ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. clii.

An Act to amend "The *Bradford* Corporation Waterworks Act, 1854." [16th *July* 1855.]

17 & 18 Vict. c. cxxix.

WHEREAS by "The *Bradford* Corporation Waterworks Act, 1854," the Mayor, Aldermen, and Burgesses of the Borough of *Bradford*, therein called the Corporation of *Bradford*, were authorized and required to purchase the *Bradford* Waterworks therein mentioned, for the Price or Consideration therein referred to: And whereas by the Eighth Section of the said Act it is provided that it should be lawful for the Council of the said Borough to borrow and take up at Interest, for the Purposes of the said Act, upon the Security, amongst other things, of the Borough Rate, any Sum or Sums of Money not exceeding Two hundred thousand Pounds, and also, if the Bill therein mentioned, to be intituled "The *Bradford* Waterworks Act, 1854," should pass into a Law in the then Session of Parliament, and which Event took place, to borrow in like Manner any Sum or Sums of Money not exceeding the Sum of Two hundred and fifty thousand Pounds: And whereas Doubts are entertained whether the said Council have Power to make a Rate, if necessary, for the Purpose of more effectually securing any Sum or Sums to be borrowed in pursuance of the said Eighth Section: And whereas it is expedient that such Doubts should be removed; but the same cannot be effected without the Authority of Parliament: May

it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited as "The *Bradford* Corporation Waterworks Amendment Act, 1855."

Power to levy Rate.

II. In order to remove the Doubts so entertained as aforesaid, and to enable the Council to make a Rate, if necessary, for the Purpose of more effectually securing any Sum or Sums borrowed by the said Council, in pursuance of the said "*Bradford* Corporation Waterworks Act, 1854," and any Interest payable in respect thereof, and in order to provide for the Payment thereof, the said Council is hereby authorized and required from Time to Time, as Occasion requires, to order a sufficient Rate to be made within the said Borough, which Rate shall be so made as a separate Rate, but shall be considered to be a Borough Rate, and be levied in the Manner authorized in that Behalf by the Provisions of the Act passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth (Chapter Seventy-six), and the other Acts of Parliament passed or to be passed in respect of the levying Borough Rates, and shall be applicable to the Payment of the said Sum or Sums, and the Interest thereof, in the same Manner as if the Amount of such Sum or Sums and Interest were Expenses incurred in carrying into effect within the Borough of *Bradford* the Provisions of the said Act of the Fifth and Sixth Years of King *William* the Fourth.

Principle of 11 & 12 Vict. c. 63. as to the Assessment of certain Lands to be applied to this Act.

III. And whereas by "The Public Health Act, 1848," Land used as Arable, Meadow, or Pasture Ground only, or as Woodlands, Market Gardens, or Nursery Grounds, and Land covered with Water, or used only as a Canal or Towing-path for the same, or as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, are exempted from the Payment of any greater Proportion than One Fourth of certain Rates leviable under the said Act; and it is just and expedient that the Occupiers of any such Land should not be required to pay any greater Proportion in respect of the Purchase of the said Waterworks and the Supply of Water within the said Borough, and the Costs and Expenses of carrying this Act or "The *Bradford* Corporation Waterworks Act, 1854," or any Act incorporated therewith, into effect, than the Proportion which they would or might pay or be called on to pay under the Provisions of the said Public Health Act for the Purposes thereof: Be it therefore enacted, That if after the passing of this Act any Sum shall be paid or be required to be paid out of the Borough or other separate Rate

or

or Fund within the Borough, under or in respect of the Provisions of "The *Bradford* Corporation Waterworks Act, 1854," or this Act, then and in such Case, and so often as the same shall happen, the said Council shall and they are hereby required to allow or repay to the Occupiers respectively to whom any such Land situate within the said Borough may belong a Drawback on the Assessment of such Land to the said Borough or other separate Rate or Fund equivalent to the full Amount of Three Fourths of so much of such Rate or Fund as the said Occupiers respectively might otherwise be liable to pay or may have paid for or towards the Amount which the said Council may require to apply or may have applied in manner aforesaid; and the Amount which such Occupiers may at any Time have paid in excess of the respective Proportions payable by them as aforesaid may be recovered from the Mayor, Aldermen, and Burgesses of *Bradford* by an Action at Law, or otherwise the said Council shall deduct and allow to the said Occupiers respectively the full Amount of the Excess so paid by them, any or either of them, from and out of the next Borough or other separate Rate which may be levied within the said Borough.

Certain Drawbacks to be allowed to the Occupiers of such Lands.

IV. As between the Water Rents and the Borough Rate, the Water Rents shall be primarily liable to be applied in satisfaction of the Sums herein-before mentioned, and all Interest for the Time being due thereon; but nothing herein contained shall prejudice the Rights of any Company or Person lending any Money on the Security herein-before mentioned, and every such Company or Person may enforce all their or his Remedies in the same Manner as if this Provision had not been inserted: Provided always, but without Prejudice to the Security of any such Company or Person, and to the Claims of any such Company or Person to the Water Rents under any Mortgage thereof, that there shall from Time to Time be repaid, from the Sums standing to the Credit of the Account of the Water Rents to the Credit of the Borough Fund, the Amount of all such Principal Money and Interest as shall from Time to Time be paid for any of the Purposes of the recited Act and this Act respectively, by means of any Borough Rate under this Act, or otherwise out of the Borough Fund of the said Borough: Provided also, that whenever and so long as any such Sum remains unpaid from the Water Rents to the Borough Fund, the Council shall levy not less than One Half of the full Amount of the Water Rents by the recited Act authorized.

Water Rents to be primarily liable to Sums borrowed.

V. The Costs, Charges, and Expenses attending on or incident to the obtaining and passing of this Act shall be paid by the Treasurer of the said Borough out of the Fund of the said Borough called "The District Fund Account," or, in case the said Fund shall be insufficient for the Purpose, when such Costs, Charges, and Expenses shall be payable,

Expenses of Act.

payable, then the same, or the Balance thereof, as the Case may be, shall be paid out of the General District Rates made or to be made within the said Borough, or, at the Option of the said Council, out of the first Monies which may come to the Hands of the Treasurer of the said Borough by virtue of the said "*Bradford* Corporation Waterworks Act, 1854."

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