the said borough [(subject as hereinafter provided) on the day of nineteen hundred and or (if not repaid on that date) at any time thereafter on the expiration of six calendar months' notice in writing by the Corporation to the mortgagee or by the mortgagee to the Corporation] [by ]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon between the Corporation and the mortgagee and mentioned in an endorsement to be made hereon under the hand of the town clerk for the time being and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions

[Ch. lxxxix.] *Bedford Corporation* [17 & 18 GEO. 5.]  
Act, 1927.

A.D. 1927. — thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_ nineteen hundred and \_\_\_\_\_

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named \_\_\_\_\_ consenting the within-mentioned time for repayment of the within-mentioned principal sum of \_\_\_\_\_ is hereby extended to the \_\_\_\_\_ day of \_\_\_\_\_ nineteen hundred and \_\_\_\_\_ [and the interest to be paid thereon on and from the \_\_\_\_\_ day of \_\_\_\_\_ nineteen hundred and \_\_\_\_\_ and \_\_\_\_\_ is hereby declared to be the rate of \_\_\_\_\_ per centum per annum].

Dated this \_\_\_\_\_ day of \_\_\_\_\_ nineteen hundred and \_\_\_\_\_

FORM OF TRANSFER OF MORTGAGE.

I [the within-named] \_\_\_\_\_ [of \_\_\_\_\_] in consideration of the sum of \_\_\_\_\_ pounds paid to me by \_\_\_\_\_ of \_\_\_\_\_ (hereinafter referred to as "the transferee") do hereby transfer to the transferee [his] executors administrators and assigns [the within-written security] [the mortgage number \_\_\_\_\_ of the revenues of the mayor aldermen and burgesses of the borough of Bedford bearing date the \_\_\_\_\_ day of \_\_\_\_\_] and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ nineteen hundred and \_\_\_\_\_

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FOR

WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament.

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