

[10 EDW. 7 & *Bradford Corporation Act, 1910.* [Ch. cxvii.]
1 GEO. 5.]



CHAPTER cxvii.

An Act to confer powers upon the lord mayor aldermen and citizens of the city of Bradford for the construction of tramways and street works to authorise the use of trolley vehicles to alter the style and title of the Corporation and to make provisions with respect to various matters of local administration and management. A.D. 1910.

[3rd August 1910.]

WHEREAS the city of Bradford is a county borough subject to the Acts relating to municipal corporations and under the government of the lord mayor aldermen and citizens of the city (hereinafter called "the Corporation") acting by the council:

And whereas the Acts and Orders specified in the First Schedule to this Act (save so far as any of them is amended by any later Act or Order among the same) are now in force in the city and elsewhere conferring various powers upon the Corporation and are hereinafter referred to collectively as "the former Acts" and each of them separately as an Act or Order of the year in which the same was passed or made and such of the Orders as relate to tramways are collectively referred to as "the Tramway Orders":

And whereas by the Tramway Orders and by the Acts of 1897 1899 1900 1901 1902 and 1903 the Corporation were authorised to make maintain and work tramways within and without the city and to borrow money for that purpose:

And whereas the Corporation have constructed and are working the tramways authorised by the former Acts and it is

A.D. 1910. — expedient that the Corporation should be authorised to construct additional tramways within and without the city and themselves to work the same by electrical power:

And whereas it is expedient that the provisions should be made as in this Act contained with respect to the provision and use by the Corporation of trolley vehicles:

And whereas it is expedient that the Corporation should be authorised to construct the street improvements and the new street by this Act authorised:

And whereas it is expedient that power should be conferred upon the Corporation with respect to the taking of lands as in this Act set forth:

And whereas it is expedient that further powers as in this Act contained should be conferred upon the Corporation with respect to their water gas and electrical undertakings:

And whereas the Corporation are authorised by certain of the former Acts to supply and are supplying gas within certain parts of the city:

And whereas within the area supplied with gas by the Corporation there are existing gasworks belonging or reputed to belong to the trustees under the will of the late Sir Henry William Ripley deceased and the Corporation have agreed with the said trustees for the acquisition by the Corporation of such gasworks and it is expedient that the Corporation should be authorised to acquire the same and that the agreement with respect thereto set forth in the Third Schedule to this Act should be confirmed:

And whereas it is expedient that further powers should be conferred upon the Corporation with respect to the laying out of streets and the construction and erection of buildings and that the provisions of this Act with respect to the sanitation good government and management of the city should be made:

And whereas it is desirable that the official style of the Corporation should be "the lord mayor aldermen and citizens of the city of Bradford":

And whereas by letters patent by warrant under His Majesty's sign manual dated the seventeenth day of September one thousand nine hundred and seven it was declared and ordained that from and after the date thereof the chief magistrate then and for the time

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being of the city of Bradford should be styled entitled and called lord mayor of Bradford and thenceforth at all times should be entitled to assume and use and to be called and named by the style title and appellation of lord mayor of Bradford and to enjoy and use all and singular the rights privileges pre-eminences and advantages to the degree of a lord mayor in all things duly and of right belonging: A.D. 1910.

And whereas it is expedient that the Corporation should be enabled to raise moneys for the purposes of this Act:

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

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

And whereas plans and sections showing the lines and levels of the proposed tramways and street works and plans of the lands which may be taken compulsorily under the powers of this Act with a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of those lands respectively have been duly deposited with the clerk of the peace for the West Riding of the county of York which plans sections and book of reference are hereinafter referred to as "the deposited plans sections and book of reference":

And whereas estimates have been prepared by the Corporation for the purchase of lands for and for the execution of the various works authorised by this Act and such estimates are as follows:—

For and in connection with the tramways and the tramway undertaking ninety-nine thousand seven hundred and forty-two pounds;

For street improvements and new street fifty-six thousand nine hundred pounds;

For lands for waterworks purposes fifteen thousand pounds;

For extending the town hall thirty-five thousand pounds:

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 an absolute majority of the whole number of the council at a meeting held on the fifteenth day of November

A.D. 1910. one thousand nine hundred and nine after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Yorkshire Observer a local newspaper published and circulating in the city such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the funds and rates at the disposal of the council:

And whereas such resolution was published twice in the Yorkshire Observer a newspaper published and circulating in the city and has received the approval of the Local Government Board:

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

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

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

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Bradford Corporation Act 1910.

Division of Act into Parts.

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

Part I.—Preliminary.

Part II.—Tramways.

Part III.—Trolley vehicles.

Part IV.—Provisions common to tramways and trolley vehicles.

Part V.—Street works.

Part VI.—General works.

Part VII.—Lands.

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Part VIII.—Style of Corporation.

Part IX.—Water supply.

Part X.—Gas.

Part XI.—Electricity.

Part XII.—Streets and buildings.

Part XIII.—Sanitary.

Part XIV.—Police.

Part XV.—Financial provisions.

Part XVI.—Miscellaneous.

3. So far as they are applicable for the purposes and are not inconsistent with the provisions of this Act— Incorporation of Acts.

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

Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870;

The Gasworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit and sections 38 43 and 47) and the Gasworks Clauses Act 1871 (except sections 7 8 and 35);

The Waterworks Clauses Acts 1847 and 1863 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 of the Waterworks Clauses Act 1847;

(B) Sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts;

are hereby incorporated with and form part of this Act.

4. In this Act unless the subject or context otherwise require— Interpretation.

Words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned have in this Act the same respective meanings;

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- “The city” means the city of Bradford;
- “The tramways” means the tramways by this Act authorised;
- “Corporation tramways” means the tramways for the time being owned or leased or worked by the Corporation and includes any vehicles moved by mechanical power transmitted to such vehicles from some external source;
- “Mechanical power” includes electric and every other motive power not being animal power;
- “Engine” includes motor;
- “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 the lands undertakings and other property for the time being of the Corporation and rates and moneys leviable by or on the precept of the Corporation.

PART II.

TRAMWAYS.

Power to
make tram-
ways.

5. Subject to the provisions of this Act the Corporation may make lay down work use and maintain within and without the city the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper wires poles conduits tubes cables sidings loops junctions and other works and conveniences connected therewith.

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The tramways hereinbefore referred to are as follows (that is to say) :— A.D. 1910.

Tramway No. 2 A double line (1 mile 1·18 chains in length) commencing in Huddersfield Road by a junction with the existing tramway at a point thereon 5 chains or thereabouts north-east of the junction of Wainman Street with that road and continuing thence along Huddersfield Road and terminating in that road at a point on the boundary which divides the city from the urban district of Hipperholme about 0·7 chain south of the southern side of the bridge carrying the Lancashire and Yorkshire Railway over that road :

Tramway No. 3 (3 furlongs 6·90 chains in length whereof 3 furlongs 5·90 chains is double and 1 chain is single line) commencing at the termination of Tramway No. 2 hereinbefore described and continuing thence along the Huddersfield and Bradford main road and terminating at Bailiff Bridge :

Tramway No. 4 A double line (5 furlongs 3·10 chains in length) commencing in Fair Road by a junction with the existing tramway in that road at the termination thereof and continuing thence along Fair Road High Street and Odsal Road into and terminating in the Bradford Shelf and Halifax Road by a junction with the existing tramway in that road at a point thereon 1½ chains or thereabouts north-east of the junction of Odsal Road with that road.

6. The tramways shall be constructed on a gauge of four feet Provided always that so much of section 34 of the Tramways Act 1870 as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage shall not apply to carriages used on the tramways but no engine or carriage used on the tramways shall exceed six feet and six inches in width. Gauge of tramways and width of carriages.

7. The following provisions of the former Acts (that is to say) :— Extending powers of former Acts.

Of the Act of 1899—

Section 11 Power to lay down double or interlacing lines in place of single lines and vice versa ;

Section 12 Powers of sale leasing working &c. ;

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Of the Act of 1902—

- Section 8 Rails of tramways;
- Section 9 Plan of proposed mode of construction;
- Section 10 Penalty for not maintaining rails and roads;
- Section 11 Tramways to be kept on level of surface of road;
- Section 12 Passing places to be constructed where less than 9 feet 6 inches width left between footway and tramway;
- Section 13 Power to make additional crossings &c.;
- Section 19 Period for completion of works;
- Section 26 Tolls &c.;
- Section 29 Provision as to general Tramway Acts;

shall extend and apply to and in relation to the tramways in like manner as if those enactments were in this Act re-enacted with special reference thereto.

Temporary tramways may be made when necessary.

8. When by reason of the execution of any work affecting the surface or soil of any road along or across the carriage-way of which any of the tramways may be laid it shall in the opinion of the road authority be expedient temporarily to remove or discontinue the use of such tramway or any part thereof the Corporation may with the consent of the road authority and subject to such conditions as the road authority may impose construct in the same or any adjacent road and (so long as occasion may require) maintain a temporary tramway in lieu of the tramway or part of the tramway so removed or discontinued.

If any difference arises between the Corporation and the road authority with respect to any conditions or with respect to the mode of constructing any temporary tramway under the authority of this section the same shall be settled by arbitration.

Corporation may reduce footpath for constructing tramways.

9. For the purpose of constructing the tramways in any street within the city the Corporation may increase the width of the roadway of such street by reducing the width of the footway on each or either side of such street Provided that no footway shall be so reduced as to be less than six feet wide.

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10. If at any time after three years from the opening for public traffic of the tramways or any portion thereof or after three years from the date of any order made in pursuance of this section in respect of the tramways or any portion thereof it is represented in writing to the Board of Trade by twenty inhabitant ratepayers of the city or by the urban district council of any district in which any of the tramways will be situate or by the Corporation that under the circumstances then existing all or any of the rates and charges demanded and taken in respect of the traffic on the tramways or on such portion should be revised the Board of Trade may if they think fit direct an inquiry by a referee to be appointed by the said Board in accordance with the provisions of the Tramways Act 1870 and if the referee reports that it has been proved to his satisfaction that all or any of the rates and charges should be revised the said Board may make an order in writing altering modifying reducing or increasing all or any of the rates and charges to be demanded and taken in respect of the traffic on the tramways or on such portion of the tramways in such manner as they think fit and thenceforth such order shall be observed until the same is revoked or modified by an order of the Board of Trade made in pursuance of this section Provided always that the rates and charges prescribed by any such order shall not exceed in amount the rates and charges authorised to be taken or levied in respect of the tramways of the Corporation.

A.D. 1910.

Periodical
revision of
rates and
charges.

A copy of this section shall be printed on every printed copy of the byelaws of the Corporation with respect to tramways.

11.—(1) The Corporation may carry any parcels not exceeding fifty-six pounds in weight and may demand and take for the conveyance of such parcels upon any of the Corporation tramways any tolls not exceeding those specified in the Fifth Schedule to this Act.

Tolls for
parcels.

(2) The Corporation shall give public notice of the scale of tolls which they intend to charge for the conveyance of parcels and similar notice of any alterations which they may from time to time intend to make in the scale of tolls for the time being in force and shall exhibit the scale of tolls for the time being in force in some conspicuous place at all receiving offices established by them for the reception of parcels.

12. Unless otherwise agreed the following provisions shall have effect for the protection of the county council of the West

For protec-
tion of West
Riding

A.D. 1910. Riding of Yorkshire (in this section called "the county council")
County with respect to the Tramway No. 3 by this Act authorised to be
Council. constructed on the Huddersfield and Bradford main road in the
urban district of Hipperholme:—

- (1) Before commencing to construct any part of the tramway in the said road the Corporation shall deliver to the county council a plan showing the proposed position thereof in the road. If the county council have any objection to the construction of the tramway in accordance with such plan they shall give notice thereof in writing to the Corporation and any difference arising between them in regard thereto shall be determined as hereinafter provided but if the county council do not give such notice within twenty-eight days after receiving the said plan they shall be taken to have agreed thereto:
- (2) The tramway shall be so constructed as to leave available for ordinary traffic provided the conditions at the time of construction remain as at present at least nine feet six inches of carriage-way at the outer side of each of the outer rails of the tramway and if in any case in order to provide that width it is necessary to form into metalled roadway any unmetalled portions of the said road such work shall be done by the Corporation to the satisfaction of the surveyor of the county council:
- (3) Notwithstanding anything in this Act or shown on the deposited plans the said tramway or any works connected therewith shall not be constructed on the structure of Bailiff Bridge and the point of termination shall be such as may be agreed upon between the engineer of the Corporation and the said surveyor or as failing agreement may be determined as hereinafter provided:
- (4) The Corporation shall give notice to the county council of their intention to open or break up the said road for the purpose of laying down the tramway and shall submit to the county council a copy of the plan showing the proposed mode of construction laying down and maintaining such tramway and of the statement of the materials to be used therein which they

are by section 7 of the Act of 1903 required to submit to the Board of Trade and such copy plan and statement shall be sent to the county council at the same time as the said plan and statement are sent to the Board of Trade All such works shall be executed to the reasonable satisfaction of the said surveyor of the county council as provided by section 26 of the Tramways Act 1870 : A.D. 1910.

- (5) If in consequence of the construction existence or user of the tramway it becomes necessary to raise strengthen or reconstruct with suitable foundations any portion of the said road (whether metalled or unmetalled) at the sides of the tramway or to adjust in level or otherwise any such portions of the road or any footpath or other work or to strengthen any retaining wall the Corporation shall execute the work so required within one month after such work becomes necessary to the reasonable satisfaction of the said surveyor or in case of disagreement as shall be settled by an arbitrator appointed by the Board of Trade :
- (6) The Corporation shall at all times during the construction repair or renewal of the tramway or any part thereof in the said road make all necessary and reasonable provisions for the proper regulation of the ordinary traffic of the road and shall keep unobstructed so much of the road as the said surveyor shall reasonably deem adequate for the free and safe passage thereon of vehicles and foot passengers and shall after completion of the part of the tramway under construction repair or renewal leave the portion of the road so required to be kept unobstructed in as good repair as the same was in when the work commenced and all other portions of the road shall after completion of such construction repair or renewal be left in the like state of repair :
- (7) The position of all posts standards boxes and their several attachments erected by the Corporation in the said road shall be such as the said surveyor may reasonably approve Provided that—
- (A) If before the erection of any such posts standards boxes and attachments the Corporation

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deliver to the county council a plan showing the proposed position thereof and the said surveyor does not within fourteen days give notice to the Corporation of any objection the county council shall be taken to have agreed to the position of such posts standards and boxes and attachments as shown by the said plan; and

(B) If any post box or overhead wire becomes owing to any road improvement or to the construction of any new road or otherwise in the opinion of the county council an obstruction the Corporation shall alter the position thereof in such manner as the county council direct but the Corporation may appeal against such direction to the Board of Trade and the decision of the Board shall be final:

- (8) The Corporation shall pave the portion of road referred to in section 28 of the Tramways Act 1870 with granite or other paving material approved by the said surveyor:
- (9) The Corporation shall put down at their own cost at such places along the tramways when in course of construction as may be necessary suitable drains and drain boxes or grids to prevent the accumulation of water on the tramway provided there is a suitable existing outlet Provided that the Corporation shall deliver to the county council a plan showing the proposed number and positions of such drains and drain boxes or grids and if the surveyor of the county council does not within twenty-eight days give notice to the Corporation of any objection or requirement the county council shall be taken to have agreed to such plans Any difference arising between the Corporation and the county council with respect to such plan shall be determined as hereinafter provided:
- (10) All surplus paving metalling or material excavated from the said road by the Corporation and not required in the construction of the tramway shall remain the property of the county council for repair of main roads and shall be deposited by the Corporation at such place in the district within a reasonable

distance (not exceeding one mile) from the place of excavation as the surveyor of the urban district council may direct: A.D. 1910.

- (11) If any difference arises between the Corporation and the county council under this section such difference shall be determined by the Board of Trade or by an arbitrator to be appointed by that Board.

PART III.

TROLLEY VEHICLES.

13. The Corporation may provide maintain and equip but shall not manufacture mechanically propelled vehicles adapted for use upon roads and moved by electrical power transmitted thereto from some external source (in this Act called "trolley vehicles") and may use the same upon a route commencing at the junction of Laisterdyke with Leeds Road continuing thence along Laisterdyke Briggate and Sticker Lane and terminating at the junction of Sticker Lane with Wakefield Road and may place erect and maintain in and along the streets and roads forming such route cables wires posts poles and any other necessary or convenient apparatus and equipment for the purpose of working trolley vehicles but no post or other apparatus shall be erected on the carriage-way of any street or road except with the consent of the Board of Trade. Power to use trolley vehicles.

14. Trolley vehicles shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of the Motor Car Act 1903 and neither the regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to trolley vehicles but nothing in this section shall in any way affect the duties of excise now payable by law on licences for trolley vehicles. Vehicles not to be deemed light locomotives or motor cars.

15. Trolley vehicles shall be of such form construction and dimensions as the Board of Trade may approve and no trolley vehicle shall be used by the Corporation which does not comply Approval of vehicles by Board of Trade.

A.D. 1910. with the requirements of the Board of Trade and no such vehicle (including the weight of its load) shall exceed a weight of five tons.

Tolls and fares.

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

Board of Trade may authorise new routes.

17.—(1) If at any time hereafter the Corporation desire to use trolley vehicles upon any road as defined by the Tramways Act 1870 (other than the streets or roads in this Part of this Act specified) they may make application to the Board of Trade and the Board of Trade shall be and are hereby empowered to make a Provisional Order authorising the use of trolley vehicles upon any route or routes within the city to which such application relates.

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

(A) Have published once in each of two successive weeks in the months of October or November notice of their intention to make such application in some newspaper or newspapers circulating in the city;

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

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

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

(4) The Board of Trade shall consider any such application and may if they think fit direct an inquiry to be held in the city in relation thereto or may otherwise inquire as to the propriety of proceeding upon such application and they shall consider any objection to such application that may be lodged with them in accordance with the prescribed procedure and shall

determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition. A.D. 1910.

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

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

The Act of Parliament confirming a Provisional Order under this Act shall be deemed a public general Act.

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

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

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

18. Trolley vehicles shall for all purposes be deemed to form part of the tramway undertaking of the Corporation.

Trolley vehicles to be part of tramway undertaking for all purposes.

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Conveyance
of mails.

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

PART IV.

PROVISIONS COMMON TO TRAMWAYS AND TROLLEY VEHICLES.

Extending
tramway
provisions of
Acts of 1897
1900 and
1902.

20. The following enactments (that is to say):—

Of the Act of 1897—

Section 10 Provisions as to motive power;

Section 11 Special provisions as to use of electric power;

Section 12 Byelaws;

Section 13 Amendment of the Tramways Act 1870 as to byelaws by local authority;

Section 14 Orders &c. of the Board of Trade;

Section 16 Power to Corporation to work tramways;

Section 17 Regulations;

Section 19 As to fares on Sundays and holidays;

Section 50 Application of tramways revenue;

Section 51 As to deficiency in receipts;

Of the Act of 1900—

Section 12 Cheap fares for labouring classes;

Of the Act of 1902—

Section 16 Apparatus used for mechanical power to be deemed part of tramway;

Section 17 Attachment of brackets to buildings;

Section 18 Inspection by Board of Trade;

Section 20 Penalty for malicious damage;

Section 22 For protection of Postmaster-General;

Subsection (2) of section 23 As to speed on tramways of Corporation;

Section 28 As to carriage of minerals &c.;

shall extend and apply to and in relation to the tramways and so far as applicable to trolley vehicles in like manner as if

those enactments were in this Act re-enacted with special reference thereto: A.D. 1910.

Provided that before carrying any balance of the revenue of the tramway undertaking in any year to the city fund the Corporation shall pay the interest on moneys borrowed by them for the purposes of that undertaking under and provide the requisite instalments of sinking fund prescribed by the Act of 1897 the Act of 1899 the Act of 1900 the Act of 1901 the Act of 1902 the Act of 1903 and this Act respectively in respect of money borrowed for the purposes of that undertaking and the said section 50 of the Act of 1897 shall be read and construed accordingly.

21. In the accounts of the Corporation relative to their tramway undertaking the receipts and expenditure upon and in connection with (a) trolley vehicles and (b) parcels shall (as far as may be reasonably practicable) be distinguished from the receipts and expenditure upon or in connection with the remainder of such undertaking. Accounts.

22. For the protection of the Great Northern Railway Company the Lancashire and Yorkshire Railway Company and the Midland Railway Company (each of whom is in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company be observed and have effect in relation to the exercise of the powers of Parts II. and III. of this Act (that is to say):— For protection of railway companies.

(1) In this section the word "apparatus" means and includes electric mains wires conductors posts tubes boxes apparatus and any similar appliances to be used for the purposes of the supply of motive power for the carriages running on the tramway and for any trolley vehicles and includes also any brackets wires and apparatus for the purposes of such apparatus:

(2) All works by this Act authorised where the same shall be made upon across under or over any bridge or the approaches thereto or other work belonging to or maintainable by the company or will otherwise affect the same shall be executed so as not to interfere with the structure of any such bridge approaches or other work and according to plans sections and

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specifications to be previously submitted to and reasonably approved by the company or in case of difference between them and the Corporation by an arbitrator to be appointed as hereinafter provided. Provided that if the company do not within twenty-eight days after such submission signify their approval or disapproval of such plans sections and specifications they shall be deemed to have approved thereof. All such works shall be executed according to the plans sections and specifications approved as aforesaid or by an arbitrator as hereinafter provided and under the superintendence (if the same be given) and to the reasonable satisfaction of the company. The Corporation shall so maintain and use the works and apparatus as not to injuriously affect any such bridge approaches or other work and in the event of any injury being occasioned to such bridge approaches or work by the construction maintenance user or removal of the tramways works and apparatus upon across under or over the same the company may make good the injury and may recover from the Corporation the reasonable expenses of so doing:

- (3) The Corporation shall on demand pay to the company the reasonable expense of lighting and watching the works of the Corporation during the execution or repair by the Corporation under this Act of any work or apparatus affecting any railway belonging to the company for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of either of them:
- (4) The Corporation shall not in any manner in the execution maintenance user or repair of any of their works or apparatus obstruct or interfere with the free uninterrupted and safe user of any railway belonging to the company or any traffic thereon:
- (5) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company or any of their works or property or to the traffic on their

railways or to any company or person using the same A.D. 1910.
by or by reason of the execution or failure of any of
the intended works or apparatus or by or by reason
of any act default or omission of the Corporation or
of any person in their employ or of any contractors
for the intended works or any part thereof and the
Corporation shall effectually indemnify and hold
harmless the company from all claims and demands
upon or against them by reason of such execution or
failure or of any such act default or omission :

(6) If the company in the exercise of their existing powers shall hereafter require either to widen lengthen strengthen reconstruct alter or repair any such bridge under or upon which the tramways works or apparatus are laid or the approaches thereto or to widen or alter any railway thereunder or thereover and it shall be necessary for such purpose that the working or user of any part of the tramways or any apparatus under or upon such bridge or approaches be wholly or in part stopped or delayed or that such part of the tramways or any apparatus be temporarily taken up diverted or removed and if the company accordingly give to the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay taking up diversion or removal then the working or user of such part of the tramways or apparatus shall be stopped or delayed or such part of the tramways or apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be necessary for effecting such purpose as aforesaid and such part of the tramways or apparatus shall be restored with all practicable dispatch but the company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal :

(7) The Corporation shall from time to time pay to the company any additional expense which the company

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may reasonably incur in effecting such widening lengthening strengthening reconstructing altering or repairing as is mentioned in the last preceding subsection or in the maintenance of any bridge approach or other work of the company by reason of the existence or user of the tramways works or apparatus :

- (8) If and when the company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation has been placed the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be reasonably required by the engineer of the company unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been reasonably approved by the said engineer :
- (9) If having regard to the proposed position of any works of the Corporation by this Act authorised when considered in relation to the position of the works of the company at any point where any tramway or any works or apparatus will be constructed over or under the railway or other works of the company it becomes necessary in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal cabins posts wires or apparatus of the company shall be altered the company may execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be repaid to the company by the Corporation :
- (10) The Corporation shall not for the purposes of this Act make attachments to any part of the said bridges without the consent in writing of the engineer of the company such attachments if allowed to be in all respects subject to the approval of the said engineer and to be temporarily removed at any time when required by him in connection with the maintenance and reconstruction or alteration of the said bridges :

(11) Where any tramway will pass in front of the entrances to any passenger or goods stations or in front of the approach roads to any of the stations of the company no additional crossing or passing place siding junction turnout or other work shall be made for or in connection therewith for the distance thereon extending in front of the said entrances or approach roads to such stations and for a length of ten yards at each end of such distance without the consent of the company and without such consent no carriage used on the tramways and no such vehicle as aforesaid shall be stopped or permitted to be stopped within such distance and lengths except only for so long as shall be reasonably necessary for the purposes of discharging and taking up passengers: A.D. 1910.

(12) If any difference arises under this section between the Corporation and the company or their engineer the same shall unless otherwise agreed be settled by arbitration under the provisions of the Arbitration Act 1889 by an engineer to be appointed by the President of the Institution of Civil Engineers at the request of either party.

23.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connection with the tramways or in connection with the trolley vehicles authorised by this Act or by an order under this Act (in this section together referred to as "the tramways") and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

Use of tramway posts by Postmaster-General.

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

(B) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section

A.D. 1910.

- and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain. Any difference as to any matter referred to in such notice shall be determined as hereinafter provided:
- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section:
- (d) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires. Any difference as to the conditions of attachment shall be determined as hereinafter provided:
- (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road:
- (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair:
- (g) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss

damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants: A.D. 1910.

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

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

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

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the

A.D. 1910. support of any of their electric wires and apparatus whether in connection with their tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connection with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

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

(4) In this section—

The expression "the Corporation" includes their lessees;

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

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

Lost property.

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

PART V.

STREET WORKS.

Power to execute street works.

25. Subject to the provisions of this Act the Corporation upon the lands in that behalf delineated on the deposited plans and described in the deposited book of reference and in the line and situation and according to the levels shown on the deposited plans and sections may make and maintain wholly in the city the following street works (that is to say):—

Work No. 1 A widening and improvement of Thornton Lane and Little Horton Lane at the junction of those

two streets commencing on the western side of Thornton Lane near the southern end of the Chapel Green Liberal Club and terminating in Little Horton Lane at a point 18 yards or thereabouts from the junction of Little Horton Lane and Thornton Lane : A.D. 1910.

Work No. 2 A widening of Thornton Lane on the western side thereof extending from the south-eastern corner of Clough Terrace in a south-easterly direction for a distance of about 51 yards :

Work No. 3 A widening and improvement of Fagley Road on the southern side thereof extending westwards from Silver Hill Road for a distance of about 90 yards :

Work No. 4 A widening and improvement of Fagley Road on the southern side thereof between Gain Lane and Leeds Road :

Work No. 5 A widening and improvement of Toller Lane on the southern side thereof from Ashwell Road to the western side of Toller Lane United Methodist Church :

Work No. 6 A widening and improvement of Toller Lane on the southern side thereof between points respectively 26 yards or thereabouts west and 76 yards or thereabouts east of a point opposite the centre of Nearcliffe :

Work No. 7 A widening and improvement of Broad Lane on the northern side thereof between points respectively 64 yards and 130 yards or thereabouts east of Westbury Street :

Work No. 8 A widening and improvement of New Lane on the northern side thereof between points respectively 37 yards and 102 yards or thereabouts eastward from Wellington Street :

Work No. 9 A widening and improvement of New Lane on the southern side thereof between points respectively 22 yards and 72 yards or thereabouts eastward from the junction of New Lane and Laisterdyke :

Work No. 10 A widening and improvement of Victoria Road on the western side thereof between points respectively 88 yards or thereabouts northwards and 127 yards or thereabouts southwards of the centre of Westgate :

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Work No. 11 A widening and improvement at the corner formed by Little Horton Lane and Manchester Road commencing in Little Horton Lane at a point on the eastern side of that lane about 28 yards or thereabouts south-westward from the junction of Little Horton Lane and Great Horton Road and terminating in Manchester Road at a point 26 yards or thereabouts south-eastward from the said junction :

Work No. 12 A widening and improvement of Keighley Road on the eastern side thereof from Frizinghall Road to the northern end of the gates leading to Clock House :

Work No. 13 A widening and improvement of High Street Great Horton on the northern side thereof between Holly Bank Road and a point about 54 yards westward of that road :

Work No. 14 A widening and improvement of High Street Great Horton on the southern side thereof commencing at a point 41 yards or thereabouts north-east of the centre of Cross Lane and terminating at Southfield Lane :

Work No. 16 A new street commencing in High Street at the westernmost corner of the premises of the Conservative Club and terminating by a junction with High Street Wibsey at a point 18 yards or thereabouts east of Croft Street :

Work No. 17 A widening and improvement on the north-west side of Leeds Old Road at its junction with Killinghall Road.

Power to deviate for street works.

26. In constructing the works authorised by this Part of this Act the Corporation may deviate from the centre line shown on the deposited plans to the extent of the limits of deviation marked thereon and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding 2 feet upwards or downwards.

Incorporation of section 37 of Act of 1902.

27. Section 37 (Power to make junctions between existing and new streets &c.) of the Act of 1902 shall extend and apply to and in relation to the street works by this Act authorised as if that section was in this Act re-enacted with special reference thereto.

PART VI.

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GENERAL WORKS.

28. Subject to the provisions of this Act the Corporation may within the limits of deviation (if any) shown on the deposited plans make maintain and provide all such incidental works and conveniences as may be necessary or expedient in connection with or for the purposes of the tramways and street works described in and authorised by this Act or any of them.

Power to make general works.

29. The following enactments of the Act of 1902 (that is to say) :—

Incorporation of certain sections of Act of 1902.

Section 40 Temporary stoppage of streets;

Section 41 Power to alter sewers gas and water pipes &c.; shall extend and apply to and in relation to the tramways and street works by this Act authorised as if those enactments were in this Act re-enacted with special reference thereto.

PART VII.

LANDS.

30. Subject to the provisions of this Act the Corporation may enter upon take and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference except the lands numbered on the deposited plans 143 to 164 inclusive in the township of Bradford.

Power to take lands.

31. If any omission mis-statement or erroneous description is found to have been made of any lands or of any owners lessees or occupiers of any lands described or intended to be described in the deposited plans or book of reference the Corporation may apply to two justices not being members of the council for the correction thereof after giving ten days' notice to the owners lessees and occupiers of the lands affected by the proposed correction and if it appears to such justices that the omission mis-statement or erroneous description arose from mistake they shall certify the same accordingly stating the particulars of the omission mis-statement or erroneous description and such certificate shall be deposited with the clerk of the peace for the West Riding of the county of York and a duplicate of the certificate shall also be deposited with the officer or person with whom the plans or book of reference to which it relates was deposited

Correction of errors &c. in deposited plans and book of reference.

A.D. 1910. and such certificate and duplicate respectively shall be kept with the other documents to which it relates and subject and according to the same enactments and provisions as apply to those other documents and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to the certificate and the Corporation may enter on take hold and use those lands accordingly.

Limitation of time for compulsory purchase of lands.

32. The powers of the Corporation for the compulsory purchase of the lands shown upon the deposited plans and situate in the parishes of Oxenhope and Denholme shall cease after the expiration of five years and for the compulsory purchase of all other lands shown upon the said plans after the expiration of three years from the passing of this Act.

Power to acquire additional lands by agreement.

33. The Corporation may for the purposes of this Act in addition to the lands they are authorised to acquire and hold under the powers of the former Acts and under the other powers of this Act from time to time by agreement acquire in fee either by purchase or by way of exchange or otherwise any lands not exceeding in the whole ten acres or any easement right or privilege therein thereunder thereover or thereupon (not being an easement right or privilege of water in which persons other than the grantors have an interest) but the Corporation shall not deal with any such lands so as to create or permit a nuisance.

Incorporation of provisions of former Acts relating to lands.

34. The following enactments (that is to say):—

Of the Act of 1892—

Section 7 Corporation may acquire easements only in certain lands;

Of the Act of 1902—

Section 49 Consideration for acquisition of land;

Section 50 Power to grant easements &c. by agreement;

Section 52 Power to retain sell &c. lands;

Section 53 Proceeds of sale of surplus land;

Section 54 Proceeds of sale of lands;

Section 55 Corporation may use their own lands for purposes of Act;

shall extend and apply to and in relation to the lands by this Act authorised to be acquired as if those enactments were in this Act re-enacted with special reference thereto.

35. The Corporation may hold the lands acquired by them under the powers of this Act in the parishes of Oxenhope and Denholme or any part of those lands which they may deem necessary for the purpose of protecting their waterworks against pollution fouling and contamination and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of this Act or the Lands Clauses Acts respectively but the Corporation shall not create or permit a nuisance on any such lands.

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Power to hold lands for protection of water and water-works.

36. In settling any question of disputed purchase money or compensation under this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the first day of December one thousand nine hundred and nine if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Compensation in case of recently altered buildings.

37. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:--

Owners may be required to sell parts only of certain lands and buildings.

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of this Act or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the

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property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

- (3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter in this section referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed :
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :
- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :

(6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice: A.D. 1910.

(7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

PART VIII.

STYLE OF CORPORATION.

38. From and after the passing of this Act the mayor aldermen and citizens of the city of Bradford in the West Riding of the county of York shall be one body politic and corporate by the name and style of the lord mayor aldermen and citizens of the city of Bradford in the West Riding of the county of York and as if they had been incorporated by the name of the lord mayor aldermen and citizens of the city of Bradford. Alteration of style of Corporation.

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All provisions contained or to be contained in any Act of Parliament or in any document deed or contract relating to the said mayor aldermen and citizens of the city of Bradford however described shall henceforth be taken to apply and shall apply to the lord mayor aldermen and citizens of the city of Bradford in all respects as if such Act deed document or contract referred to had named the lord mayor aldermen and citizens of the city of Bradford.

PART IX.

WATER SUPPLY.

Notice to Corporation of connecting or disconnecting meters.

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

Notice of discontinuance.

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

Injuring meters &c.

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

And in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured

[10 EDW. 7 & *Bradford Corporation Act*, 1910. [Ch. cxvii.]
1 GEO. 5.]

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

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42. In cases of schools manufactories dyers printers bleachers brewers innkeepers livery stable keepers alehouse keepers and other persons requiring a supply of water for other purposes than his or their own families' consumption or persons requiring a supply of water for baths or waterclosets in or attached to any building not being a private dwelling-house or for washing carriages or motor cars or for cows and horses or for the purposes of any trade or business whatsoever such supply may be furnished by the Corporation either by meter or otherwise in accordance with the scale of charges made by the Corporation under section 39 of the Act of 1897 and for the time being in force Provided always that in the case of stables or premises in which horses carriages or motor cars are kept for private use and which are occupied with and rated along with any private dwelling-house the water supplied for domestic purposes may be used for such stables or premises if the water rate is assessed upon the annual rackrent or value of the private dwelling-house including such stables or premises and no additional charge shall be made for water supplied to such stables or premises unless a hose pipe or other similar apparatus

As to supply of water for other than domestic purposes.

A.D. 1910. be used in which case the Corporation may make such additional charge therefor as may be prescribed by the scale of charges for a tube for garden watering.

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

43. The Corporation may upon the application of any owner or occupier of any premises abutting on or being erected in any street or road within the limits of supply laid out or made but not dedicated to public use supply such premises with water and may lay down take up alter relay repair or renew in across or along or out of such street or road such pipes and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

PART X.

GAS.

Confirmation of agreement with Ripley Trustees.

44.—(1) The agreement dated the nineteenth day of December one thousand nine hundred and seven and made between Henry Ripley Hugh Ripley and Edward Guy Ripley as trustees under the will of the late Sir Henry William Ripley deceased of the one part and the Corporation of the other part as set out in the Third Schedule to this Act is hereby confirmed and made binding upon and may be carried into effect by the parties thereto respectively.

(2) As from the date when the gasworks lands plant and property by the said agreement agreed to be sold to the Corporation shall become vested in the Corporation the same shall be held by the Corporation as part of the gas undertaking of the Corporation and shall become subject to the provisions of the former Acts relative to that undertaking Provided that the Corporation shall not unless authorised by Parliament so to do manufacture gas upon any lands vested in them under or in pursuance of the said agreement.

PART XI.

ELECTRICITY.

Attachment of brackets &c. to buildings for lighting.

45. The Corporation may with the consent of the owner of any building attach to that building such brackets wires and

attachments as may be required for lighting any street in the city. Provided that— A.D. 1910.

- (1) Where in the opinion of the Corporation any consent under this section is unreasonably refused they may appeal to a petty sessional court who shall have power having regard to the character of the building and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid:
- (2) Any consent of an owner and any order of a petty sessional court under this section shall not have effect after the owner ceases to be in possession of the building but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed. Where such notice is given the preceding provisions of this section shall apply and the petty sessional court shall have the same powers as under proviso (1):
- (3) The owner may require the Corporation to temporarily remove the attachments where necessary during any reconstruction or repair of the building.

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

46. In the event of a meter of a construction and pattern approved by the Board of Trade 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 unless it be proved to have first arisen during the then current quarter. 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.

Provision in event of erroneous registration by meter in respect of supply of electricity.

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Power to
lay electric
lines &c. in
streets not
dedicated to
public use.

47. The Corporation may upon the application of any owner or occupier of any premises abutting on or being erected in any street or road within the limits of supply laid out or made but not dedicated to public use supply such premises with electricity and may lay down take up alter relay repair or renew in across or along or out of such street or road such electric lines and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Bradford Electric Lighting Order 1883 and the Acts incorporated therewith so far as they are applicable for the purposes of this section shall extend and apply to and for the purposes hereof and to any works constructed or executed by the Corporation under the powers of this section as if such street or road were a street or road repairable by the inhabitants at large.

PART XII.

STREETS AND BUILDINGS.

Laying out
of streets for
buildings on
the "Gar-
den City"
principle.

48. Notwithstanding anything contained in the regulations relating to new streets and buildings in the Fourth Schedule to the Act of 1871 and the Second Schedule to the Act of 1878 respectively any area of land in the city may be laid out for building purposes under and in accordance with the following provisions:—

- (1) Where a new street is intended to be laid out on such area of land and it is proposed to erect dwelling-houses on both sides of such street and such street is intended for use as the means of approach to the front of such dwelling-houses but not as a carriage-road and is not more than seventy-six yards in length such new street may be laid out of any width not less than six feet if the following conditions are complied with:—

(A) The new street shall communicate at each end with a carriage-road or thoroughfare such carriage-road or thoroughfare being not less than fourteen yards wide and so laid out that no part of any building fronting or abutting thereon shall be nearer to the centre thereof than twenty-seven feet;

(B) The new street shall be so laid out that there shall not be a less distance than seventy-two feet

measured at right angles to the centre line of the new street between the front of a dwelling-house erected upon one side thereof and the front of a dwelling-house erected on the other side thereof and such new street shall be constructed along the centre of the space between the dwelling-houses ;

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(c) The space between such dwelling-houses so far as the same is not occupied by the new street shall be laid out as gardens and any fence or wall to be erected thereon shall not exceed three feet in height ;

(d) Every such new street shall be laid out between and parallel or as nearly as may be parallel with two carriage-roads or main thoroughfares not more than two hundred and eighty-two yards apart and each not less than fourteen yards wide and there shall be a proper junction and communication between such last-mentioned carriage-roads or main thoroughfares and the carriage-roads or thoroughfares with which such new streets are to communicate in accordance with the foregoing provisions of this section Provided that no part of any building upon such land shall be nearer to the centre of any such carriage-road or main thoroughfare than thirty feet ;

(e) There shall also be provided at the rear of the houses fronting on the new street a back road not less than eight yards wide forming a means of approach for vehicles to the yards at the back of such houses ;

(f) The new street shall be properly sewered and the surface thereof paved to the satisfaction of the Corporation with flags cement or asphalte or otherwise in a suitable manner with suitable materials laid with proper inclinations on a sufficient and solid foundation and such street shall be provided with such gully or gullies connected with the sewer as shall be necessary for the efficient drainage of such street ;

(g) The surface of such street shall be so constructed as to curve or fall from the centre or

A.D. 1910.

crown of such street to the channels at the sides thereof and the centre of the crown of such street above the level of the side channels shall be of a height above the sides thereof calculated at the rate of not less than half an inch for every foot of the width of such street :

- (2) Except as hereinbefore in this section specifically provided nothing in this section shall restrict or limit the application to the dwelling-houses to be erected on any such lands as aforesaid of the regulations as to buildings for the time being in force in the city.

Alterations of building regulations.

49. The regulations set out in the first part of the Fourth Schedule to this Act shall to the extent indicated in the said first part of the said schedule supersede the regulations set out in the Fourth Schedule to the Act of 1871 and the Second Schedule to the Act of 1878 and the regulations set out in the second part of the said schedule shall apply and have effect within the city in addition to the regulations set out in the said Fourth Schedule to the Act of 1871 and the Second Schedule to the Act of 1878 as amended by this Act and shall be enforceable as if the said regulations had been included in the Fourth Schedule to the Act of 1871.

Corporation may themselves give effect to orders under building regulations.

50. In any case where a notice in writing duly given in accordance with Regulation Number XXII. set out in the Fourth Schedule to the Act of 1871 has not been complied with the Corporation may if they think fit in lieu of proceeding for the recovery of penalties themselves proceed to give effect to the requirements of such notice and may recover as a debt in any court of competent jurisdiction any costs or expenses to which they may be put in so doing from the builder or person to whom such notice shall have been given.

Further powers as to dangerous buildings.

51.—(1) In any case where a building shall have been reported to the Corporation as dangerous to the inmates thereof or persons working therein or in the case of any building which may appear to the Corporation on the report of any duly qualified officer to be dangerous to the inmates or persons working therein the Corporation may order a complete external and internal inspection and examination of any such building to be made by a competent person and for that purpose such person may on giving not less than twenty-four hours' notice to the occupier of

[10 EDW. 7 & *Bradford Corporation Act*, 1910. [Ch. cxvii.]
1 GEO. 5.]

the building and on producing written authority from the town clerk enter at any hour of the day between 9 AM. and 6 PM. with such other persons as he may deem necessary upon such building and examine and inspect the same. A.D. 1910.

(2) If upon such examination and inspection it shall appear necessary that any works shall be executed or alterations made for the purpose of putting such premises into a safe and proper condition for the purposes for which the same are used the Corporation in respect of such building and the works to be carried out therein shall have and may exercise all or any of the powers now vested in the Corporation with respect to dangerous structures in the city.

52. Nothing in this Part of this Act or in any byelaw made thereunder shall apply to any building (not being a dwelling-house) belonging to any railway company and used by such company as a part of or in connection with their railway under any Act of Parliament. Saving for
railway
companies.

PART XIII.

SANITARY.

53. The following provisions shall on and after the first day of August one thousand nine hundred and eleven be in force within the city with respect to the prevention of smoke and the emission of grit or gritty particles from chimneys (that is to say):— Prevention
of smoke
and grit.

(1) Every furnace employed or to be employed in the working of engines by steam and every furnace employed or to be employed in any mill factory printing-house dye-house glass-house distillery brew-house sugar refinery bakery gasworks waterworks or other buildings used for the purpose of trade or manufacture (although a steam engine be not used or employed therein) shall in all cases be constructed or altered upon the principle of consuming and so as to consume or burn the smoke arising from such furnace:

(2) If any person uses or suffers to be used any such furnace which shall not be constructed upon the principle of consuming and so as to consume or burn its own smoke or if any person using or permitting to be used any

A.D. 1910.

furnace so constructed shall in the event of the smoke arising therefrom not being effectually consumed or burnt fail to show that such furnace has not been negligently used he shall if he is the owner or occupier of the premises or a foreman or other person employed by such owner or occupier be liable to a penalty not exceeding five pounds and on a second conviction to a fine of not exceeding ten pounds and on each subsequent conviction to a fine not exceeding fifty pounds :

- (3) No penalty shall be inflicted if in the opinion of the court the emission of the smoke was due to an accident or to any other cause which could not have been foreseen :
- (4) The provisions of this section shall extend to and be applicable in respect of the emission from any chimney in connection with any such furnace of any grit or gritty particles so as to fall into any street or court or on any building in any street or court or on any yard garden or enclosure belonging thereto as if the emission of such grit or gritty particles were smoke arising from such furnaces :
- (5) No penalty shall be inflicted for the contravention of the provisions of this section if the person against whom the proceedings are taken shall prove to the satisfaction of the court that the best practicable means have been used to prevent the emission of smoke or of such grit or gritty particles as aforesaid :
- (6) No person shall be prosecuted or otherwise proceeded against for an offence under this section unless he is notified of the intended prosecution or other proceeding within twenty-four hours (exclusive of Sundays) from the time of the commission of the offence :
- (7) The provisions of this section shall not apply to any locomotive steam engine used on the railway of any company incorporated by Act of Parliament :
- (8) The provisions of this section shall cease to be operative at the expiration of a period of five years from the first day of August one thousand nine hundred and eleven unless extended by Parliament.

54.—(1) As from the passing of this Act section 42 of the Act of 1901 and section 64 of the Act of 1903 shall be and the same are hereby repealed.

A.D. 1910.
For regulat-
ing manufac-
ture and sale
of ice-cream
&c.

(2) Any person being a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity who within the city—

- (A) Causes or permits ice-cream or any similar commodity or any materials used in the manufacture thereof to be manufactured sold or stored in any sleeping room or in any room cellar or place which is in a condition likely to render such commodity injurious to health or in which there is an inlet or opening to a drain; or
- (B) In the manufacture sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination or omits to take any proper precaution for the due protection of such commodity from infection or contamination; or
- (C) Omits on the outbreak of any infectious disease amongst the persons employed in his business to give notice thereof to the medical officer;

shall be liable for every such offence upon summary conviction therefor to a penalty not exceeding forty shillings.

(3) In the event of any inmate of any building (any part of which is used for the manufacture of ice-cream or similar commodity) suffering from any infectious disease the medical officer may seize and destroy all ice-cream or similar commodity or materials for the manufacture of the same in such building and the Corporation shall compensate the owner of the ice-cream commodity or materials so destroyed.

(4) Every dealer in ice-cream or other similar commodity vending his wares from any cart barrow or other vehicle or stand shall have his name and address legibly painted or inscribed on such cart barrow vehicle or stand and any person who shall fail to comply with this subsection shall be liable upon conviction to a penalty not exceeding forty shillings.

(5) Any officer duly authorised by the Corporation in that behalf shall at all reasonable times have the same power of entry into and inspection of the premises of a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity for the purpose of inspecting such premises and the materials or

A.D. 1910. commodities or articles of food therein as an officer of the Corporation would have under section 102 (Power of entry of local authority) of the Public Health Act 1875 in the cases therein mentioned and any person refusing entry into or inspection of such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable upon conviction to a penalty not exceeding forty shillings for each offence.

(6) The Corporation shall cause public notice to be given of the effect of the provisions of this section by advertisement in a local newspaper and by handbills and otherwise in such manner as they think sufficient and the provisions of this section shall come into operation at such time not being less than one month after the first publication of such an advertisement as aforesaid as the Corporation may fix.

(7) Any expenses of the execution by the Corporation of this section shall be defrayed out of the district fund and general district rate.

Prohibition of blowing or inflating carcases.

55. It shall not be lawful to blow or inflate the carcase or any part of the carcase of any animal slaughtered within or brought into the city and any person offending against this enactment or exposing or depositing for sale within the city a carcase so blown or inflated or any part thereof shall be liable to a penalty not exceeding twenty shillings.

Regulation dustbins.

56. The Corporation may by notice in writing require the owner or occupier of any dwelling-house to provide galvanised iron or enamelled iron dustbins for the convenient removal of house refuse and such dustbins shall be of such size and construction as may be approved by the Corporation and any owner or occupier who fails within fourteen days after notice given to him to comply with the requirements of the Corporation shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding five shillings. Provided that this section shall not authorise the Corporation to require the provision of a dustbin thereunder in any case in which a dustbin or ashpit in use at the passing of this Act is of suitable size and in proper order and condition.

Appointment of inspectors of nuisances.

57. The Corporation may appoint and pay as many inspectors of nuisances as may in their judgment be necessary for the proper execution of the provisions of the Public Health Act 1875 and of the local Acts in force in the city.

PART XIV.

A.D. 1910.

POLICE.

58.—(1) Any person who deposits or keeps any obscene or indecent print picture or drawing at any premises within the city for the purposes of sale or distribution or exhibition for purposes of gain and any person being the occupier of premises who allows any such print picture or drawing to be deposited or kept at such premises for any of the purposes aforesaid shall be liable to a penalty not exceeding for the first offence five pounds for the second offence ten pounds for the third and every subsequent offence fifty pounds.

Penalty for keeping obscene pictures &c. for sale.

(2) The possession of more than one copy of any obscene or indecent print picture or drawing or the possession of any obscene or indecent print picture or drawing upon premises upon which prints pictures or drawings of any description are sold or are kept for sale shall be primâ facie evidence that such obscene or indecent print picture or drawing is deposited or kept for the purpose of sale.

(3) Any justice of the peace for the city if satisfied by information on oath made before him that there is reasonable cause to believe that any obscene or indecent print picture or drawing is deposited or kept at any premises within the city for any of the purposes aforesaid may issue a warrant under his hand by virtue of which it shall be lawful for any city constable named therein to enter such premises at any reasonable time by day and to search therefor and seize and take away all such prints pictures or drawings found upon such premises and any print picture or drawing so seized shall be taken before a petty sessional court and in the event of any person being convicted in respect of any print picture or drawing so seized as aforesaid of an offence under the provisions of this section such print picture or drawing shall be destroyed but otherwise any such print picture or drawing shall be restored to the occupier of the premises in which it was seized and the court shall make an order accordingly.

(4) The chief constable of the city shall furnish to the Secretary of State such returns as he may require of any proceedings taken under the provisions of this section.

(5) The provisions of this section shall cease to be in force within the city at the expiration of five years from the date

A.D. 1910. of the passing of this Act unless they shall have been continued by Act of Parliament or by Provisional Order confirmed by Parliament which Order the Secretary of State is hereby empowered to make in accordance with the provisions of the Public Health Act 1875 relating to Provisional Orders amending local Acts and in the application of those provisions to the purposes of this section the Secretary of State shall be substituted for the Local Government Board.

PART XV.

FINANCIAL PROVISIONS.

Power to borrow.

59.—(1) The Corporation may from time to time in addition to any moneys they are now authorised to borrow or which they may be authorised to borrow under the provisions of any of the former Acts the Public Health Acts or any public general Act borrow at interest on the following securities and for the following purposes the following sums (that is to say):—

On the security of the city fund and city rate—

For paying the costs of this Act the sum requisite for that purpose;

For the extension of the town hall thirty-five thousand pounds:

On the security of the tramway-revenue and city fund and city rate—

For construction of the tramways any sums not exceeding thirty-four thousand three hundred and sixty-six pounds;

For alterations of existing tramways any sums not exceeding twenty-six thousand one hundred and twenty-six pounds;

For tramway purposes any sums not exceeding ten thousand pounds;

For the overhead equipment for trolley vehicles two thousand two hundred pounds;

For trolley vehicles four thousand two hundred and fifty pounds;

For any other purposes of Part III. of this Act such sum or sums as the Board of Trade may sanction:

[10 EDW. 7 & *Bradford Corporation Act*, 1910. [Ch. cxvii.]
1 GEO. 5.]

On the security of the electricity revenue and city fund and city rate— A.D. 1910.

For electrical feeder cables switchboard plant apparatus and fittings for tramway purposes and for the purposes of Part III. of this Act twenty-two thousand eight hundred pounds :

On the security of the district fund and general district rate—

For the purchase of lands for street improvements and the new street fifty-two thousand seven hundred pounds ;

For purposes of the street works by this Act authorised (other than lands) four thousand two hundred pounds and such further sums as the Local Government Board may sanction :

On the security of the revenue of the water undertaking and the city fund and the city rate—

For lands for waterworks purposes fifteen thousand pounds :

On the security of the revenue of the gas undertaking and the city fund and city rate—

For and in respect of the purchase of the gasworks referred to in the agreement set out in the Third Schedule to this Act the money necessary for that purpose.

(2) The Corporation may by way of collateral security include the city fund and city rate in all or any mortgages or charges created under the powers of this Act.

(3) In calculating the sums the Corporation may borrow under any other enactment any sums they may borrow under this Act shall not be reckoned. The powers of the Corporation as to borrowing and re-borrowing shall not be restricted by any of the provisions of any of the Public Health Acts.

(4) As regards all rates to be laid for the purposes of this Act relating to electricity water or gas and as regards one half of the rates to be laid for the purposes of the extension of the town hall and as regards any increase in the city rate by reason of its being included in any mortgage or charge created under the powers of this Act by way of collateral security the occupiers

A.D. 1910. of any land used as a railway constructed under the powers of any Act of Parliament for public conveyance and of any land used as arable meadow or pasture ground only or as woodlands market gardens or nursery grounds and of any land covered with water or used only as a canal or towing path and the owners of any tithes or tithe commutation rentcharge shall be assessed to such rates in respect of the same in the proportion of one-fourth part only of the net annual value thereof.

(5) As regards all rates to be laid under the powers of this Act relating to tramways owned leased or worked by the Corporation outside the city if at any time such tramways are worked at a loss the owners of any land used as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed for such rates in respect of the same in the proportion of one-fourth part only of the net annual value thereof and in order to give effect to this section the Corporation shall as far as reasonably practicable keep separate accounts of receipts and expenditure in connection with such tramways and such accounts shall at all reasonable times be open to the inspection of the railway company occupying any such land and their officers.

Period for
repayment
&c.

60. The Corporation shall repay all moneys borrowed under the powers of this Act within the following periods (in this Act referred to as "the prescribed periods") from the date of the borrowing of the said moneys respectively (that is to say):—

As to moneys borrowed for paying the costs of this Act within any period not exceeding five years from the date of the passing of this Act;

As to moneys borrowed for the construction of the tramways and for alterations of existing tramways within any period not exceeding thirty years;

As to moneys borrowed for other tramway purposes within any period not exceeding twenty years;

As to moneys borrowed for the overhead equipment of and the provision of trolley vehicles within any period not exceeding fifteen years;

As to moneys borrowed with the sanction of the Board of Trade for any other purposes of Part III. of this Act within such period as the Board of Trade may sanction;

As to moneys borrowed for electrical feeder cables and switchboard purposes within any period not exceeding twenty years; A.D. 1910.

As to moneys borrowed for and in relation to the acquisition of lands within any period not exceeding sixty years;

As to the said sum of four thousand two hundred pounds by this Act authorised to be borrowed for the purposes of street works within any period not exceeding thirty years and as to any further moneys borrowed for those purposes with the sanction of the Local Government Board within such period as the Local Government Board may sanction;

As to moneys borrowed for the extension of the town hall within any period not exceeding fifty years;

As to moneys borrowed for the purchase of gasworks within any period not exceeding twenty years.

61. The following sections of the former Acts (that is to say) :— Incorporating certain sections of former Acts.

Of the Act of 1900—

Section 51 As to sinking fund;

Section 52 Power to re-borrow;

Section 53 Receiver;

Section 54 Protection of lenders from inquiry;

Section 55 Corporation not to regard trusts;

Section 56 Return respecting sinking fund to Local Government Board;

Of the Act of 1902—

Section 82 Provision as to mortgages;

Section 84 Mode of repayment;

Section 86 Application of money borrowed;

shall extend and apply mutatis mutandis to and in relation to the like matters as if they were re-enacted in this Act.

62. From and after the passing of this Act the treasurer shall make to the Local Government Board any return in relation to any loans fund or sinking fund or instalment which by this Act or by the former Acts or any of them the town clerk is Treasurer instead of town clerk to make annual returns to

A.D. 1910. required to make and any provision relating to the making of
Local such return in the former Acts shall be read and have effect as if
Government the treasurer were mentioned therein in lieu of the town clerk.
Board.

PART XVI.

MISCELLANEOUS.

As to :
authentic-
ation of
certificates
issued from
conditioning
house.
63.—(1) On and after the passing of this Act section 7
(Validity of certificate) of the Act of 1887 shall be and the
same is hereby repealed.

(2) Every certificate issued by the Corporation after the
passing of this Act for the purposes of Part I. "As to condition-
ing house" of the Act of 1887 shall be valid and effectual if
sealed with a special seal to be provided for that purpose and
attested by the signature of the manager of the conditioning
house or such other officer as the Corporation may from time
to time by resolution appoint for that purpose.

(3) The said seal shall denote that the same is the seal of
the Bradford Corporation Conditioning House and the said seal
shall be in the custody and control of the manager of the con-
ditioning house or such other officer authorised as aforesaid.

(4) Every such certificate or any copy thereof verified as
such under the hand of the manager of the conditioning house
or such officer as aforesaid shall be receivable in evidence in any
court.

Power to
lease shops
&c. in
markets.
64. The Corporation may notwithstanding anything con-
tained in the former Acts lease for any period not exceeding
twenty-one years any shop store or warehouse situate in any of
their markets or forming part of or acquired in connection with
their markets undertaking at such rent and on such terms and
conditions as the Corporation may think fit.

Remunera-
tion of
coroner.
65. The Corporation may if they think fit remunerate the
coroner of the city by salary instead of by fees and allowances
Provided that as regards the coroner in office at the passing of
this Act this section shall operate only by agreement with him
And provided also that when a coroner has been appointed at
or is paid by a salary under this section such salary shall not
be reduced except with the consent of one of His Majesty's
Principal Secretaries of State.

66. As from the passing of this Act the public rights of way over the footpath across the Thornton Cemetery of the Corporation and coloured red upon the plan signed in duplicate by Charles Norris Nicholson the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one copy of which has been deposited in the Private Bill Office of the House of Commons and one copy in the Office of the Clerk of the Parliaments in the House of Lords shall cease and be extinguished and the Corporation may close and stop up such footpath Provided that such footpath may be used at any time when the cemetery is open to the public.

A.D. 1910.
Closing foot-
path through
Thornton
Cemetery.

67. For the protection of the Great Northern Railway Company the Lancashire and Yorkshire Railway Company and the Midland Railway Company (each of whom is in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company be observed and have effect (that is to say):—

For pro-
tection of
railway com-
panies in
respect of
water pipes
electric
lines &c.

(1) Whenever under the powers of the sections of this Act whereof the marginal notes are "Power to lay water pipes in streets not dedicated to public use" and "Power to lay electric lines &c. in streets not dedicated to public use" the Corporation shall require to lay down take up alter relay repair or renew any pipes electric lines or apparatus upon across or under any railway for the time being belonging to or worked by the company or the stations bridges approaches or other works thereof or to construct any works adjoining thereto they shall give to the engineer of the company fourteen days' notice in writing of their intention to carry out any such works accompanied by sufficient plans:

(2) Such works including the making good and repairing of any roads over any such railway and over any bridges and approaches which the company is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Corporation shall be laid constructed and executed at the expense of the Corporation under the superintendence and to the reasonable satisfaction of the said engineer and according to plans and sections to be previously reasonably approved by him and so as to

A.D. 1910.

avoid as far as possible injury to any such railway or any of the works thereof and so as not to cause any interruption to the passage or conduct of the traffic over or at any such railway or station :

- (3) When the Corporation open or break up any road or pavement of any street or other works belonging to or repairable by the company they shall with all convenient speed complete the work for which the same shall be broken up and reinstate and make good the road or works so opened or broken up and shall keep any road or pavement so broken up in good repair for three months after reinstatement and making good and for such further time if any as the soil so broken up shall continue to subside :
- (4) If the Corporation make delay in completing such work or reinstating and making good such road or works so opened or broken up or neglect to keep the road or pavement in repair as aforesaid the company may cause the work so delayed or omitted to be executed and the expense of executing the same shall be repaid to them by the Corporation :
- (5) The Corporation shall repay to the company the expense of any temporary works or watching which the company may reasonably consider necessary to provide for the protection of any such railway or the traffic thereon during the carrying out of the works aforesaid :
- (6) If any injury shall owing to or by reason of any of the matters aforesaid arise to any such railway or works or interruption to such traffic the Corporation shall make full satisfaction in respect thereof to the company and in the event of any dispute as to the amount of such satisfaction the same shall be determined by arbitration in manner hereinafter provided :
- (7) Any difference which may arise between the Corporation and the company under the provisions of this section shall unless otherwise agreed be settled by arbitration under the provisions of the Arbitration Act 1889 by an engineer to be appointed by the President of the Institution of Civil Engineers at the request of either party.

68. Any person deeming himself aggrieved by any order judgment determination or requirement made or given under the provisions of this Act or the former Acts or the withholding or revocation of any certificate licence permission consent or approval to be granted under the provisions of this Act or the former Acts of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act or the former Acts may appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order the Corporation may appeal and in the like manner.

A.D. 1910.
As to appeal.

69. Offences against this Act and penalties costs and expenses imposed or recoverable under this Act may be prosecuted and recovered in a summary manner:

Recovery of penalties &c.

Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

70. All penalties recovered under this Act shall except in the case of penalties recovered against the Corporation be paid to the treasurer and be by him carried to the credit of the city fund.

Penalties to be paid over to treasurer &c.

71. The accounts of any receipts and expenditure of the Corporation under this Act shall be audited examined and published in like manner and with the same consequences as the other accounts of the Corporation are audited examined and published under the Municipal Corporations Act 1882.

Audit of accounts of Corporation.

72.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

Inquiries by Local Government Board.

(2) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any

A.D. 1910. witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Powers of Act cumulative.

73. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and shall be entitled to such other rights and remedies as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Crown rights.

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

Costs of Act.

75. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act (in this Act referred to as "the costs 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 out of the city fund or city rate or out of moneys borrowed under the authority of this Act for that purpose.

The SCHEDULES referred to in the foregoing Act. A.D. 1910.

THE FIRST SCHEDULE.

THE FORMER ACTS.

- The Bradford Improvement Act 1850.
- The Bradford Waterworks Act 1854.
- The Bradford Corporation Waterworks Act 1854.
- The Bradford Corporation Waterworks Amendment Act 1855.
- The Bradford Corporation Waterworks Act 1858.
- Bradford Waterworks Act 1862.
- Bradford Corporation Act 1866.
- The Bradford Waterworks and Improvement Act 1868.
- The Bradford Waterworks Act 1869.
- The Bradford Corporation Gas and Improvement Act 1871.
- The Bradford Improvement Act 1873.
- The Bradford Waterworks and Improvement Act 1875.
- The Bradford Water and Improvement Act 1878.
- The Bradford Corporation Tramways Order 1880.
- The Bradford Water and Improvement Act 1881.
- The Bradford Electric Lighting Order 1883.
- The Bradford Corporation Tramways Order 1883.
- The Bradford Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1884.
- The Bradford Waterworks and Improvement Act 1885.
- The Bradford Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1886.
- The Bradford Corporation Tramways Order 1886.
- The Bradford Corporation (Various Powers) Act 1887.
- The Bradford Corporation Tramways Order 1888.
- The Bradford Corporation Tramways Order 1890.

- A.D. 1910. The Bradford Corporation Waterworks Act 1890.
 The Bradford Corporation Waterworks Act 1892.
 The Bradford Order 1892 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1892.
 The Bradford Tramways and Improvement Act 1897.
 The Bradford Tramways and Improvement Act 1899.
 The Bradford (Yorks) Extension Order 1899.
 The Bradford Corporation (Tramways Gas and Various Powers) Act 1900.
 The Bradford Corporation Act 1901.
 The Bradford Corporation Act 1902.
 The Bradford Corporation Act 1903.
 The Bradford Order 1907 and
 The Bradford Order 1908.

THE SECOND SCHEDULE.

DESCRIBING PROPERTIES OF WHICH PORTIONS ONLY
 MAY BE REQUIRED.

Parish.	Numbers on deposited Plans.
Township of Bradford -	6 to 12 18 to 41 91 to 94 97 to 106 108 109 110 113 to 119 121 122 123 127 128 138 139.
Parish of Eccleshill -	15 to 17 42 76 77 78 85.
Parish of North Bierley -	165 180 190.
Township of Bradford -	191 to 200 202 to 205.

[10 EDW. 7 & *Bradford Corporation Act*, 1910. [Ch. cxvii.]
1 GEO. 5.]

THE THIRD SCHEDULE.

A.D. 1910.

Stamp.

Ten
shillings.

MEMORANDUM OF AGREEMENT made this 19th day of December 1907 BETWEEN HENRY RIPLEY of Ashley Manor Cheltenham in the county of Gloucester Esquire HUGH RIPLEY of Hob Green Markington in the county of York Esquire and EDWARD GUY RIPLEY of Bedstone House Bucknell in the county of Salop Esquire (hereinafter called "the Vendors") of the one part and THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF BRADFORD (hereinafter called "the Corporation") of the other part whereby the Vendors (who are trustees under the will of the late Sir Henry William Ripley deceased) agree to sell and the Corporation agree to purchase the fee simple free from incumbrances of and in the gasworks and other hereditaments and premises mentioned in the schedule hereunder written and coloured pink on the plan marked "A" hereto annexed together with all the retorts and all gas mains and gas pipes whether in public streets or the private streets of the Vendors lamps lamp pillars machinery apparatus plant implements of trade fittings property (except all meters in or in connection with cottages) powers and privileges of the Vendors within their present area of supply which area is shown on the plan annexed hereto marked "B" and thereon coloured brown blue and red in connection with their gasworks at Ludlam Street in the city of Bradford (hereinafter called "the undertaking") at the price of fifteen thousand pounds and upon the terms and conditions following:—

1. The purchase is subject to the Corporation obtaining the necessary consent of the Local Government Board or parliamentary power or otherwise to enable them to purchase the said hereditaments and undertaking which powers the Corporation shall forthwith apply for and will take (and prosecute with vigour) all necessary steps to obtain such consent or power and the Vendors will so far as they can aid and assist the Corporation in such endeavour to the best of their ability.

2. The purchase money shall be paid and the purchase shall be completed at the expiration of two calendar months from the date when such sanction or power aforesaid shall be obtained from which date the Corporation shall be entitled to the rents and profits of and from the premises agreed to be sold all outgoing up to that time being discharged by the Vendors.

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3. If from any cause whatever other than the wilful default of the Vendors the purchase shall not be completed on the date fixed for completion as aforesaid the Corporation shall pay to the Vendors interest on the purchase money after the rate of 4*l.* per cent. per annum from the date fixed for completion as aforesaid until the purchase is actually completed but this condition shall not preclude the Vendors from compelling (subject to clause 12 hereof) completion of the purchase on the date hereinbefore mentioned or as soon thereafter as they shall think proper.

4. The Vendors shall within fourteen days after the Corporation have obtained the power aforesaid deliver to the town clerk an abstract of title to the property commencing as to part of the premises with a conveyance from John Green Paley Esquire to Edward Ripley and Henry William Ripley Esquires dated the 19th day of March 1852 as to other part with a conveyance from Sir Francis Sharp Powell Bart. (then Francis Sharp Powell Esquire) to the said Edward Ripley and Henry William Ripley dated the 25th day of May 1852 as to other part with a conveyance from Mr. Edwin Lee and others to the said Henry William Ripley dated the 30th day of September 1872 and as to the remainder with a conveyance from Mr. Joseph Birkby to the said Henry William Ripley dated the 20th day of March 1866 and within fourteen days from the delivery of the abstract the Corporation shall make their objections and requisitions (if any) in respect of the title and of all matters appearing in the abstract and send the same to Messrs. Taylor Jeffery and Jessop and all objections and requisitions not sent in within that time shall be considered to be waived.

5. The property is sold subject to all such rights of way or drainage light or water or any other easement if any to which any person or persons is or are entitled over in or under the same if any and to all exceptions reservations conditions covenants and provisions reserved and contained by and in the said several conveyances dated respectively the 19th day of March 1852 the 25th day of May 1852 the 30th day of September 1872 and the 20th day of March 1866 and as to the premises comprised in the last-named conveyance to the reservation of minerals with liberty to get the same contained in a certain indenture dated the 18th day of November 1847.

6. The muniments of title (except such if any as relate solely to the property hereby contracted to be sold) will be retained by the Vendors who will give to the Corporation an acknowledgment of their right to production and to delivery of copies thereof such acknowledgment to be prepared by and at the expense of the Corporation.

7. As from the date hereof and until the actual day of completion of the purchase the Vendors shall and will carry on the premises hereby agreed to be sold their business of manufacturing and supplying gas as heretofore.

8. On the completion of the purchase the Vendors will deliver over the undertaking in good working order with gas in the Vendors' holders equal in quantity to the ordinary proper and sufficient store of gas and of at least as good quality as that now supplied by the Vendors together with a supply of coal sufficient for carrying on the said works for two weeks on payment for such gas and coal as provided by clause 9 herein.

9. The Corporation shall take over all contracts for purchase of coal by the Vendors which shall be running at the date of the completion of this purchase and shall indemnify the Vendors in respect of all such contracts and shall take and pay for at a valuation to be made by Mr. A. E. Grainger and Mr. Charles Wood of Bradford aforesaid (and if they shall disagree in their valuation then by a third person to be chosen by the said Alfred E. Grainger and Charles Wood) all coal coke coal gas in holders tar and gas liquors and all or any other stock in trade belonging to the Vendors and in any way used or employed in the manufacture of gas or the supply thereof which shall be on the said premises hereby agreed to be sold at the date of the completion of the purchase and the amount of such valuation shall be paid by the Corporation within fifteen days after the actual date of completion of the purchase.

10. No contract for coal shall be entered into after the date hereof by the Vendors without the approval thereto of the gas engineer of the Corporation for the time being.

11. The Vendors shall not at any time after the completion of this purchase directly or indirectly alone or in partnership with any person or persons whomsoever erect or put down or permit their tenants of the property coloured brown on the said plan hereto annexed to erect or put down plant for the purpose of manufacturing for sale coal gas (that is to say the product which is at present known by the term "coal gas") but this restriction shall not apply to suction gas or other similar products for power purposes only.

12. If the Corporation (having used all due diligence for the purpose) shall fail to obtain powers enabling them to complete the purchase hereby agreed on this agreement shall be null void and of no effect.

13. Upon payment of the purchase money as aforesaid in the time and in manner aforesaid the Vendors and all other necessary parties (if any) shall make and execute to the Corporation a proper assurance of the premises such assurance to be prepared by and at the expense of the Corporation and the engrossment thereof shall be left by them at the office aforesaid not later than seven days prior to the date fixed for completion as aforesaid.

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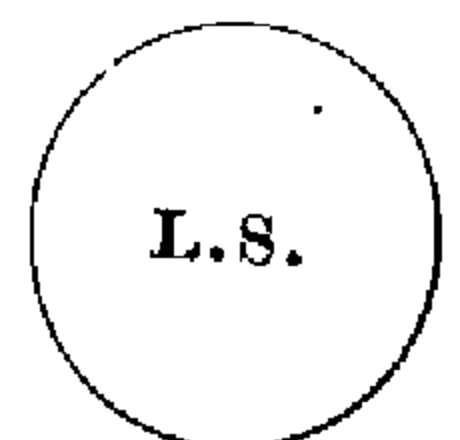
14. If at any time any question shall arise between the Vendors and the Corporation as to the intent construction effect or meaning of this agreement or anything to be done hereunder (except as provided by clause 9) every such question (unless it can be by mutual arrangement otherwise satisfactorily arranged and disposed of) be referred to and determined by two arbitrators (one to be appointed by either party) or their umpire according to the provisions of the Arbitration Act 1889 or any then subsisting statutory modification thereof.

In witness whereof the said parties hereto of the one part have hereunto set their hands and the Corporation have hereunto affixed their corporate common seal the day and year first before written.

The SCHEDULE before referred to.

All those gasworks together with the yards stable and other premises connected therewith and eight cottages adjoining thereto situate in Ludlam Street partly in Horton and partly in Bowling in the city of Bradford aforesaid and containing 4,838 square yards or thereabouts and delineated on the plan hereto annexed marked "A" and thereon coloured pink.

The common seal of the lord mayor
aldermen and citizens of the city
of Bradford was hereunto affixed
in the presence of



(Signed) DAVID WADE
Chairman Finance Committee.

(Signed) FREDERICK STEVENS
Town Clerk.

Witness to the signature of the } (Signed) HENRY RIPLEY.
said Henry Ripley

(Signed) CHAS. H. LOVERIDGE
Ashley Manor
Cheltenham
Private Secretary.

Witness to the signature of the } (Signed) HUGH RIPLEY.
said Hugh Ripley

(Signed) THOMAS BUTTON
Butler
Hob Green
Markington.

Witness to the signature of the } (Signed) E. GUY RIPLEY. A.D. 1910.
said Edward Guy Ripley

(Signed) ALFRED GEORGE SAUNDERS
Clerk
Harewood Estate
Harewood
Leeds.

THE FOURTH SCHEDULE.

PART I.

Regulations V. VIII. and XIII. set out in the Fourth Schedule of the Act of 1871 and Regulation 10 set out in the Second Schedule of the Act of 1878 shall cease to have effect and the following regulations shall be substituted therefor (that is to say):--

V. The chimneys and flues of every building shall be constructed in such mode and of such dimensions as shall be approved by the council.

In front of every chimney opening in such building there shall be placed and fixed a proper hearth of stone slate brick tiles or other incombustible substance of at least six inches longer at each end than the width of such opening and projecting not less than eighteen inches distant from the front of the chimney opening and laid at a not lower level than the floor of the room in which such chimney opening is situated. Such hearth shall be borne wholly by stone or iron bearers or upon a brick trimmer arch and bedded wholly in brick stone or other incombustible substance extending to a depth of seven inches at least beneath the upper surface of the hearth provided that in the lowest storey the hearth may be bedded on the solid ground. No timber or woodwork shall be placed within nine inches of the inside face of any chimney opening or flue.

VIII. Every room intended to be used for human habitation shall if it be on the ground floor or if it be not wholly or partly in the roof of a building be in every part thereof at least eight feet in height measured vertically from the floor to the ceiling or if it be a room wholly or partly constructed above the eaves of a building it shall be at least eight feet in height measured vertically from the floor to the ceiling over an area not less than two-thirds of the total area of the floor of such room and shall be of a not less height from the floor to the ceiling throughout the remainder of such room than five feet and if on any

A.D. 1910. floor above the first floor shall be at the least eight feet from the floor to the highest part of the ceiling Any room in a building which or any part of which is in the roof of a building and of which the level of the floor is three feet six inches or more below the level of the eaves of such building shall be deemed to constitute a storey of such building.

XIII. The drains of all houses and buildings shall consist of glazed stoneware and fire-clay pipes or other equally suitable material properly jointed with good cement and connected with the sewers in such manner as the surveyor may direct Beneath houses or elsewhere where necessary all drains shall be embedded in and surrounded with good cement concrete No right angle junctions whether vertical or horizontal shall be formed.

10. The external and party walls of every new building shall be constructed of stone or good sound well-burnt bricks or of other hard and incombustible materials properly bonded and solidly put together with good mortar or cement unless the council shall otherwise allow in cases in which it may appear to them that no danger would exist of the spread of fire if other materials were used and every party wall between two adjoining buildings shall be at least nine inches in thickness and all external walls shall be at least fourteen inches in thickness Provided that nothing shall prohibit the erection of buildings having walls constructed of concrete concrete blocks ferro concrete reinforced brickwork steel or iron framework filled in with bricks stone or other hard and incombustible material if the same are constructed of sufficient strength to secure due stability and be properly put together to the satisfaction of the council.

PART II.

(A) Every soil pipe ventilator shall be so constructed and made as to carry off effectually and to deliver all sewer gases above the roof of the building to which it is attached and shall be carried to such a height that such delivery shall be above the level of all windows openings or skylights in such building.

(B) There shall be provided in respect of every new domestic building not exceeding two storeys in height which forms or is intended to form part of a block not exceeding four in number of new buildings intended for use as dwelling-houses an open space exclusively belonging to each of such dwelling-houses situate at the rear of each such dwelling-house and not being less than one hundred and eighty square feet and measuring not less than twelve feet across in every part thereof and free from any erection thereon above the ground level Provided that this regulation shall apply only in the case of buildings

the front main walls whereof shall front on to streets not less than twelve yards wide and be set back from the edge of such streets for a distance of not less than five yards. Provided also that where two of such blocks of buildings are proposed to be erected the Corporation may if they think fit dispense with the laying out of a street between such two blocks subject to the condition that the space between the two nearest walls of the said blocks of buildings shall be not less than twenty-four yards free from all buildings or stone walls.

(c) The whole ground surface within the foundation walls of any new building shall if necessary for the removal of all vegetable soil therefrom be excavated to a depth of twelve inches. And if there shall be found to be a greater depth of vegetable soil than twelve inches then all such soil shall be removed unless the surface formed by the excavation of such twelve inches shall be covered with a bed of concrete of not less than six inches in depth.

(d) Every outside wall of every new public building or new domestic building shall be provided with a proper and efficient damp-proof course of sheet lead asphalt or slates laid in cement or of other not less durable material impervious to moisture situate beneath the level of the lowest floor or lowest timbers at a height not less than six inches above the surface of the ground adjoining such wall. Provided that where any part of a floor of the lowest storey of any such new public or domestic building not being a cellar shall be intended to be below the level of the surface of the ground immediately adjoining the exterior of any part of such storey and so that the ground will be in contact with the exterior of any wall such exterior wall where in contact with the ground shall be constructed with materials impervious to moisture or as double walls having an intervening cavity between such walls of a uniform width of not less than three inches and extending over the whole area of wall so in contact with the ground from the base thereof to a height of six inches above the surface of the adjoining ground.

Such double walls shall be properly tied together with suitable and sufficient quantities of stone iron tarred and sanded galvanised iron vitrified stoneware or other suitable material inserted at distances apart not exceeding three feet horizontally and eighteen inches vertically.

A proper damp-proof course of sheet lead asphalt or slates laid in cement or of other not less durable material impervious to moisture shall be inserted in every such double wall at the base of such wall and likewise at a height of six inches above the surface of the ground immediately adjoining.

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THE FIFTH SCHEDULE.

TOLLS FOR THE CONVEYANCE OF PARCELS UPON THE
CORPORATION TRAMWAYS.

	Any distance.	
	s.	d.
For any parcel not exceeding seven pounds in weight	-	0 3
For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight	- - - - -	0 5
For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight	- - - - -	0 7
For any parcel exceeding twenty-eight pounds and not exceeding fifty-six pounds in weight	- - - - -	0 9

Printed by EYRE and SPOTTISWOODE, Ltd.,

FOR

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