



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxxix.

An Act for better supplying with Water the
Borough of *Bradford* in the County of *York*.
[3d July 1854.]

WHEREAS an Act was passed in the Fifth Year of the Reign 5 & 6 Vict. c. vi.
of Her present Majesty, intituled *An Act for better supply-
ing with Water the Town and Neighbourhood of Bradford
in the West Riding of the County of York*; and by that Act certain
Persons were incorporated by and under the Name of “The *Bradford*
Waterworks Company:” And whereas Her present Majesty, by the
Advice of Her Privy Council, by Letters Patent under the Great Seal
of the United Kingdom of *Great Britain and Ireland*, bearing Date the
Ninth Day of *June* in the Year of our Lord One thousand eight
hundred and forty-seven, granted that the Inhabitants of the Borough
of *Bradford* residing within the District comprised within the Boundary
of the Parliamentary Borough of *Bradford* in the West Riding of the
County of *York*, that is to say, the District comprised within the
several Townships of *Bradford, Manningham, Bowling*, and the Town-
ship of *Horton*, including the Hamlets of *Great and Little Horton*, and
their Successors, should be for ever thereafter One Body Politic and
Corporate in Deed, Fact, and Name, and that the said Body Corporate
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should be called "The Mayor, Aldermen, and Burgesses of the Borough of *Bradford*," and should have perpetual Succession and a Common Seal, and should be governed by a Council, to be elected in the Manner therein mentioned; and Her said Majesty did by the said Letters Patent extend to the Inhabitants of the said Borough comprised within the District therein and herein-before described all the Powers and Provisions of the Act passed in the Sixth Year of the Reign of King

5 & 6 W. 4. *William* the Fourth, intituled *An Act to provide for the Regulation of*
c. 76. *Municipal Corporations in England and Wales*, and of all and every other Acts or Act of Parliament made and passed for altering, amending, or enlarging the same Act, and the Powers and Provisions thereof, or in anywise relating thereto: And whereas another Act was passed in the

12 & 13 Vict. *Twelfth Year of the Reign of Her present Majesty, intituled An Act*
c. xx. *for authorizing the Bradford Waterworks Company to raise a further Sum of Money*: And whereas "The *Bradford Improvement Act, 1850*," was passed in the Fourteenth Year of the Reign of Her present Majesty, and by that Act the Mayor, Aldermen, and Burgesses of the said Borough of *Bradford*, by the Council of the Borough, were constituted the Local Board of Health within and for the whole District of the said Borough, and many of the Provisions of "The Public Health Act, 1848," "The Town Police Clauses Act, 1847," "The Towns Improvement Clauses Act, 1847," "The Gasworks Clauses Act, 1847," and "The Markets and Fairs Clauses Act, 1847," were incorporated with and made to form Part of the said Act called "The *Bradford Improvement Act, 1850*," but the Provisions contained in the 75th, 76th, 77th, 78th, 79th, and 80th Sections of "The Public Health Act, 1848," with respect to the Supply of Water for the Purposes of that Act, and for private Use to the Extent required by that Act, were not incorporated with and do not form Part of the said last-mentioned Act: And whereas Parts only of the Borough are at present supplied with Water, and such Supply is only intermittently afforded, and it is not adequate to the Wants and Conveniences of the Inhabitants of the Borough: And whereas the Population, Buildings, Trade, Commerce, and Manufactures of the said Borough have greatly increased of late Years, and are still increasing, and it is of great Importance that a constant, sufficient, and abundant Supply of good and wholesome Water should be obtained and provided for the Health, Comfort, Convenience, Enjoyment, and Advantage, not only of the present Inhabitants of the whole of the said Borough, but also to meet the Wants and Requirements of the future, for domestic, trading, manufacturing, and other Purposes, and for watering the Streets and extinguishing Fires, and for the cleansing of the Sewers, Drains, Streets, Courts, and Houses, and for other Purposes, within the Borough: And whereas it is expedient that the Supply of Water for all the Purposes aforesaid should be provided by the said Mayor, Aldermen, and Burgesses, and be placed under the Control and Management of the Council of the said Borough as such Local Board of Health

as

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as aforesaid, and that the said Mayor, Aldermen, and Burgesses, acting by the Council as such Local Board, should be authorized to purchase all the Works, Engines, and other Machinery, Rights, Powers, and Privileges of the said Company called "The *Bradford Waterworks Company*," and should be duly empowered to carry into effect the several Purposes of this Act: And whereas by Articles of Agreement bearing Date the Thirteenth Day of *March* One thousand eight hundred and fifty-four, and made between the said Mayor, Aldermen, and Burgesses (therein-after called the Corporation) of the one Part, and the said Company, of the other Part, after reciting, among other things, that the said Company had introduced a Bill into Parliament in the present Session (the Short Title whereof is "The *Bradford Waterworks Act, 1854*"), for the Dissolution of the said Company, and the Re-incorporation of the Shareholders thereof with further Powers, and for extending the Limits of the said first-recited Act for supplying Water, and for authorizing a new and extended Scheme for procuring a further and better Supply, and for the Construction of Reservoirs, Aqueducts, Conduits, and other Works, according to Plans deposited in compliance with the Standing Orders of Parliament, it was agreed that, subject to the Sanction of Parliament, the said Company would sell to the Corporation, and the Corporation would buy of the Company, all the Property, Privileges, and Powers which on the Thirty-first Day of *December* One thousand eight hundred and fifty-four should belong to or be vested in the Company (except the Revenues and Income of the Company receivable up to that Day), and that the Consideration for such Sale and Purchase should be a Sum of Money, calculated as therein mentioned, and which amounts to One hundred and sixty-five thousand Pounds, and in addition thereto a Mortgage Debt of the said Company amounting to Six thousand Pounds, and that the said Consideration should be paid or secured to the said Company on or before the First Day of *January* One thousand eight hundred and fifty-five, whereupon the said Sale and Purchase should be carried into effect by a Transfer and Assignment from the said Company to the Corporation, and that the Corporation would take upon themselves the Liabilities of the said Company (except the making Satisfaction to certain Extension Allottees, as therein mentioned, including the said Mortgage Debt of Six thousand Pounds, and would also undertake the Performance of an Agreement therein recited to have been made by the said Company with the Duke of *Devonshire* for the leasing for Nine hundred and ninety-nine Years of certain Lands, Waters, and Rights, in consideration of Ten thousand Pounds, and an annual Rent of Ten Pounds, and should perform the subsisting Contract for the Execution of certain Works near the *Hewenden* Reservoir of the said Company; and it was declared, that if Powers should be obtained in the present Session for the Corporation to purchase, and the said Company to sell, the Waterworks of the said Company, the now reciting Agreement was not to be affected by the Success or Failure of the Company's
said

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said Bill, and that the Subject Matter of such Sale and Purchase should be the existing Property, Works, and Privileges of the said Company, or the Property, Works, and Privileges of the said Company as altered and extended by the said Bill if passed into a Law: And whereas the estimated Amount of the Purchase Money to be paid by the Corporation as aforesaid, and of the Liabilities of the said Company (exclusive of those arising under the said Agreement with the said Duke of *Devonshire*), is Two hundred thousand Pounds, and the Estimate for the Construction of the Works comprised in the said Bill to be intituled "The *Bradford Waterworks Act, 1854*," including the Liabilities under the said last-mentioned Agreement, is Two hundred and forty thousand Pounds, and it is expedient to raise the same in manner herein-after mentioned: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Corporation to carry this Act into effect.

I. The Mayor, Aldermen, and Burgesses of the Borough of *Bradford*, by the Council of the Borough, as such Local Board of Health as aforesaid, are hereby empowered to carry this Act into execution.

Short Title.

II. This Act may be cited for all Purposes as "The *Bradford Corporation Waterworks Act, 1854*."

Interpretation of certain Terms.

III. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Corporation" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Bradford*:

The Expression "the Council" shall mean the Council of the Borough acting as Local Board of Health within and for the Borough:

The Expression "the Borough" shall mean the said Borough of *Bradford* as defined by the said Charter of Incorporation:

The Expression "the Treasurer" shall mean the Treasurer of the Borough:

The Word "Owner" shall mean any Person receiving the Rents of the Property in respect of which that Word is used from the Occupier of such Property, on his own Account, or as Trustee or Agent for any other Person, or who would receive the same if such Property were let to a Tenant:

The Expression "the *Bradford Waterworks*" shall mean all the Waterworks, Land, Machinery, Reservoirs, Aqueducts, Main Pipes, and Property of every Kind, Rights, Powers, and Privileges of the said *Bradford Waterworks*, existing at the Time of this Act, or which may be subsequently acquired by them.

IV. The

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IV. "The Waterworks Clauses Consolidation Act, 1847," with the Exception of the Sections numbered from Seventy-five to Eighty-three, with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit, shall be incorporated with and form Part of this Act.

8 & 9 Vict.
c. 18. and
10 & 11 Vict.
c. 17. incor-
porated.

V. It shall be lawful for the Council to appoint all such Officers and Servants as they shall think fit for the Purposes of this Act, and from Time to Time to remove such Officers and Servants, and appoint others in their Stead, or in the Room of such of them as may die, resign, or discontinue their Office or Services, and to provide such Offices for any of their said Officers or Servants as they shall think fit.

Appointment
of Officers,
&c.

VI. All the Provisions contained in "The Public Health Act, 1848," with respect to taking Security from Officers, and with respect to the Payment of Officers by the Local Board, and with respect to the Regulation of the Conduct of such Officers, and the Penalties or other Punishment to be imposed on such Officers, and the Means of recovering such Penalties or inflicting such Punishments, shall extend to this Act; and such Provisions shall be read and construed as if the Words "the Council" had been in every Case inserted therein, instead of the Words "the Local Board," or the Words "the Local Board of Health."

Officers to be
subject to
Rules, &c.
established
by the
11 & 12 Vict.
c. 63.

VII. The Council shall cause a separate and distinct Account to be kept by the Treasurer of the Borough, to be called "the Water Account," of all Monies received and paid under the Powers and Provisions of this Act, and such Account shall be open to the Inspection of all Persons interested, and shall be audited and published in such and the like Manner as Accounts are required to be audited and published by "The Public Health Act, 1848."

Separate
Account to
be kept.

VIII. It shall be lawful for the Council to borrow and take up at Interest for the Purposes of this Act, upon the Security of the Rates, Rents, and Waterworks to be levied, received, constructed, and acquired under the Authority of this Act, or otherwise howsoever, including the *Bradford* Waterworks when acquired, and of the Borough Rate, and of any Property vested in or belonging to the Corporation, any Sum or Sums of Money not exceeding Two hundred thousand Pounds, and also if the said Bill to be intituled "The *Bradford* Waterworks Act, 1854," shall pass into a Law this Session, to borrow in like Manner any Sum or Sums of Money not exceeding the Sum of Two hundred and fifty thousand Pounds, and all the Provisions of "The Commissioners Clauses Act," 1847, with respect to Mortgages to be executed by the Commissioners, shall be incorporated with and form Part of this Act, and shall be applicable to the borrowing of such Sum or Sums of Money as afore-

Power to
borrow
Money on
Security of
Rates, &c.

10 & 11 Vict.
c. 16. as to
Mortgages,
&c. incorpo-
rated.

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“the Council” had been in every Case inserted therein instead of the Words “the Commissioners.”

Reborrowing.

IX. If after having borrowed the whole or any Part of the Monies which they are by this Act authorized to borrow, the Council shall pay off the same or any Part thereof, it shall be lawful for them again to borrow in manner aforesaid the said Sum, or the Part thereof so paid off, except so much thereof as may have been paid off by and out of the Sinking Fund herein-after provided, and so from Time to Time.

Arrears may be enforced by Appointment of a Receiver.

X. The Mortgagees under this Act may enforce Payment of the Arrears of Principal and Interest due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Twenty thousand Pounds.

Council may appoint Committees to carry Act into execution.

XI. For the more conveniently carrying this Act and the several Provisions thereof into execution, it shall be lawful for the Council, and they are hereby empowered to appoint out of their Body from Time to Time One or more Committee or Committees, consisting of such Number of Persons as they may think fit, to manage and transact all or any of the Measures or Purposes which the Council are hereby directed, authorized, or empowered to do, execute, or perform; which Committee or Committees shall have and may exercise such and so many of the Powers and Authorities, discretionary or otherwise, by this Act given to or reposed in the Council, as the Council shall think proper to delegate to such Committee or Committees, and the Council shall fix the Quorum of such Committees.

Power to purchase the Bradford Waterworks.

XII. It shall be lawful for the said Company called “The *Bradford Waterworks Company*,” and they are hereby authorized and required, to sell to the Mayor, Aldermen, and Burgesses of the Borough of *Bradford*, and the Corporation are hereby authorized and required to purchase, the *Bradford Waterworks*, for the Price or Consideration and upon the Terms and Conditions fixed by the said recited Agreement.

Receipt of Three of the Directors a good Discharge for the Purchase Money.

XIII. The Receipt in Writing of Three of the Directors for the Time being of the said *Bradford Waterworks Company* for the Purchase Money agreed to be paid for the Purchase of the *Bradford Waterworks*, and for any other Money which shall be payable and paid to the said Company by the Corporation, shall be an effectual Discharge to the Corporation for the Sum which in any such Receipt shall be expressed or acknowledged to be received; and, subject as aforesaid, the Corporation shall not be obliged or concerned to see to the Distribution of such Purchase Money, or of any Money which may be paid by them to the Directors of the said Company, or among the Proprietors or Shareholders of the said Company, or be otherwise answerable or accountable for any Loss or Misapplication or Nonapplication thereof, or any Part thereof.

XIV. In

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XIV. In case the Directors of the said Company shall, contrary to the Terms of the said Agreement, refuse or decline to receive, or to sign and deliver a Receipt for the Purchase Money agreed to be paid for the *Bradford* Waterworks, and which shall be so payable to the said Company or the Directors thereof, it shall be lawful for the Council and they are hereby authorized and required to pay such Purchase Money into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there, *ex parte* "The Directors of the *Bradford* Waterworks Company," pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of His Majesty King *George* the First, Chapter Thirty-two, and pursuant to the General Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King *George* the Second, Chapter Twenty-four.

If Directors refuse to receive Purchase Money, the same may be paid into the Bank to the Credit of the Accountant General.

XV. Upon such Payment by the Council of the Purchase Money for the *Bradford* Waterworks to the Account or Credit of the Directors of the said Company, a Certificate of the Accountant General of the said Court of Chancery, together with a Receipt of One of the Cashiers of the Bank of *England* for the same Sum, to be filed with such Certificate in the Office of the Registrar of the said Court, of the Payment by the Council into the Bank of *England* of such Purchase Money, shall, subject to the Terms of any such Agreement as aforesaid, be a good and sufficient Discharge to the Corporation for the same, and the Corporation shall not afterwards be liable to see to the Application of the said Purchase Money or any Part thereof, or be answerable or accountable for any Loss, Misapplication, or Nonapplication of the same, or any Part thereof.

Certificate of Accountant General and Receipt of One of the Cashiers of the Bank a sufficient Discharge.

XVI. Immediately on the Payment of such Purchase Money to Three of the Directors of the said Company, or in such other Manner as shall have been agreed, and on the Execution by the said Company of a Conveyance under their Common Seal (duly stamped) of the *Bradford* Waterworks to the Corporation, or immediately on the Payment thereof, pursuant to the aforesaid Provisions in that Behalf, into the Bank of *England*, *ex parte* the Directors of the *Bradford* Waterworks Company, and upon the Execution by the Corporation of a Deed Poll under their Common Seal declaring the Circumstances under which such last-mentioned Payment shall have been made, (which Deed Poll shall be duly stamped with the Stamp Duty which would be payable upon a Conveyance of the Property and Rights therein mentioned,) the *Bradford* Waterworks shall by virtue of this Act become absolutely vested in the Corporation for all such or the like Estate or Interest as the said Company were seised or possessed of, or entitled to therein, at the Date of such Conveyance or Deed Poll.

On Payment of Purchase Money and Execution of Conveyance, the Property of the Waterworks Company to vest in the Corporation.

XVII. Imme-

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When Water-works are vested in the Corporation, the Powers of Company under their Acts to be transferred to Corporation.

XVII. Immediately upon the *Bradford* Waterworks being purchased by and becoming vested in the Corporation under the Provisions hereinbefore contained, all the Powers, Authorities, Rights, and Privileges contained in the said recited Acts relating to the said Company, so far as the same then remain unrepealed, and all Powers which by the said "*Bradford* Waterworks Act, 1854," shall be conferred on the said Company (except so far as the same are inconsistent with the Provisions of this Act), shall be extended to and vested in the Corporation, and be exercised and put in force by the Council, in the same Manner as if they had throughout the said Acts respectively been named instead of the said Company.

Conveyances, &c. made in favour of or by the Company to operate in favour of and against the Corporation.

XVIII. Immediately upon the *Bradford* Waterworks being purchased by and becoming vested in the Corporation under the Provisions herein contained, all Contracts, Engagements, Agreements, Conveyances, Leases, Covenants, Indemnities, and Liabilities made or entered into, with, to, or in favour of, or by, or for, or on behalf of the said Company, previously to the Completion of such Purchase, shall be and remain as good, valid, and effectual, in favour of, and against, and in reference to the Corporation, and may be proceeded on and enforced in the same Manner by or against the Corporation, to all Intents and Purposes as if the Corporation had been Parties to and executed or entered into the same, or had been named or referred to therein, instead of the said Company.

Conveyances, &c. made in favour of or by the Company to operate in favour of and against the Corporation.

XIX. Immediately upon the *Bradford* Waterworks being purchased by and becoming vested in the Corporation under the Provisions herein contained, everything before that Time done or suffered under the said recited Acts, or the said "*Bradford* Waterworks Act, 1854," shall be as valid as if such Purchase had not been made, and such Purchase and Transfer shall accordingly be subject and without Prejudice to anything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the said Purchase had not been made, would be incident to or consequent on any and everything done or suffered under the last-mentioned Acts or any of them; and with respect to all such Rights, Liabilities, Claims, and Demands, the Corporation shall to all Intents and Purposes represent the said Company; and the Words Clerk or Secretary of the Company, or other Expressions to the same Effect, in the said Acts or any Acts incorporated therewith, shall mean the Town Clerk of the Borough.

Actions, &c., not to abate.

XX. No Action, Suit, Prosecution, or other Proceeding whatsoever, commenced by or against the said Company previously to such Purchase from them by the Corporation as aforesaid, shall abate, or be discontinued, or prejudicially affected by the Circumstance of such Purchase having been made, but the same shall continue and take effect either in favour

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favour of or against the Corporation, in the same Manner in all respects as the same would have continued and taken effect in relation to the said Company if such Purchase had not been made; and all Penalties by reason of any Offence against the Provisions of the Acts relating to the said Company previously to such Purchase as aforesaid shall and may be sued for, and all Offences which may have been committed before such Purchase against the Provisions of such Acts, or any of them, may be prosecuted in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if such Purchase had not been made, the Corporation being, in reference to the Matters in this Enactment mentioned, in all respects substituted for and put in the Place of the said Company.

XXI. Immediately upon the *Bradford* Waterworks being purchased by and becoming vested in the Corporation under the Provisions hereinbefore contained, the Corporation shall become and be subject and liable to all the Prohibitions, Regulations, Restrictions, Penalties, Forfeitures, Clauses, Remedies, Matters, and Things whatsoever contained in the Acts hereinbefore mentioned and referred to, or any of them, relating to the said Company, or in any other Acts making the said Company subject or liable to any Prohibitions, Regulations, Restrictions, Penalties, Forfeitures, Clauses, Remedies, Matters, or Things, in the same Manner as if the Corporation had throughout the said Acts respectively been named instead of the said Company.

On Completion of Purchase, Corporation to be subject to Provisions of recited Acts relating to the Company

XXII. That the Directors for the Time being of the said *Bradford* Waterworks Company shall stand possessed of the Purchase Money arising from the Sale of the said Undertaking, and of all other Sums of Money which at the Time of the Payment of such Purchase Money shall be in their Hands or Power, or under their Control, and also of all other Monies which shall thereafter come to their Hands on account of or for the Benefit of the Shareholders in their Company, upon trust, after paying or providing for all the Debts, Liabilities, and Engagements of the last-mentioned Company then outstanding, which are not hereby undertaken by the Corporation, to divide all such Monies between or among the several Persons who at the Time of the Payment of such Purchase Money or other Money as aforesaid shall be Proprietors of Shares in the Capital of the last-mentioned Company, and their respective Executors, Administrators, and Assigns.

Application of Purchase and other Monies by Company.

XXIII. That the several Persons whose Names shall appear in the Books of the said *Bradford* Waterworks Company as the Proprietors of Shares therein at the Time of such Sale shall, until the contrary be proved to the Satisfaction of the Directors of such Company, or until such Directors shall have received Notice to the contrary, be considered

Proof of Proprietorship in Company.

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o be the Persons entitled to participate in the Distribution of the Purchase Money hereby directed to be divided among the Proprietors of Shares in the Capital of such Company.

Receipts of Executors, &c. to be a Discharge to the Company.

XXIV. The Receipt of any Executor, Administrator, Agent, Committee, or Guardian of any Person entitled to any Share of such Purchase Money shall be a good and effectual Discharge to the Directors of the said Company for so much Money as shall be paid by them, or by their Order, to such Executor, Administrator, or Agent, Committee or Guardian, on behalf of such Share, and as shall be expressed in any such Receipt to have been received.

Directors to advertise Shares not claimed.

XXV. At the Expiration of Six Months next after the Day appointed for the Payment of the said Purchase Money, the Directors of the said Company shall, in case the whole of the Monies to be distributed under the Authority of this Act shall not have been called for, cause Notices to be inserted Three Times in the "*Bradford Observer*," or some other Newspaper circulating in *Bradford*, containing the Names in alphabetical Order of the several Persons appearing in the Books of the Company to have been Proprietors of Shares therein, who may not have called for or claimed their Proportion of the Money by this Act ordered to be paid in respect thereof, and stating that if such Persons or their Representatives shall not make and substantiate their Claims to such Monies within a Time to be limited in such Notice, being not less than Twelve Months from the Day originally appointed for the Payment of such Monies, the Amount of such Money due to each such Person will be paid into the Bank of *England*, and a Copy of such Notice as last aforesaid shall be given or sent by the Post unto or left at the last known usual Place of Abode in *England* of each Proprietor appearing in the Books of the said Company to have been possessed of such unclaimed Shares; and in case the last or usual Place of Abode in *England* of any such Proprietor cannot be ascertained upon Inquiry, then the Insertion as aforesaid of such Notice in the "*Bradford Observer*," or such other Newspaper as aforesaid, shall be deemed to be sufficient Notice to such Proprietor of the Matters contained in such Notice; and after such Notice and Default of any such Proprietor in making or establishing his Claim in respect of any Shares it shall be lawful for the said Directors to pay such Monies into the Bank of *England* accordingly.

Purchase Money not claimed within One Year to be paid into the Bank.

XXVI. At the Expiration of Twelve Calendar Months from the Day appointed for the Purchase of such Shares, the said Directors may cause all or any Sums of Money remaining in their Hands applicable to such Purpose, and which shall not have been so applied, either from the same not having been called for by the Persons entitled thereto, or from the Persons claiming the same not having shown sufficient Title thereto to the Satisfaction of the said Directors, or from any other Cause,
to

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to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Party or Parties entitled thereto, describing him or them as he or they may be described in the Books of the said Company, pursuant to the Method prescribed by the Act of the Twelfth Year of His Majesty King *George* the First, Chapter Thirty-two, and pursuant to the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King *George* the Second, Chapter Twenty-four.

XXVII. All Money paid into the Bank of *England* in the Name of the Accountant General under the Authority of this Act shall there remain until the Person or Persons entitled thereto shall, upon Petition to be presented to the Court of Chancery in a summary Way, and which he, she, or they is and are hereby authorized to make at his, her, or their own Expense, obtain an Order for the Transfer thereof into his, her, or their own Name or Names or otherwise; and that the said Accountant General shall and may from Time to Time invest the Dividends thereof, when the same shall amount to a competent Sum, in the Purchase of Stock in the Three Pounds *per Centum* Consolidated Bank Annuities for the Benefit of the respective Parties entitled thereto, subject to the Orders and Directions of the said Court, which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates or Interest of the Person or Persons making claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable.

Money paid into the Bank to be invested in Three per Cents. Consols.

XXVIII. In all Cases in which any Money shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery under the Authority of this Act, the Certificate or Certificates of the said Accountant General, together with the Receipt or Receipts of One of the Cashiers of the Bank of *England*, to be thereto annexed and therewith filed in the Register Office of the said Court of Chancery, of the Payment into the Bank of *England* by the said Company of any such Monies as aforesaid, or any Office Copy or Office Copies thereof, shall be deemed and taken to be a good and sufficient Discharge or good and sufficient Discharges to such Company for the same, or so much thereof as therein respectively shall be expressed to have been paid, and such Company shall not afterwards

Cashier's Receipt a sufficient Discharge to the Directors.

be

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be liable to see to the Application of such Monies, or be answerable or accountable for any Loss, Misapplication, or Nonapplication of the same.

Dissolution
of Bradford
Waterworks
Company.

XXIX. That upon the Completion of the Sale and Transfer by the said Company of the whole of their Undertaking in manner aforesaid, and when and as soon as the Purchase Money paid in respect of such Sale shall have been appropriated and divided in manner herein-before directed, such Company shall cease and determine.

Fire Plugs to
be within
200 Yards of
each other.

XXX. The Distance from each other of the Fire Plugs to be fixed in pursuance of this and "The Waterworks Clauses Consolidation Act, 1847," shall not exceed Two hundred Yards.

Council may
enter into
Contracts in
the Name of
the Corpora-
tion.

XXXI. It shall be lawful for the Council from Time to Time to contract and agree with any Person for performing any of the Works which the Corporation shall be authorized to make or execute, and all Contracts so to be entered into shall be reduced into Writing, and may be sealed with the Common Seal of the Corporation, or such Contracts or any of them may be signed by the Mayor or Town Clerk of the Borough; and the same shall be signed by the Person or Parties contracting to perform such Works, and a Copy thereof shall be entered into a Book to be kept by the Town Clerk for that Purpose; and it shall be lawful for the Council to take such Bond or other Security from every Contractor for the due Performance of his Contract as they shall think sufficient; and the Council shall cause the Works to be done in pursuance of such Contract to be inspected by such Person as they shall from Time to Time appoint, and in case the same shall not be well and sufficiently performed according to the true Intent and Meaning of such Contract, or shall not be finished and completed at or within the Time to be by any such Contract limited for completing the same, the Council shall and may have and pursue all the Remedies provided by the said Contract, and shall and may cause any Action at Law or Suit in Equity to be brought in the Name of the Corporation against any Party so contracting and neglecting to perform such Contract, or for any Injury suffered or sustained on account of the Non-performance thereof.

Council may
compound
for Breach of
Contracts.

XXXII. It shall be lawful for the Council to compound and agree with any Person or Party who shall have entered into any such Contract in pursuance or under the Authority of this Act, or against whom any Action or Suit shall be brought for any Penalty contained in such Contract, or in any Bond or other Security for the Performance thereof, or for or on account of any Breach or Non-performance of any such Contract, Bond, or Security, for such Sum of Money or other Recompense as the Council shall think proper.

XXXIII. It

The Bradford Corporation Waterworks Act, 1854.

XXXIII. It shall be lawful for the Council and they are hereby empowered to contract and agree with any Person willing to dispose of the same, for the Purchase, upon such Terms and for such Conditions as shall be agreed upon, either by absolute Purchase or by Payment of a certain annual Sum for the Use of the same, of the whole or any Part of any private Streams of Water, Ponds, Springs, Streams, Rivulets, or other Watercourses, or of any Rights therein, and for the Purchase of any Land required to be taken and used in such Places as shall be deemed eligible for the Purpose of obtaining Water from Springs, or by sinking of Wells, and for protecting such Springs or Wells, or any Streams, Rivulets, or Watercourses from which the Council may procure Water from Injury or Deterioration, and for making and providing Reservoirs, Banks, Aqueducts, and other Buildings, Works, and Conveniences, or for making Receptacles for impure Water draining from Dung Heaps, Farm-yards, Gasworks, Chemical Manufactories, Drains, and other Sources, which in the Opinion of the Council may be necessary for protecting the Water to be supplied by the Council, or for making Ways or Roads to the said Works, or for any Purpose connected with the said Works which the Council may find necessary for the Purpose of obtaining and protecting such Supply of Water as aforesaid: Provided always, that nothing herein contained shall authorize the Council to purchase, take, or use any such private Streams of Water, Ponds, Springs, Rivulets, or other Watercourses, or any such Right or Interest therein, or any such Land, unless with the Consent of and by Agreement with the Owners thereof, or the Parties interested in or enabled to sell the same.

The Council may purchase Streams, &c. by Agreement.

XXXIV. On the *Bradford* Waterworks being purchased by and becoming vested in the Corporation under the Provisions herein-before contained, the Council shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street or Place in which any Pipe of the Corporation shall be laid, or of any Person who under the Provisions of this Act or any Act incorporated herewith shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Uses for and at the Rents herein-after specified; (that is to say,)

Rents at which Water is to be supplied for domestic Purposes by the Council.

Where the annual Rackrent or Value of such House shall not exceed Twenty Pounds, the Water Rent shall be at a Rate *per Centum per Annum* not exceeding Seven Pounds Ten Shillings:

Where such Rent or Value shall exceed Twenty Pounds but shall not exceed Forty Pounds, the Water Rent shall be at a Rate *per Centum per Annum* not exceeding Seven Pounds:

Where such Rent or Value shall exceed Forty Pounds but shall not exceed Sixty Pounds, the Water Rent shall be at a Rate *per Centum per Annum* not exceeding Six Pounds Ten Shillings:

[Local.]

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Where

The Bradford Corporation Waterworks Act, 1854.

Where such Rent or Value shall exceed Sixty Pounds but shall not exceed Eighty Pounds, the Water Rent shall be at a Rate *per Centum per Annum* not exceeding Six Pounds :

Where such Rent or Value shall exceed Eighty Pounds but shall not exceed One hundred Pounds, the Water Rent shall be at a Rate *per Centum per Annum* not exceeding Five Pounds Ten Shillings :

Where such Rent or Value shall exceed One hundred Pounds, the Water Rent shall be at a Rate *per Centum per Annum* not exceeding Five Pounds.

Additional
Rates if
Watercloset,
&c.

And if there be a Watercloset or Bath in any such Dwelling House, not being an Establishment in which Waterclosets or Baths are let for Hire, then, in addition to the Water Rents above specified, the following Rents shall also be payable :

Where the annual Rackrent or Value of the House shall not exceed Ten Pounds, there shall be paid a Sum not exceeding Three Shillings *per Annum* in respect of each Watercloset, and a Sum not exceeding Three Shillings *per Annum* in respect of each Bath :

Where such Rent or Value shall exceed Ten Pounds but not exceed Twenty Pounds, there shall be paid a Sum not exceeding Four Shillings *per Annum* in respect of One Watercloset, and a Sum not exceeding Four Shillings *per Annum* in respect of One Bath ; and for every additional Watercloset or Bath not exceeding Three Shillings :

Where such Rent or Value shall exceed Twenty Pounds but not exceed Forty Pounds, there shall be paid a Sum not exceeding Six Shillings *per Annum* in respect of One Watercloset, and a Sum not exceeding Six Shillings *per Annum* in respect of One Bath ; and for every additional Watercloset or Bath a Sum not exceeding Three Shillings :

Where such Rent or Value shall exceed Forty Pounds but not exceed Eighty Pounds, there shall be paid a Sum not exceeding Eight Shillings *per Annum* in respect of One Watercloset, and a Sum not exceeding Eight Shillings *per Annum* in respect of One Bath ; and for every additional Watercloset or Bath a Sum not exceeding Three Shillings :

Where such Rent or Value shall exceed Eighty Pounds but not exceed One hundred and sixty Pounds, there shall be paid a Sum not exceeding Ten Shillings *per Annum* in respect of One Watercloset, and a Sum not exceeding Ten Shillings *per Annum* in respect of One Bath ; and for every additional Watercloset or Bath a Sum not exceeding Three Shillings :

Where such Rent or Value shall exceed One hundred and sixty Pounds, there shall be paid a Sum not exceeding Twelve Shillings *per Annum* in respect of One Watercloset, and a Sum not exceeding Twelve Shillings *per Annum* in respect of one Bath ; and for every additional Watercloset or Bath a Sum not exceeding Three Shillings.

XXXV. The

The Bradford Corporation Waterworks Act, 1854.

XXXV. The Council shall not be bound to supply any Watercloset, or the Apparatus, Cisterns, or Pipes connected therewith, or any Water for domestic Purposes, unless the Cisterns, Pipes, and Cocks necessary for such Supply shall be constructed in manner approved by the Council.

Council not to be bound to supply Water unless Apparatus approved by them.

XXXVI. A Supply of Water for domestic Purposes shall not include a Supply of Water for Cattle, or for Horses, or washing Carriages, where such Horses or Carriages are kept for hire, or for any Trade, Manufacture, or Business, or for Fountains, or for any ornamental Purpose whatsoever.

Domestic Supply not to include Horses, &c.

XXXVII. It shall be lawful for the Council to supply any Person with Water for trading or manufacturing Purposes, or for any Purposes other than domestic Purposes, at such Rate or Price, and upon such Terms and Conditions, as shall be agreed upon between the Council and the Persons desirous of having such Supply of Water: Provided always, that no Person entering into any Contract with the Council for such Supply shall thereby be disabled from being, continuing, or acting as Mayor, Alderman, or Councillor of the Borough, or as an Officer or Servant of the Council as such Local Board of Health as aforesaid, or incur any Penalty by reason of such Contract, or of his being, continuing, or acting as such Mayor, Alderman, Councillor, Officer, or Servant.

Supply for trading and manufacturing Purposes by Agreement.

XXXVIII. The Council shall be empowered once in every Year to cause a Rate not exceeding Threepence in the Pound, to be called "the Public Water Rate," to be made, assessed, levied, and recovered within the Borough upon and from such Persons in respect of such Property and in such Manner as is provided by "The Public Health Act, 1848," in reference to general District Rates; and the Sections of that Act numbered respectively Eighty-eight, Eighty-nine (except as far as the same relates to the Divisions of Districts), Ninety-five, Ninety-six, Ninety-seven, Ninety-eight, Ninety-nine, One hundred, One hundred and one, One hundred and two, One hundred and three, One hundred and four, and One hundred and six, One hundred and thirty-five, One hundred and thirty-six, One hundred and thirty-seven, shall extend to this Act, and shall be read and construed as if they had expressly related to the said Public Water Rate, and as if the Words "the Council" had been in every Case inserted therein instead of the Words "the Local Board" or "the Local Board of Health."

Power to make a public Water Rate on Owners of all Houses, &c. within the Borough.

XXXIX. The Council shall apply the Public Water Rate in defraying the Costs, Charges, and Expenses of supplying the Borough with Water for watering the Streets and extinguishing Fires, and for the cleansing of the Sewers, Drains, Streets, Courts, Houses, and Places within the Borough,

Application of public Water Rate.

The Bradford Corporation Waterworks Act, 1854.

Borough, and for supplying Public Baths and Washhouses, and for any other public Purposes; and so much of the said Public Water Rate as shall not be required for the Purposes aforesaid may be applied by the Council in or towards the Payment of the Interest on Monies borrowed in pursuance of the Powers by this Act given to the Council.

Application
of Surplus of
Water Rents.

XL. In the event of the Water Rents received under the Provisions of this Act being more than sufficient to pay the Costs, Charges, and Expenses of carrying this Act into execution, and of supplying the Borough with Water (inclusive of the Interest of Money borrowed, but exclusive of the Costs, Charges, and Expenses of supplying the Borough with Water for public Purposes), the Surplus of such Rents shall be applied in aid of the Sinking Fund herein-after mentioned, until the Monies to be raised under the Powers of this Act shall be paid off and discharged, and from and after such Payment may be applied under the Direction of the Council for the public Benefit of the Inhabitants, and the Improvement of the Borough, and, if the Council shall think fit, the whole or any Part of such Surplus may be applied in or towards paying the Costs, Charges, and Expenses of supplying the Borough with Water for public Purposes.

Monies re-
ceived to be
carried to
Water Ac-
count.

XLI. All Rents, Rates, Penalties, and Sums of Money to be received by the Corporation under the Provisions of this Act shall be carried to the Credit of the said Account called "The Water Account."

Sinking
Fund.

XLII. It shall be lawful for the Corporation, and they are hereby required, from and after the Expiration of Five Years from the Conveyance to them of the said *Bradford Waterworks*, annually to set apart from and out of the said Water Account a Sum not exceeding Two Pounds Ten Shillings *per Centum per Annum* upon the Amount raised and borrowed for the Purposes of this Act, and the Sum or Sums so set apart shall be carried to an Account to be called "the Sinking Fund," and such Sinking Fund shall be from Time to Time applicable to the Redemption of Mortgages, and to no other Purpose whatsoever.

Not to take
Lands or
interfere
with &c. of
the Lanca-
shire and
Yorkshire
Railway
without Con-
sent.

XLIII. Nothing in this Act contained shall extend to authorize the Council to take or enter upon any of the Lands or Grounds now belonging to the *Lancashire and Yorkshire Railway Company*, or to alter, vary, use, or interfere with their Railway or any of the Works thereof, or to restrict or to obstruct or interfere with the Rights, Privileges, Easements, and Advantages now used and exercised by the said Company, whether under the Authority of Parliament or otherwise, or without the Consent in Writing of the said *Lancashire and Yorkshire Railway Company* for that Purpose first had and obtained.

XLIV. That

The Bradford Corporation Waterworks Act, 1854.

XLIV. This Act, or anything herein contained, shall not take away, lessen, alter, or prejudice any of the Rights, Privileges, and Authorities now vested in or used or exercised by the *Lancashire and Yorkshire Railway Company*, but all such Rights, Privileges, and Authorities respectively may be had, exercised, and enjoyed as if this Act had not passed.

Saving Rights of the Lancashire and Yorkshire Railway Company.

XLV. The Justices by whom any Penalty or Forfeiture shall be imposed under this Act shall, where the Application thereof is not otherwise provided for, award the same to the Corporation.

Application of Penalties.

XLVI. Save as herein otherwise provided, no Justice of the Peace shall be disqualified or disabled to act as such Justice in any Matter referring to this Act, or any Act or Acts incorporated therewith, by reason of his being a Ratepayer in the Borough, or a Member of the Council, or of any Committee thereof.

No Justice to be disqualified by reason of his being a Ratepayer or Member of the Council.

XLVII. If any Person against whom the Corporation have any Claim or Demand under this Act shall become bankrupt, or shall take the Benefit of any Act for the Relief of Insolvent Debtors, it shall be lawful for the Town Clerk in all Proceedings against the Estate of such Bankrupt or Insolvent, or under any Adjudication of Bankruptcy, Sequestration, or Act of Insolvency against such Bankrupt or Insolvent, to represent the Corporation and act in their Behalf in all respects as if such Claim or Demand had been the Claim or Demand of such Town Clerk and not of the Corporation.

In Cases of Bankruptcy or Insolvency, Town Clerk to represent Corporation.

XLVIII. Any Summons, Notice, or Writ, or other Proceedings at Law or in Equity, requiring to be served upon the Corporation or upon the Council, may be lawfully served by delivering the same personally to the Town Clerk, or by leaving the same at the Office of the Town Clerk.

As to Service of Notice on Council.

XLIX. Any Summons, Demand, or Notice by or on behalf of the Corporation or the Council, or other such Document under this Act, may be in Writing or Print, or partly in Writing and partly in Print, and if the same require Authentication the Signature thereof by the Town Clerk shall be sufficient Authentication.

Authentication of Notices, &c.

L. The Costs, Charges, and Expenses attending or incident to the obtaining and passing of this Act shall be paid by the Treasurer of the Borough out of the Fund of the Borough called "the District Fund Account," and if that Fund shall be found to be insufficient for the Purpose, then the Balance shall be paid by or out of a general District Rate, to be made and levied in the Manner provided by the "*Bradford*

Expenses of Act.

The Bradford Corporation Waterworks Act, 1854.

Improvement Act, 1850," and the Acts incorporated therewith, or, at the Option of the Council, out of the First Monies which shall come to the Hands of the Treasurer of the Borough, arising from the Rates and Rents by this Act authorized to be levied or received.

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