CHAPTER lxxxi.

An Act to authorise the Corporation of Bury to construct additional Waterworks and for other purposes. A.D. 1899.

[13th July 1899.]

WHEREAS the county borough of Bury (herein-after called "the borough") is subject to the Acts relating to municipal corporations and is under the government of the mayor aldermen and burgesses of the borough (herein-after called "the Corporation") acting by the council:

And whereas the Corporation are the owners of the waterworks whereby the borough and other districts are supplied with water:

And whereas it is expedient for the purpose of enabling the Corporation to supply water more effectually to the borough and the other districts within their limits of supply that the Corporation should be authorised and empowered to make and construct the reservoirs and works herein-after described:

And whereas it is expedient that the Corporation should be empowered to increase the water rates rents and charges which they are now authorised to raise levy and charge for the supply of water to the borough and to the other districts in their limits of supply:

And whereas it is expedient that the Corporation should be empowered to purchase and hold the lands delineated on the deposited plans and described in the deposited book of reference situate in the parishes of Bury Rawtenstall Ramsbottom Dunnockshaw Haslingden Cliviger Habergham Eaves and Walmersley-cum-Shuttleworth all in the county of Lancaster (herein-after referred to as "the lands in the several drainage areas") within the drainage areas of the Whitewell Brook and its tributaries the Limy Water and its tributaries the River Ogden and the Ogden Brook and their respective tributaries and the Black Carr Stream and its tributaries the waters of which said river brooks and streams and their respective tributaries are impounded by the waterworks of the Corporation and to exercise the powers in this Act contained for

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the prevention or regulation of any act or thing tending to the pollution of any waters which the Corporation are authorised to take or impound and otherwise for the prevention of nuisances and protection of the waterworks of the Corporation:

And whereas it is expedient that the Corporation be empowered to borrow 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 aforesaid cannot be effected without the authority of Parliament:

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

	£
For waterworks purposes - - - - -	243,000
For the purchase of land in the drainage areas and for the drainage and other works in connexion therewith - - - - - -	160,000

And whereas the several works included in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875 and it is expedient that the Corporation should be authorised to borrow money for those purposes:

And whereas an absolute majority of the whole number of the council at a meeting held on the first day of December one thousand eight hundred and ninety-eight after ten clear days' notice by public advertisement of the meeting and of the purpose thereof in the Bury Times a local newspaper published and circulating in the borough such notice being in addition to the ordinary notices required for summoning that meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and rates leviable within the borough:

And whereas that resolution was published twice in the said newspaper 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 second day of February one thousand eight hundred and ninety-nine being not less than fourteen days after the deposit of the Bill for this Act in Parliament:

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

And whereas plans of the works authorised by this Act and of the lands which the Corporation may acquire under this Act and sections of the said works and a book of reference to such plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act have been deposited with the clerk of the peace for the county of Lancaster which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference:

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

Short title.

1. This Act may be cited as the Bury Corporation Water Act 1899.

Provisions of certain general Acts incorporated.

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

The Lands Clauses Acts;

The Waterworks Clauses Act 1847 (except the provisions with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit);

The Waterworks Clauses Act 1863;

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof but such provisions shall apply only to the reservoirs by this Act authorised.

Amendment of Waterworks Clauses Act 1847.

3. The Waterworks Clauses Act 1847 as incorporated in the Bury Improvement Act 1872 and in this Act shall be read and have effect as if the words "with the consent in writing of the "owner or reputed owner of any such house or of the agent of "such owner" were omitted from section 44 thereof.

Interpretation.

4. The several words and expressions to which by the Public Health Act or Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same respective meanings unless there is something in the subject or context repugnant to such construction Provided that in the Acts wholly

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or partially incorporated with this Act for the purposes of this Act—

"The undertakers" or "the company" means the Corporation;

"The railway" means the reservoirs by this Act authorised to be constructed;

"Centre of the railway" means with respect to the reservoirs by this Act authorised to be constructed the boundaries of those reservoirs:

And in this Act unless the context otherwise requires—

"The council" means the council of the borough;

"The town clerk" means the town clerk of the borough;

"The treasurer" means the treasurer of the borough;

"Borough fund" "district fund" and "the Bury general rate" mean respectively the borough fund district fund and the Bury general rate of the borough;

"Waterworks" means the waterworks of the Corporation;

"Water revenue" means all revenue of the waterworks;

"Corporation stock" means Bury Corporation redeemable stock;

"Loans funds" means the loans funds established under the provisions of the Bury Improvement Act 1885 (herein-after referred to as "the Act of 1885");

"Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money (except the securities of the Corporation) and any mortgage bond debenture debenture stock Corporation stock or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation or any other local authority as defined by section 34 of the Local Loans Act 1875 and section 4 of the Local Authorities Loans (Scotland) Act 1891 in Great Britain (except the Corporation) and not being a security transferable by delivery;

"The Public Health Act" means the Public Health Act 1875 and any Act amending the same;

"The Municipal Corporations Act" means the Municipal Corporations Act 1882 and any Act amending the same.

Act to be executed by Corporation.

5. This Act shall be carried into execution by the Corporation acting by the council.

Power to make water works.

6. Subject to the provisions of this Act the Corporation may make and maintain in the lines and situations and upon the lands

delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the waterworks and other works following (that is to say):—

(1) A reservoir to be called "the Ogden Reservoir" to be situate on the Ogden Brook wholly in the township or parish of Haslingden the embankment of which reservoir will be placed six chains or thereabouts measured in a straight line in a westerly direction up the said brook from the point where the centre of the mineral tramway line crosses the said brook at which embankment the reservoir will commence and thence extend up such brook in a westerly direction for a distance of forty-eight chains or thereabouts measured in a straight line and will there terminate:

(2) An aqueduct conduit or line of pipes to commence in the said embankment of the intended Ogden Reservoir at a point nine chains or thereabouts measured in a straight line in a westerly direction up the said brook from the point where the centre of the mineral tramway line crosses the said brook and to terminate in the Black Carr Reservoir of the Corporation situate in the township or parish of Bury:

(3) A service reservoir situate at Slates wholly in the township or parish of Haslingden in a field there No. 916 on the $\frac{1}{2500}$ Ordnance map (Lancashire Sheet LXXI 12 1892) belonging to the Corporation of Bury:

(4) An aqueduct conduit or line of pipes situate wholly in the township or parish of Haslingden and to commence by a junction with the existing main pipe of the Corporation on land belonging to the Corporation at a point south of the present service reservoir of the said Corporation at Holden Wood and terminating in the said intended service reservoir at Slates:

Together with all necessary and proper cuts channels adits catch-waters aqueducts culverts tunnels drains sluices bywashes weirs gauges wells tanks filters filter beds embankments bridges roads approaches telegraphic and telephonic apparatus engines machinery appliances apparatus and conveniences connected with the said works or any of them or necessary for conducting inspecting maintaining repairing cleansing or managing the same Provided that such telegraphic and telephonic apparatus shall not be used in contravention of the exclusive privilege conferred upon Her Majesty's Postmaster-General by the Telegraph Act 1869.

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The works aforesaid will be made and situate within the townships or parishes of Haslingden Ramsbottom Walmersley-cum-Shuttleworth and Bury in the county of Lancaster.

Power to take lands and waters.

7. Subject to the provisions of this Act and to any provisions as to compensation water contained in any former Act under which the Corporation are authorised to take any of the waters in this section mentioned the Corporation may enter upon take and use all or any of the lands shown on the deposited plans and described in the deposited book of reference as they may require for the purposes of this Act and may for the purposes of their waterworks collect impound take use get and appropriate all rivers springs streams and waters intercepted by any of those works and particularly the waters of the stream known as the Ogden Brook and all springs streams and waters found in on or under any of the lands acquired by the Corporation under the provisions of this Act and may stop up all such occupation roads and footways upon the same lands as are shown on the deposited plans as intended to be stopped up and may appropriate for the purposes of this Act the sites of the occupation roads and footways so stopped up.

Limits of lateral deviation.

8. In the construction of the works by this Act authorised the Corporation may deviate laterally from the lines of the respective works as shown on the deposited plans to the extent of the limits of lateral deviation marked in each case thereon Provided that the Corporation shall not in the exercise of the power of lateral deviation hereby given construct any embankment or retaining wall of any reservoir of a greater height above the general surface of the ground than that shown on the deposited plans and three feet in addition.

Limits of vertical deviation.

9. In the construction of the works by this Act authorised the Corporation may deviate vertically from the levels shown on the deposited sections in the case of the reservoir to any extent not exceeding five feet upwards or ten feet downwards.

Time for completion of works.

10. If the works by this Act authorised other than the Slates Reservoir are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof respectively or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as is then completed.

Provisions to prevent fouling of water.

11. For the protection from pollution of the reservoirs and works of the Corporation and of the brooks streams watercourses and waters over which the Corporation for the time being for the purposes of their water supply have any power of user or in which

for the like purposes they are for the time being interested in the event of the sanitary authority for the district within which the pollution occurs refusing or neglecting within the space of one month after being requested by the Corporation by notice in writing under the hand of the town clerk so to do to enforce with respect to such pollution the provisions of the Rivers Pollution Prevention Act 1876 the Corporation shall in respect of such pollution have and may if they think fit from time to time exercise beyond the borough such and the like powers as may for the time being be exercised by a sanitary authority under that Act and the provisions of that Act shall for the purposes aforesaid extend and apply mutatis mutandis to the Corporation.

Period for compulsory purchase of lands.

12. The powers of the Corporation for the compulsory purchase of lands under this Act shall not be exercised after the expiration of five years from the passing of this Act.

Power to purchase additional lands by agreement.

13. The Corporation may for the purposes of their water undertaking purchase by agreement any lands not exceeding twenty acres in addition to the lands which they are authorised by this Act to take by compulsion but the Corporation shall not create or permit the creation of any nuisance on any such lands and such lands shall not be used for any building except buildings required for or used in connexion with the water undertaking of the Corporation.

Power to acquire easements only for aqueducts.

14.—(1) The Corporation may in lieu of acquiring any lands for the purpose of the aqueducts authorised by this Act acquire such easements and rights in such lands as they may require for the purpose of making maintaining cleansing repairing renewing and enlarging the aqueducts and may give notice to treat in respect of such easements and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts (inclusive of those with regard to limited owners and to arbitration and the summoning of a jury) shall apply to such easements and rights as fully as if the same were lands within the meaning of those Acts.

(2) Provided that as regards any lands taken or used by the Corporation for the purpose of such aqueducts where they are respectively laid underground the Corporation shall not (unless they give notice to treat for such lands and not merely for easements therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or

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connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Corporation.

(3) Provided also that (except as to land forming part of a street) nothing in this section contained shall authorise the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this provision.

Power to take easements &c. by agreement.

15. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the Lands Clauses Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid.

Agreements as to drainage.

16. The Corporation if they think fit may enter into agreements with any owner lessee or occupier of any land within the drainage areas of the water to be taken into the reservoirs by this Act authorised who is authorised or empowered to make drains for the improvement of the same for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters flowing to upon or from such lands directly or derivatively into such reservoirs in such manner and to such extent as such owner lessee or occupier and the Corporation may agree and the Corporation may apply to the purposes of this section any part of the moneys raised by them under the authority of this Act.

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

17.—(1) The Corporation may hold the lands in the several drainage areas acquired by them under the powers of this Act and which may in their opinion be necessary for the purpose of protecting their waters and waterworks against pollution nuisance encroachment or injury and so long as such necessity shall in the opinion of the Corporation continue such lands shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts.

(2) The Corporation may in and upon the lands so acquired construct and lay down drains sewers watercourses buildings and other works and conveniences necessary or proper for the purpose

of intercepting and taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the waters which the Corporation are empowered to take or impound in the several drainage areas from being polluted fouled contaminated or discoloured or may for the purposes aforesaid carry any such drain sewer or watercourse under across and along any street or road within or adjoining the lands in the several drainage areas subject and according to the provisions of the Waterworks Clauses Act 1847 incorporated with this Act Provided that the Corporation shall not create or permit the creation or continuance of any nuisance.

Reservation of water rights &c. on sale.

18. The Corporation on selling any lands acquired for or in connexion with their water undertaking and not required for that purpose may reserve to themselves all or any part of the water rights or other easements belonging thereto and may make the sale subject to such reservations accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to use of water exercise of noxious trades or discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Lease of lands in drainage areas.

19. The Corporation may grant leases of any of the lands in or adjoining the several drainage areas which may be acquired by them under the powers of this Act or any right or interest in or over such lands for such terms and at such rents and subject to such covenants and conditions as they may think fit but such leases shall contain such covenants as the Corporation deem necessary or expedient for the prevention or regulation of any act or thing tending to the pollution of any waters which the Corporation are authorised to take or impound within the several drainage areas or tending to the injury of the waterworks of the Corporation in those respective areas and every such lease shall contain a proviso for re-entry in case of nonpayment of rent or breach of any of the lessees' covenants.

Restricting supply of water from Holden Wood Reservoir.

20. From and after the passing of this Act no water shall be supplied by the Corporation from their Holden Wood Reservoir for domestic purposes until they have executed the filter beds works and appliances authorised and directed to be constructed by this Act.

Provisions as to water from Gambleside Colliery.

21. The water from the Gambleside Colliery shall not be turned or taken into the Hapton Reservoir nor used by the Corporation for domestic purposes.

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Water to be filtered.

22.—(1) All water supplied by the Corporation and used for domestic purposes shall before delivery be efficiently and continuously filtered and the filter beds works and appliances necessary or proper for that purpose shall forthwith be constructed and thenceforward maintained by the Corporation.

(2) If the Corporation fail to construct such filter beds works and appliances as aforesaid or shall fail thenceforward to efficiently maintain the same they shall be liable to a fixed sum of ten pounds per day by way of liquidated damages for every day on or on any part of which an infringement of this section shall occur and such fixed sum of ten pounds per day shall be recoverable at the instance of any local authority supplied by the Corporation.

(3) The medical officer of health of any urban or rural district supplied with water by the Corporation or his assistants or other person duly authorised in that behalf by the said medical officer may at any time enter upon the property of the Corporation in order to ascertain whether or not the Corporation have complied with the provisions of this section as to filtration and for that purpose may take and carry away samples of water from any part of any stream or works of water supply or water purification or from any point or points where the water passes into the mains of the Corporation for the purpose of distribution and the Corporation shall afford all reasonable facilities for such inspection and taking of samples Provided that no such sample shall be used for the purpose of recovering any damages as aforesaid unless such sample shall have been taken in the presence of a responsible officer of the Corporation or in the event of neglect or refusal by the Corporation to send such responsible officer then in the presence of a justice of the peace or a person nominated by him and shall have been sealed and marked at the time as having been so taken nor unless another sample taken at the same time and similarly sealed and marked shall have been delivered to such officer of the Corporation.

For protection of county council of County Palatine of Lancaster.

23. Nothing in this Act contained shall lessen or control any right power or authority now vested in the county council of the County Palatine of Lancaster for altering or rebuilding any bridge or the lengths of roadway adjacent thereto repairable by the inhabitants of the said county or hundred therein which may be crossed or affected by the works of the Corporation but all such rights powers and authorities shall remain in as full force as if this Act had not passed and the said county council shall not be liable to make any compensation whatever for any damage or injury to the Corporation by the altering or rebuilding of any such bridge and lengths of roadway adjacent thereto Provided that in altering or

rebuilding such bridge or lengths of roadway adjacent thereto nothing shall be done to impede or interfere with the works of the Corporation for any greater length of time or in any other manner than shall be necessary for the execution of the work and before commencing such alteration or rebuilding ten days' notice thereof shall be given to the Corporation and the said county council shall afford to the Corporation all necessary and reasonable temporary facilities for enabling them to continue the supply of water during such alteration or rebuilding:

If any bridge repairable by the inhabitants of the said county or of any hundred therein upon or along which any pipes of the Corporation are laid be altered or rebuilt by the county council of the said county the said county council may require the Corporation to alter any such pipes in such manner as the circumstances of the place may reasonably require:

Provided that in case of any difference between the said county council and the Corporation as to such alteration the same shall be referred to an arbitrator to be agreed upon between the parties or failing agreement to be appointed by the Board of Trade on the application of either party.

For protection of Sir John Hardy Thursby and John Ormerod Scarlett Thursby.

24. Nothing in this Act contained shall interfere with prejudice or affect any rights or interests which Sir John Hardy Thursby and John Ormerod Scarlett Thursby (trading under the style of the executors of John Hargreaves) and their successors may have in or under any of the lands which the Corporation are under the provisions of this Act authorised to purchase.

For securing a better supply of water to borough of Haslingden.

25. In order to give a better supply of water to the higher parts of the borough of Haslingden the Corporation shall construct the said service reservoir situate at Slates within two years from the passing of this Act.

For protection of Corporation of Haslingden.

26.—(A) If any dispute shall arise between the Corporation and the Corporation of Haslingden as to whether the Corporation are or are not failing to give a supply of water as provided by section 35 of the Waterworks Clauses Act 1847 to the consumers within the borough of Haslingden entitled to demand the same such dispute shall be submitted in writing by the Corporation or by the Corporation of Haslingden for the decision of a water engineer to be appointed by the President of the Institution of Civil Engineers who may after inquiry thereinto make such order in the matter as he may deem equitable and the order so made shall be final and conclusive on the parties and the costs of and attending the determination of such dispute shall be in his discretion.

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(B) In the event of the said water engineer finding by his order that the Corporation are failing to give such supply as provided by section 35 of the Waterworks Clauses Act 1847 they shall be liable to forfeit and pay to the Corporation of Haslingden a fixed sum of forty pounds a week by way of liquidated damages for and in respect of the period in and during which such failure shall continue.

Supply of water for fire practices.

27. The local authority of any district supplied with water by the Corporation shall be entitled to take reasonable quantities of water from the fire plugs in their district and use the same for fire brigade practices Provided that no local authority shall take water under the provisions of this section oftener than once a month.

The said local authority shall give to the Corporation forty-eight hours' notice in writing before taking any water as aforesaid.

The said local authority shall be responsible for all damages done to the valves or hydrants which may arise from the exercise of the powers by this section conferred on them.

The said local authority shall pay for all water used by them for the purposes aforesaid at the rate of sixpence per thousand gallons.

New works and purchased lands to form part of water undertaking.

28. Subject to the provisions of this Act the waterworks by this Act authorised and the lands acquired by the Corporation in the several drainage areas shall for all purposes whatsoever inclusive of rates rents and charges be deemed part of the waterworks undertaking of the Corporation.

Power to increase water rates within limits of supply.

29. In addition to the maximum water rates which the Corporation are authorised to demand and take by the Haslingden and Rawtenstall Waterworks Act 1853 and by the Bury and Radcliffe Waterworks Act 1853 for the supply of water within their water limits the Corporation may charge an additional water rate or percentage over and above the said maximum water rates authorised by the said respective Acts for water supplied within their water limits not exceeding the rates or percentages herein-after set forth (that is to say) :—

Where the annual rackrent or value of a house shall not exceed twenty pounds an additional rate or percentage of two pounds ten shillings per centum per annum;

Where such annual rackrent or value shall exceed twenty pounds but shall not exceed forty pounds an additional rate or percentage of two pounds six shillings and eightpence per centum per annum;

Where such annual rackrent or value shall exceed forty pounds but shall not exceed sixty pounds an additional rate or

percentage of two pounds three shillings and fourpence per centum per annum;

Where such annual rackrent or value shall exceed sixty pounds but shall not exceed eighty pounds an additional rate or percentage of two pounds per centum per annum;

Where such annual rackrent or value shall exceed eighty pounds but shall not exceed one hundred pounds an additional rate or percentage of one pound sixteen shillings and eightpence per centum per annum;

And where such annual rackrent or value shall exceed one hundred pounds an additional rate or percentage of one pound thirteen shillings and fourpence per centum per annum:

Provided that the Corporation shall not be entitled in any case to demand for the water rate for any house or part of a house included in any division of the scale of rates authorised by the said Haslingden and Rawtenstall Waterworks Act 1853 and the said Bury and Radcliffe Waterworks Act 1853 and this Act a greater sum of money than they would be entitled to demand if such house or part of a house were of just sufficient annual rackrent or value to bring it within the next division of the said scale relating to premises of a higher annual rackrent or value whereon a lower rate per centum per annum is chargeable:

Where the water rate is chargeable on the annual rackrent or value of a part only of any premises entered in the valuation list or poor rate such annual rackrent or value shall be a fairly apportioned part of the whole premises ascertained as aforesaid the apportionment in case of dispute to be determined by two justices.

Payment of water rent.

30. All rates or rents payable to the Corporation for a supply of water and all sums payable to the Corporation under any agreement with respect to the supply of water shall be recoverable by the Corporation in like manner as the rates leviable by the Corporation or at the option of the Corporation as a civil debt:

Provided that this section shall not apply to any sums payable to the Corporation for fittings supplied and work done in respect thereof.

Power to borrow for redemption of water annuities.

31. The Corporation may subject to the provisions of this Act borrow in addition to the other sums which they are authorised to borrow by this Act such sums as they may require to borrow for the redemption or purchase of such of the water annuities as the Corporation may agree with the annuitants to redeem or purchase All such sums as the Corporation may require for the purposes aforesaid shall be borrowed by the Corporation on the security of

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the water revenue and the Bury general rate or upon either of such securities.

Modification of section 29 of Bury Corporation Waterworks Act 1889.

32. Section 29 of the Bury Corporation Waterworks Act 1889 shall be modified and altered except so far as such section prescribes the period for the extinction of water annuities in manner following (that is to say) :—

(1) The Corporation in order to provide for the extinction of the water annuities and to repay any moneys to be borrowed for the redemption and purchase of such annuities shall out of the water revenue or out of the Bury general rate annually pay into a sinking fund such a sum or sums as will (together with the sum or sums which should at the commencement of this Act be standing to the credit of the sinking fund established under section 29 of the said Act of 1889 to extinguish water annuities) with accumulations in the way of compound interest at a rate not exceeding three per centum per annum be sufficient after payment of all expenses to extinguish the water annuities and to repay the moneys so borrowed within the prescribed period for the extinction of the water annuities :

(2) Any sum or sums which is are or should be standing to the credit of the sinking fund established under section 29 of the said Act of 1889 to extinguish water annuities shall be forthwith carried to the credit of the sinking fund to be established under this section :

(3) The payments into the sinking fund mentioned in this section shall be made on or before the thirty-first day of March one thousand nine hundred and on or before the thirty-first day of March in each succeeding year :

(4) The Corporation may at any time apply the whole or any part of the sinking fund mentioned in this section in extinction of any of the water annuities or in or towards the discharge of the borrowed money for the repayment of which such fund is established Provided that the Corporation pay into such fund each year and accumulate until provision has been made for the extinction of the whole of the annuities and the whole of the money borrowed is discharged a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied at the rate per centum on which the annual payments to the sinking fund are based :

(5) The amounts to be annually paid to the sinking fund provided for in this section shall be such as the Local

Government Board having regard to the provisions of this Act shall approve.

For protection of lords of honor of Clitheroe.

33. Notwithstanding anything in this Act it shall be lawful for the lords of the honor of Clitheroe and their lessees and tenants to exercise all such rights as they now possess or but for the passing of this Act would have possessed of entering upon the surface of the lands delineated on the deposited plans and of winning working and carrying away mines quarries and minerals and of using the waters of springs and streams within the honor of Clitheroe for those purposes and of depositing spoil and of constructing drains roads tramways and other ways upon the lands within the said honor and of draining mines and quarries and of doing all acts and things necessary or proper for the purposes aforesaid as fully and effectually as if this Act had not been passed.

It shall not be lawful for the Corporation to acquire otherwise than by agreement any buildings or plant at any time erected used or occupied by the said lords or their lessees or tenants within the limits of the honor of Clitheroe aforesaid.

Saving rights under section 47 of Bury and Radcliffe Waterworks Act 1853.

34. Nothing in this Act contained shall interfere with prejudice or affect the rights and interests of any persons interested in or entitled to the compensation water referred to in section 47 of the Bury and Radcliffe Waterworks Act 1853 and the Ogden Reservoir by this Act authorised shall be deemed to be an extension of the works of the Corporation in the Ogden Valley within the meaning of that section :

Provided that during the first filling of the reservoir authorised by this Act the Corporation shall immediately after one-third of the total impounding capacity of such reservoir has been reached discharge out of such reservoir the compensation water as hereinbefore provided so long as there shall remain in such reservoir sufficient water to enable them to comply with this provision.

Power to borrow.

35. The Corporation may from time to time independently of any other borrowing power borrow at interest any sum or sums of money for the purposes herein-after mentioned not exceeding the respective amounts (when specified) following (that is to say) :—

(1) For the construction of the waterworks authorised by this Act and purchase of land therefor and mains the sum of two hundred and forty-three thousand pounds ;

(2) For the purchase of land in the several drainage areas and for the drainage and other works in connexion therewith one hundred and sixty thousand pounds ;

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(3) For paying the costs and expenses of this Act as herein-after provided the sum requisite for that purpose:

And with the approval of the Local Government Board such further moneys as the Corporation may require for any of the purposes of this Act.

In order to secure the repayment of the moneys borrowed for the purposes aforesaid and the payment of the interest thereon the Corporation may mortgage or charge all or any of the rates tolls and revenues of the Corporation from whatever source derived and in addition thereto they may mortgage or charge the water undertaking of the Corporation.

The powers of borrowing money by this Act given shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amount which the Corporation may borrow under that Act any sums which they may borrow under this Act shall not be reckoned.

Payment off of borrowed money.

36. The Corporation shall pay off all moneys borrowed by them under this Act within the respective periods (in this Act referred to as "the prescribed period") following (that is to say):—

As to moneys borrowed for the purposes (1) and (2) mentioned in the preceding section within sixty years from the date or dates of borrowing the same;

As to moneys borrowed for the purpose (3) in the preceding section mentioned within ten years from the date or dates of borrowing the same;

As to moneys borrowed with the approval of the Local Government Board within such period (not exceeding sixty years) as they may think fit to sanction.

Mode of raising moneys.

37. The Corporation may raise all or any sums of money which they are authorised to borrow under this Act either by mortgage or by the creation and issue of adequate amounts of Corporation stock authorised by the Act of 1885 and all such stock issued after the commencement of this Act under any of the powers aforesaid shall be declared by the resolution creating such stock to be redeemable.

Application of sections of Bury Corporation Act 1894.

38. The following sections of the Bury Corporation Act 1894 shall (with the necessary modifications and subject to the provisions of this Act) extend and apply mutatis mutandis to the moneys borrowed under this Act namely:—

Section 18 Provisions of Public Health Act as to mortgages to apply.

Section 21 Power to reborrow.

Section 22 Protection of lender from inquiry.

Section 24 Annual return to Local Government Board with respect to sinking fund.
Section 25 Saving for existing charges.

Mode of repayment of moneys borrowed on mortgage.

39. The Corporation shall repay the moneys borrowed on mortgage under this Act by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or the others of them and each sinking fund shall be formed and maintained either—

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

(*b*) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed A sinking fund so formed is herein-after called an accumulating sinking fund.

The annual instalment as to moneys borrowed shall be paid into the sinking fund within one year from the 31st day of March next following the time of the borrowing of such moneys.

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

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

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

If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per

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annum on which the equal annual payments to the sinking fund are based any such excess may be applied towards such equal annual payments.

As to moneys raised by stock.

40. In the event of the Corporation raising any sum of money which they are authorised to borrow under this Act by the creation and issue of Bury Corporation Stock under the Act of 1885 the amount of the annual sums payable to the Corporation loans fund under the said Act towards the redemption of stock created and issued by the Corporation for the purposes of this Act shall be such as with accumulations will suffice to redeem at par such stock on the expiration of the prescribed period from the date or dates of the borrowing of the same respectively.

The half-yearly annual or other sums payable to the Corporation loans fund under the Act of 1885 for payment of dividends on and for making a provision towards redemption of such stock shall be payable in the case of stock created under this Act for the purposes of this Act out of the revenue of the water undertaking of the Corporation or out of the Bury general rate.

Application of money borrowed.

41. Money borrowed by the Corporation under this Act shall be applied only for the purposes of this Act to which capital is properly applicable and for which it is authorised to be borrowed.

Investment of sinking funds.

42. The Corporation shall invest any sinking fund created under the powers of this Act in statutory securities.

Restrictions on displacing persons of labouring class.

43.—(1) The Corporation shall not under the powers by this Act granted purchase or acquire in any parish ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(A) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if they think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they have power to acquire:

Provided that nothing in this section shall relieve the Corporation from the necessity of obtaining the approval of the Local Government Board for such appropriation or use of their corporate land as would require such approval under the Municipal Corporations Act 1882 (as amended by section 72 of the Local Government Act 1888) or any other general Act.

(7) Subject to the provisions of this section the Corporation and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Act 1875 in the same manner in every respect as if

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the preparation and carrying into effect of such scheme were one of the general purposes of that Act:

Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as they may see fit.

(8) The Corporation shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any 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.

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

Recovery of demands under fifty pounds.

44. Proceedings for the recovery of any demand not exceeding fifty pounds made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in the county court.

Agreement confirmed.

45. The agreement between the Corporation of the one part and the Corporation of Haslingden the Radcliffe Urban District Council the Ramsbottom Urban District Council the Little Lever Urban District Council the Whitefield Urban District Council and the Bury Rural District Council of the other part as set forth in the schedule to this Act is hereby ratified and confirmed.

Costs of Act.

46. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for and obtaining 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 borough fund and borough rate or out of moneys borrowed under the provisions of this Act.

The SCHEDULE referred to in the foregoing Act.

An Agreement made the 11th day of April 1899 between the Mayor Aldermen and Burgesses of the Borough of Bury in the County of Lancaster (herein-after called "the Bury Corporation") of the one part and the Local Authorities whose Common Seals are affixed to this Agreement (being local authorities supplied with water by the Bury Corporation and herein-after called "the parties hereto of the other part") of the other part.

Whereas the Bury Corporation are under the powers of various Acts of Parliament the owners of the water undertaking by which water is supplied within the borough of Bury and the boroughs of Haslingden and Rawtenstall the urban districts of Radcliffe Ramsbottom Little Lever Whitefield and Prestwich and the rural district of Bury:

And whereas the Bury Corporation are promoting a Bill in the present session of Parliament under the short title of "The Bury Corporation Water Bill" (herein-after called "the pending Bill") having for one of its purposes the increase of the water rates for the supply of water to the consumers within the water supply area of the Bury Corporation:

And whereas the parties hereto of the other part object (inter alia) to such increase of water rates on the ground that they have no voice in the control or management of the undertaking and as a result of various interviews proposals have been made to the Bury Corporation that the said water undertaking with all its rights and liabilities shall be purchased on behalf of the whole of the authorities supplied with water from the said undertaking (except the Urban District Council of Prestwich):

And whereas a scheme for such purchase has been ratified by the whole of the parties to this Agreement and it has been agreed to form a joint board consisting of representatives from all the authorities (except Prestwich) supplied with water from the said undertaking:

And whereas it has been further agreed that the Bury Corporation shall apply on behalf of all the parties hereto in the next session of Parliament for an Act to constitute such joint board and to transfer to such board the said water undertaking on the terms and conditions herein-after appearing:

And whereas it has been further agreed in the event of the Bill of next session not passing during such session that the increased water rates shall not be charged or levied by the Bury Corporation but without prejudice to the right of the Bury Corporation to apply in any future session of Parliament to increase the water rates leviable within their water limits:

And whereas for the considerations aforesaid the parties hereto of the other part have agreed to withdraw their opposition to the pending Bill and

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to allow the same to pass into law on the terms and conditions herein-after appearing:

Now it is hereby mutually agreed and declared by and between the parties hereto as follows:—

1. The Bury Corporation shall insert in the pending Bill a clause to confirm this Agreement and to schedule the same to the pending Bill.

2. The parties hereto of the other part shall withdraw all opposition to the pending Bill and shall assist the Bury Corporation in every way to pass the same.

3. The Bury Corporation shall promote a Bill herein-after called "the Bill of 1900" in the next session of Parliament having for its objects (1) The constitution of a joint board to consist of representatives to be appointed by the respective councils of the boroughs of Bury Haslingden and Rawtenstall the respective Urban District Councils of Radcliffe Ramsbottom Little Lever and Whitefield and the Rural District Council of Bury (2) The acquisition by such joint board of the waterworks undertaking of the Bury Corporation on the terms and conditions herein-after appearing.

4. The Bill of 1900 shall provide for carrying into effect (inter alia) the following agreed provisions:—

Constitution of Board.

Nine representatives to be appointed by the Bury Corporation;
Two representatives to be appointed by the Haslingden Corporation;
Two representatives to be appointed by the Rawtenstall Corporation;
Four representatives to be appointed by the Radcliffe Urban District Council;
Two representatives to be appointed by the Ramsbottom Urban District Council;
One representative to be appointed by the Little Lever Urban District Council;
One representative to be appointed by the Whitefield Urban District Council;
One representative to be appointed by the Bury Rural District Council.

5. The joint board thus constituted shall be called "the Bury and District Joint Water Board."

6. The board shall hold their meetings at the Waterworks Offices Parsons Lane Bury unless and until other premises in Bury are hereafter provided.

7. For a period of five years next after the constitution of the board the chairman shall be appointed by the board from the representatives of the Bury Corporation At the end of such period and annually thereafter the board may elect any member of the board to be chairman thereof.

8. For a period of five years next after the constitution of such board the vice-chairman of the board shall be appointed by the board from members of the said board who are not representatives of the Bury Corporation At the end of such period of five years and annually thereafter the board may elect any member to be vice-chairman thereof.

9. Subject as next herein-after appears the existing water undertaking of the Bury Corporation shall be transferred to and be vested in the board together with all rights powers and privileges and subject to all debts and liabilities affecting the same as existing on the 31st day of March 1900 from which period such undertaking shall be carried on by the Bury Corporation on behalf of the joint board until the passing into law of the Bill of 1900 The said parties hereto respectively shall perform all acts and execute all deeds necessary to carry out such transfer and vesting.

10. The reservoir known as the "Chesham Reservoir" situate at Bury aforesaid shall not be transferred to the board but shall be and remain the sole property of the Bury Corporation subject only to the payment of all ground rents and charges and covenants affecting the same.

11. The provisions of the Acts set out in the schedule hereto and of any other local Act which at the date of the first meeting of the board are in force and apply to or affect the existing water undertaking of the Bury Corporation shall continue to apply with the substitution of the board for the Bury Corporation or their predecessors.

12. All annuities mortgages Bury Corporation stock or other securities for money borrowed for the purposes of the said water undertaking which at the date of the transfer are properly charged (whether exclusively or otherwise) on the said water undertaking or the revenue thereof shall continue to be charged on the said undertaking or the revenue thereof as the case may be to the like extent and with the like priorities as if the transfer had not been made.

13. By way of additional security the said annuities and all mortgages stock or other securities as aforesaid shall be charged on the rates and funds of all the constituent authorities and not as now exclusively on the Bury general rate and other the rates of the Bury Corporation The Bill of 1900 shall provide that the powers of borrowing money conferred on the board and of charging the rates of the whole of the constituent authorities parties hereto shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875 and in calculating the amounts which the said constituent authorities respectively may borrow any sums which may be charged on or payable out of the rates of such constituent authorities respectively under this Agreement or the Act of 1900 shall not be reckoned.

14. The board shall pay to the Bury Corporation at the times and in manner herein-after mentioned as consideration for the purchase of the said water undertaking as aforesaid the moneys paid by the Bury Corporation to sinking fund account and to make up deficiencies on revenue account to be ascertained by calculating (A) the amount paid by the Bury Corporation since the year 1872 to the credit of the waterworks undertaking by means of the public water rate less the sum of 4,200*l.* being the estimated amount properly chargeable to that rate from 31st March 1886 to 31st March 1900 for providing a supply of water for the better security against fire and for sanitary uses within the borough of Bury and (B) the amount contributed since the passin of the Bury Improvement Act 1872 by the Bury

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Corporation to the said waterworks undertaking out of the Bury general rate together with (c) interest at 3*l.* per centum per annum on the above moneys from the time the said payments and contributions respectively were made The Bill of 1900 shall contain provisions in the event of the said moneys or any part thereof being paid to the Bury Corporation that the money borrowed by the joint board for that purpose shall be paid back by means of a sinking fund extending over a period to be prescribed by the Bill of not exceeding 60 years from the date of the borrowing of the same.

15. The sum found payable to the Bury Corporation under the last preceding clause as moneys paid by the Bury Corporation to sinking fund account and interest thereon as aforesaid shall be paid by the board within three calendar months after the amount shall be finally ascertained or at the option of the board such sum or any part thereof may remain on mortgage of the undertaking and shall be a first charge on such undertaking after the existing debts and liabilities and the board shall pay annually to the Bury Corporation interest at 3*l.* per centum per annum on the amount owing from time to time subject to the right of the Bury Corporation or the board to call in or pay off such amount at any time on giving six calendar months notice in writing to that effect The sum found payable to the Bury Corporation under the last preceding clause as moneys paid by the Bury Corporation to make up deficiencies on revenue account with compound interest after the rate aforesaid with yearly rests shall be charged on the undertaking and paid out of surplus revenue as and in manner herein-after provided.

16. If in any year there is a deficiency in the revenue of the board the amount of such deficiency shall be by the board forthwith determined and ascertained and apportioned between the several constituent authorities in the proportions which the amount received by the board for water supplied for domestic purposes within the respective water supply districts of the constituent authorities shall bear to the total of the amount received for water so supplied within the whole of such water supply districts of such constituent authorities and the board may issue to the constituent authorities precepts requiring them respectively to levy and pay the requisite sums accordingly and for these purposes the areas added to the borough of Bury by the Bury Improvement Act 1885 shall be considered as part of the water supply district of the Bury Corporation and the Bill of 1900 shall contain provisions to enable the Bury Corporation to levy such contribution on such added areas.

17. The constituent authorities shall within two calendar months from the receipt of such precepts pay to the board the amount so apportioned to them respectively Such amounts shall be paid as to the Bury Corporation out of the Bury general rate and as to the other constituent authorities out of their respective district funds and district rates or other rates applicable to such payments and all such funds and rates are to be charged with the payment of the same accordingly and the constituent authorities respectively shall make and levy any rate that may be necessary for the purposes aforesaid.

18. If any constituent authority fail to pay any amount so apportioned within the time aforesaid the same shall be a debt due to the board from such constituent authority and shall bear interest till payment at the rate of 5*l.* per centum per annum and the board may in addition to all other remedies proceed for recovery thereof in either of the following modes (that is to say) (a) The board may sue the defaulting authority for the amount unpaid in any court of competent jurisdiction (b) The board may by precept empower some officer of the board to raise by means of a rate to be assessed upon the like property and to be made levied and collected in like manner and with the like powers and authorities as the general rate district fund or district rate respectively of the defaulting authority such sum (the amount to be specified in the precept) as in the opinion of the board will be sufficient to pay the amount so apportioned and interest and all expenses incurred in consequence of the nonpayment thereof and the expenses of levying and collecting such rate and any officer of the board so empowered shall have the like powers of assessing making levying and collecting rates and of issuing precepts and of requiring officers of the defaulting authority to account as the defaulting authority have under any Act or otherwise and the officer of the board so empowered after paying all money payable under the precept shall pay any residue of the money received by him (the amount to be ascertained by the board) to the defaulting authority.

19. If in any year there is a surplus in the revenue of the board the amount thereof shall be applied in the manner and in the order following (1) In recouping the constituent authorities any deficiencies in revenue which may have theretofore been met by such authorities with compound interest at 3 per cent. per annum with yearly rests and (2) In paying to the Bury Corporation the moneys payable to them for the deficiencies hereinbefore mentioned on revenue account with compound interest as aforesaid The amount so recouped to the constituent authorities shall be apportioned between the several constituent authorities in the proportions which the amount received by the board for water supplied for domestic purposes within the respective water supply districts of the constituent authorities shall bear to the total of the amount received for water so supplied within the whole of the water supply districts of such constituent authorities and shall be paid to the constituent authorities respectively and by them carried to the credit of their respective general rates district funds and district rates or other rates as the case may be of their respective water supply districts The amount paid to the Bury Corporation shall be carried to the credit of the general rate or other rates of the Bury Corporation The board shall not make any reduction in the water rates for domestic supply without the unanimous consent of the whole board at a meeting called for that specific purpose unless and until the amounts to be recouped to the constituent authorities and to be paid to the Bury Corporation respectively as aforesaid shall have been recouped and paid.

20. The existing staff and officers wholly employed by the Bury Corporation in connexion with the waterworks undertaking shall be taken over by the board on the same terms and conditions under which they are employed by the Bury Corporation The existing officers partly employed by the Bury Corporation in connexion with the said undertaking being the town clerk

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waterworks engineer and borough treasurer shall be employed by the board as clerk engineer and treasurer respectively at salaries or remuneration to be agreed upon or failing agreement to be fixed by arbitration in the manner herein-after provided.

21. The Bill of 1900 shall embody the whole of the terms and conditions of this Agreement together with all the usual machinery clauses for the constitution of a joint board and such other clauses as may be hereafter agreed upon or settled by arbitration as in the next succeeding clause is mentioned.

22. In case of any dispute or difference touching the meaning of these presents or as to the amounts to be paid to the Bury Corporation or as to anything affecting the terms of transfer of the said water undertaking or the clauses to be inserted in the Bill of 1900 or the salaries or remuneration to be paid to any officer taken over or employed as aforesaid by the Board then and in every case which may arise such dispute or difference shall be referred to the sole and absolute arbitrament of an arbitrator to be agreed upon between the parties or to be appointed by the Board of Trade and such arbitrator shall have absolute discretion both as to the matter in dispute and as to the party who shall pay the costs of the reference.

23. The town clerk of the Bury Corporation shall have the conduct of the Bill of 1900 under the instructions of a committee composed of members of the parliamentary committee of the Bury Corporation and of one representative to be appointed by each of the authorities parties hereto (other than the Bury Corporation) together with the legal representative or clerk of each such authority and the joint board when constituted shall pay to the town clerk of Bury all costs charges and expenses incurred by him in connexion with the promotion of such Bill and shall also pay to the said legal representatives or clerks the costs charges and expenses incurred by them respectively in the matter.

24. If from any cause whatever the Bill of 1900 shall not pass into an Act the clause in the pending Bill empowering the Bury Corporation to increase the rates and charges within their area of water supply shall not be put into force but this shall not prejudice the right of the Bury Corporation to apply in any future session of Parliament to increase the water rates leviable within their water limits.

25. If from any cause whatever the Bill of 1900 shall not pass into an Act all the costs charges and expenses which may have been incurred by the parties hereto in connexion with the promotion thereof or the support of the same shall be apportioned between the parties hereto in the same manner as is herein-before declared concerning other apportionments and the proportions of such costs charges and expenses owing by any of the parties hereto may be recovered by the town clerk of the Bury Corporation from such defaulting constituent authorities in any court of competent jurisdiction and shall be paid by him to the parties entitled thereto.

26. This Agreement is made subject to the approval of Parliament and to such alteration therein as either House of Parliament may think fit to make.

In witness whereof the Bury Corporation and the parties hereto of the other part have hereunto set their respective common seals the day and year first before written :—

The common seal of the mayor aldermen and burgesses of the borough of Bury was hereunto set in the presence of
JOHN HASLAM
Town Clerk
Bury.

L.S.

The common seal of the mayor aldermen and burgesses of the borough of Haslingden was hereunto set in the presence of
AARON HOLT
Mayor.
WALTER MUSGROVE
Town Clerk
Haslingden.

L.S.

The common seal of the Radcliffe Urban District Council at a meeting of the said district council held on the tenth day of April one thousand eight hundred and ninety-nine was hereunto affixed by James Cunliffe Esq. chairman in the presence of
J. SHARPLES
Clerk to the said district council.

L.S.

The common seal of the Ramsbottom Urban District Council was hereunto affixed pursuant to resolution in that behalf in the presence of
JOHN W. BARLOW
Clerk.

L.S.

The common seal of the Little Lever Urban District Council was hereunto affixed pursuant to a resolution in that behalf in the presence of
J. B. GOULBURN
Clerk.

L.S.

The common seal of the Whitefield Urban District Council was hereunto affixed at a meeting of the council in pursuance of a resolution in that behalf in the presence of
J. PRETHEAN MONKS
Clerk.

L.S.

The common seal of the Bury Rural District Council was hereunto affixed pursuant to a resolution in that behalf by the chairman in the presence of
JAMES ISHERWOOD
Clerk.

L.S.

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The SCHEDULE above referred to.

The Bury and Radcliffe Waterworks Act 1853.
The Bury and Radcliffe Waterworks Amendment Act 1858.
The Haslingden and Rawtenstall Waterworks Acts 1853 1856 1858 and 1864.
The Bury Improvement Act 1872 (in part).
The Bury Improvement Act 1885 (in part).
The Bury Corporation Waterworks Act 1889.
The Bury Corporation Act 1894 (in part).
The Bury Corporation Water Act 1899.

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