



## CHAPTER xl.

An Act to authorise the Accrington District Gas and Water Board to make new waterworks to extend their limits of supply for gas and water and for other purposes.

A.D. 1905.

[30th June 1905.]

**W**HEREAS the Accrington District Gas and Water Board (herein-after called "the Board") were by the Accrington District Gas and Water Board Act 1894 (herein-after called "the Act of 1894") incorporated with perpetual succession and a common seal to take over the undertaking of the Accrington Gas and Waterworks Company:

And whereas under the powers of the Act of 1894 the Board have taken over the undertaking of the said Company and are now the authority for the supply of gas and water and are supplying gas and water within the limits of supply of the said Act:

And whereas by the Accrington Gas and Waterworks Act 1869 the Accrington Gas and Waterworks Company were authorised to construct among other works a reservoir called the Harwood Dean Reservoir and now known as the Dean Clough Reservoir by means of an embankment across the Dean Brook:

And whereas such reservoir was in due course constructed by the Company but the said embankment was not raised to the height by the said Act authorised:

And whereas the demand for water within the area of supply of the Board has increased and continues to increase and it is necessary that the Board should be empowered to raise the height of the said embankment so as to increase the holding

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A.D. 1905. capacity of the said reservoir and to construct further works  
— in connexion therewith :

And whereas it is expedient that the Board should be authorised to execute the necessary works and borrow the money required for the same :

And whereas it is expedient that the Board's limits for the supply of gas and water as defined by the Act of 1894 should be extended so as to include the township and parish of Altham in the county palatine of Lancaster :

And whereas the Board were authorised to borrow under the Act of 1894 among other sums for the purposes of their water undertaking to which capital was properly applicable any sum sanctioned by the Local Government Board not exceeding fifty-six thousand pounds and for the purposes of their gas undertaking any sum sanctioned by that Board not exceeding one hundred and four thousand pounds :

And whereas the Board have borrowed in respect of their water undertaking the sum of fifty-four thousand six hundred and ninety-six pounds and in respect of their gas undertaking the sum of sixty thousand and forty-two pounds :

And whereas it is expedient that the Board should be empowered to borrow in respect of both their said undertakings such further sums as the Local Government Board may sanction :

And whereas estimates for the execution of the various works by this Act authorised have been prepared by the Board and are as follow :—

	£
For waterworks purposes	4000

And whereas the several works mentioned 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 it is expedient that the other provisions in this Act should be made :

And whereas the purposes aforesaid cannot be effected without the authority of Parliament :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and a book of reference containing the names of the owners or reputed owners and

lessees or reputed lessees and occupiers of the lands required for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county palatine 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 : A.D. 1905.

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 (that is to say):—

## PART I.

### PRELIMINARY.

1. This Act may be cited as the *Accrington District Gas and Water Board Act 1905.* Short title.

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

Part I.—Preliminary.

Part II.—Water.

Part III.—Gas.

Part IV.—Finance.

Part V.—Miscellaneous.

Act divided  
into Parts.

3. The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking and except section 127 of the Lands Clauses Consolidation Act 1845) the Waterworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and except section 83 relating to accounts) and for the purpose of incorporation with this Act section 44 of the said 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 the agent of such owner" were omitted therefrom the Waterworks Clauses Act 1863 the Gasworks Clauses Act 1847 provided that section 13 of that Act shall be read as if the words "or any premises" were inserted after the words "private building" and the Gasworks Clauses Incorporation  
of Acts.



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A.D. 1905. Act 1871 so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act.

Interpretation.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Act of 1894 have the same respective meanings unless there be something in the subject or context repugnant to such construction :

“The Act of 1869” means the Accrington Gas and Waterworks Act 1869 ;

“The Act of 1894” means the Accrington District Gas and Water Board Act 1894 ;

“The undertaking” means and includes the whole of the gas and water undertaking of the Board ;

“The gas undertaking” and “the water undertaking” means so much of the undertaking of the Board as relates to the supply of gas and water respectively ;

“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 and any mortgage bond debenture debenture stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Board ;

“Principal moneys” means all moneys borrowed or to be borrowed under any statutory borrowing power for the purposes of the undertaking excluding Accrington District Gas and Water Redeemable Annuities and any moneys raised by stock or represented by debenture stock transferred to the Board under the Act of 1894 ;

“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. A.D. 1905.

5. The limits of supply of gas and water as defined by section 4 of the Act of 1894 are hereby extended so as to include the whole of the township and parish of Altham in the county palatine of Lancaster. Extension of limits of supply.

## PART II.

### WATER.

6.—(1) Subject to the provisions of this Act the Board may wholly in the parish township and urban district of Great Harwood in the county palatine of Lancaster and in the lines and situation and upon the lands delineated on the deposited plans and described in the deposited book of reference make and maintain the following works shown on the deposited plans and sections (that is to say):— Power to make water-works and divert water.

An enlargement of the existing reservoir of the Board called or known as the Dean Clough Reservoir situate in the said parish township and urban district on lands belonging to the Board and numbered 292 306 307 and 313 on the  $\frac{1}{2500}$  Ordnance map first edition 1893 of the said parish by raising the existing embankment of the said reservoir. Such reservoir when enlarged by the raising of the said embankment will extend for a distance of 415 yards in a south-westerly direction from the said embankment.

(2) The Board may divert and impound into the said reservoir when so enlarged the waters of the Dean Brook which waters their predecessors the Accrington Gas and Water-works Company were authorised to divert take and appropriate under the powers of the Act of 1869 and any other waters which their said predecessors were by the said Act empowered to divert and appropriate.

7. The Board in addition to the foregoing works may upon any lands for the time being belonging to them for the purpose of and in connexion with their water undertaking make and Power to make subsidiary works.

A.D. 1905. maintain all such cuts channels catch-waters tunnels adits pipes conduits culverts drains sluices bye-washes shafts wells bores water-towers overflows waste-water channels gauges filter beds tanks banks walls roads and footpaths bridges embankments piers approaches telegraphs telephones and other means of electric communication engines machinery and appliances as may be necessary or convenient in connexion with or subsidiary to the before-mentioned works or any or either of them but nothing in this section shall exonerate the Board from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them :

Provided that no telegraph telephone or other means of electric communication constructed under the authority of this Act shall be used for the purpose of transmitting telegrams in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

Limits of deviation.

8. In the construction of the works authorised by this Act the Board may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and to any extent downwards.

Period for completion of waterworks.

9. If the works authorised by this Act are not completed within five years from the passing of this Act the powers by this Act granted for the making thereof and otherwise in relation thereto shall cease except as to so much thereof as is then completed. Provided always that subject to the provisions of this Act the Board may at any time after the expiration of the said period lay down additional mains aqueducts lines of pipes and other works and alter enlarge extend and renew the same as they may think expedient for the purposes of their water undertaking.

New water-works to be part of Board's water undertaking.

10. The waterworks by this Act authorised to be constructed shall form part of the water undertaking and the Board may use the water diverted and impounded into the same for the purpose of supplying water under the Act of 1894 and this Act.

Power to purchase and hold lands and

11. For the purpose of protecting their waters and water-works against pollution fouling contamination or injury the Board may by agreement purchase take on lease and acquire



any lands within the drainage area of any of their reservoirs and works and may hold such lands and any other lands which may have been acquired for the purposes of the water undertaking within such area prior to the passing of this Act so long as they shall deem it necessary or expedient for the purposes aforesaid. Provided that the Board shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with the water undertaking or authorised by this section.

A.D. 1905.  
exercise  
powers for  
protection of  
waters and  
waterworks.

The Board may in and upon the lands which they have acquired or may acquire within the said area construct and lay down drains sewers watercourses and other works and conveniences necessary or proper for the purposes of intercepting or taking all foul waters arising or flowing upon such lands or necessary or proper for preventing the water which the Board are empowered to impound or take in the said drainage area from being polluted fouled or contaminated.

**12.** The Board may sell and dispose of any lands acquired by them for or in connexion with the water undertaking and not for the time being required for that purpose and on selling any such lands 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 the 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.

Reservation  
of water  
rights &c.  
on sale.

**13.** The Board may grant leases of any of the lands in the said drainage area for the time being belonging to them 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 Board deem necessary or expedient for the prevention or regulation of any act or thing tending to the pollution of any waters which the Board are authorised to impound or take within the said drainage area or tending to the injury of the waterworks of the Board in that area and every such lease shall

Lease of  
lands in  
drainage  
area.

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A.D. 1905. contain a proviso for re-entry in case of nonpayment of rent or breach of any of the lessees' covenants.

Power to agree as to drainage of lands &c.

**14.** The Board may make and carry into effect agreements with the owners lessees or occupiers of any lands within the said drainage area with reference to the execution by the Board or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters authorised to be diverted collected and appropriated by the Board flowing to upon or from such lands directly or derivatively into the reservoirs and works of the Board.

Byelaws for preventing pollution of water.

**15.—(1)** The Board may make byelaws for preventing the pollution fouling or contamination of the water which they are authorised to take for the purposes of any of their waterworks and may by such byelaws prescribe the construction maintenance and use of proper drains sewers and works and make provision for the prevention of any act or thing tending to pollution of the water.

(2) The byelaws made under this section shall be in force within the area from or through which the said waters flow or within so much of that area as may be defined in the byelaws.

(3) The provisions with respect to byelaws to be made by an urban authority contained in sections 182 to 186 of the Public Health Act 1875 shall apply to byelaws made by the Board under this section.

(4) All byelaws made under this section shall be subject to the approval of the council of every district comprising any part of the area within which it is proposed that they shall be in force Provided that such consent shall not be necessary where in the opinion of the Local Government Board it has been unreasonably withheld.

(5) The Board shall pay compensation to the owners of and other persons interested in any lands in respect of which byelaws shall be made under the provisions of this section whose legal rights shall be injuriously affected by the restrictions imposed by such byelaws and such compensation shall be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.



**16.** In addition to the maximum water rates which the Board are authorised to demand and take by section 46 of the Accrington Gas and Waterworks Company's Act 1854 as amended by section 50 of the Act of 1894 for the supply of water within their water limits the Board may charge an additional water rate or percentage over and above the said maximum water rates authorised by the said Act of 1854 for water supplied within their water limits not exceeding the rates or percentages herein-after set forth (that is to say):—

A.D. 1905.  
Power to  
increase  
water rates  
within limits  
of supply.

Where the gross estimated rental of a house shall not exceed twenty pounds an additional rate or percentage of two pounds ten shillings per centum per annum;

Where such gross estimated rental 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 gross estimated rental 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 gross estimated rental shall exceed sixty pounds but shall not exceed eighty pounds an additional rate or percentage of two pounds per centum per annum;

Where such gross estimated rental 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 gross estimated rental shall exceed one hundred pounds an additional rate or percentage of one pound thirteen shillings and fourpence per centum per annum.

**17.**—(1) The Board may by agreement but not otherwise purchase from the Burnley Rural District Council and the said council may sell to the Board all the water mains pipes fittings and apparatus of and belonging to the said council and now used for the purpose of supplying water by the said council in part of the parish and township of Huncoat upon such terms and conditions as shall be agreed upon between the Board and the said council and thereupon the agreement bearing date the 25th day of May 1886 made between the Accrington Gas and

Purchase of  
pipes &c. in  
Huncoat.

A.D. 1905. Waterworks Company of the one part and the guardians of the poor of the Burnley Union of the other part shall be abrogated.

(2) The purchase money when received by the said council shall be applied to the repayment of any outstanding moneys borrowed by the said council for water supply purposes in the said parish and township or to such other purposes to which capital moneys are properly applicable as the Local Government Board may sanction. Such purchase money when used to pay off such outstanding moneys shall not be applied in the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

### PART III.

#### GAS.

Discounts.

**18.** The Board may if they think fit allow discounts or rebates to consumers of gas in consideration of prompt payment of gas rents not exceeding in any case ten per centum and in addition thereto or irrespective thereof they may if they think fit allow discounts or rebates to large consumers not exceeding in any case fifteen per centum. Provided that all discounts or rebates shall be of equal amount under like circumstances to all consumers. Provided also that notice of the effect of this enactment shall be endorsed on every demand note for gas rent.

Amendment  
of section 30  
of Lanca-  
shire and  
Yorkshire  
Railway Act  
1896.

**19.** Notwithstanding anything contained in section 30 of the Lancashire and Yorkshire Railway Act 1896 authorising the laying of rails across Hey's Lane Great Harwood the Board may use petrol steam electrical gas or other mechanical power for moving carriages or waggons along the line of rails leading from the North Lancashire loop line of the Lancashire and Yorkshire Railway Company at Great Harwood across Hey's Lane into the gasworks of the Board. Provided that no railway engine shall at any time be permitted to pass over or stand on the said crossing:

Provided further that electrical power shall not be used in such a manner as to interfere with telegraphic communication by means of any of the telegraphs of the Postmaster-General or any licensee of the Postmaster-General.

PART IV.

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FINANCE.

**20.**—(1) The Board may from time to time borrow at interest upon mortgage of the revenue of the undertaking or any part thereof and the moneys receivable by them from the district funds and general district rates of the constituent authorities under the provisions of the Act of 1894 the sums of money herein-after specified or any part thereof (that is to say):—

Power to borrow.

(A) For the purposes of the water undertaking to which capital is properly applicable in addition to the said sum of fifty-four thousand six hundred and ninety-six pounds already borrowed the sum of four thousand pounds required for the works by this Act authorised and any further sum sanctioned by the Local Government Board:

(B) For the purposes of the gas undertaking to which capital is properly applicable in addition to the said sum of sixty thousand and forty-two pounds already borrowed any sum sanctioned by the Local Government Board:

(c) To pay the costs of this Act the sum necessary for that purpose.

(2) Money borrowed under this section shall be applied only to the purposes for which it is authorised to be borrowed and to which capital is properly applicable.

Application of borrowed money.

(3) Money borrowed under this section for the purposes (A) and (B) shall be repaid within such period not exceeding sixty years from the borrowing of the same as the Local Government Board shall prescribe and moneys borrowed under this section for the purpose (c) shall be repaid within five years from the date of the passing of this Act and such repayment shall be made either by instalments or by means of a sinking fund appropriated for that purpose and with the accumulations thereof (if any) from time to time applied for that purpose.

Sinking fund.

(4) If having borrowed any money under the provisions of this Act the Board pay off the same or any part thereof otherwise than by instalments or by means of a sinking fund or out of

Re-borrowing.



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the proceeds of the sale of lands or other moneys received on capital account not being borrowed moneys they may re-borrow the same and so on from time to time Provided that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing has been made.

Power to use sinking fund instead of borrowing.

**21.** Where the Board are authorised by any statutory borrowing power to raise money for any purpose they may instead of exercising such borrowing power by the issue of any fresh security in respect thereof exercise the said power and raise the said money either wholly or partially by using for such purpose so much of any money for the time being forming part of a sinking fund as shall be available for the repayment of principal moneys as defined by this Act and moneys so raised shall for the purposes of this Act be deemed to be moneys borrowed under a statutory borrowing power Provided that when exercising this power the Board shall—

- (A) Withdraw from such sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund:
- (B) Credit such sinking fund with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from such sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of such sinking fund:
- (C) Debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from such sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of any enactment as to repayment and re-borrowing shall apply thereto accordingly.

Scheme for fixing equated periods.

**22.**—(1) The Board may at any time make a scheme for prescribing one or more uniform periods within which all or any loans contracted by them under statutory borrowing powers

shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may make provision in regard to all matters incidental thereto.

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(2) No scheme made by the Board under this section shall have any force or effect until confirmed by the Local Government Board who may by order confirm the same with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act Provided that nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any stock which the Board may issue in pursuance of section 74 of the Act of 1894 existing at that time except with the consent of such mortgagee or holder.

(3) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

**23.** Whereas by section 80 of the Act of 1894 it is provided that if at any time there is a deficiency in the gas revenue and gas reserve fund to meet the payments to be made thereout (other than the provision of a reserve fund) the Board may apply the water reserve fund and any surplus water revenue to make up such deficiency and in case of a like deficiency in the water revenue may apply the gas reserve fund and any surplus gas revenue to make up the same :

Cancellation of debt due from water undertaking to gas undertaking and amendment of section 80 of Act of 1894.

And whereas there has been a continuous deficiency in the water revenue of the Board which deficiency on the thirty-first day of March one thousand nine hundred and four amounted to the sum of twenty-two thousand nine hundred and thirty-eight pounds eighteen shillings and threepence and such deficiency has been made up from time to time out of the gas revenue and gas reserve fund of the Board and the amount of the same with interest now stands in the accounts of the gas undertaking as a debt due from the water undertaking :

And whereas it is improbable that the said deficiency will ever be made good out of the water reserve fund or the water revenue of the Board :

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It is therefore expedient and it is hereby enacted that the said debt and any further deficiency in the water revenue of the Board existing at the time of the passing of this Act be cancelled and that the said section 80 of the Act of 1894 be amended by the omission of the words following (that is to say) “and the amount so applied shall be a debt due from the revenue in which the deficiency existed to the fund or revenue out of which the amount is taken with interest at the rate of three pounds per centum per annum until repayment and such debt, and interest shall as soon as in the judgment of the Board reasonably may be raised and paid out of the revenue in which the deficiency existed.”

Amendment  
of sections  
70 and 71 of  
Act of 1894.

**24.** Section 70 (Sinking fund for debenture stock and annuities) and subsection (5) of section 71 (Regulations as to sinking funds) of the Act of 1894 shall be and the same are hereby amended by the substitution therein of the words “thirty-five years purchase” for the words “thirty years purchase.”

Application  
of provisions  
of Act of  
1894.

**25.** The following sections of the Act of 1894 (that is to say):—

Section 68 (Board may borrow under Local Loans Act 1875);

Section 69 (As to mortgages of Board);

Section 71 (Regulations as to sinking funds);

Section 72 (Protection of lender from inquiry);

Section 73 (Annual return to Local Government Board);  
and

Section 82 (Justices not disqualified);

shall apply *mutatis mutandis* to and in relation to the powers by this Act granted.

## PART V.

### MISCELLANEOUS.

Fire insu-  
rance fund.

**26.**—(1) The Board may if they think fit establish a fund to be called the fire insurance fund with a view of providing a sum of money which in the event of a fire shall be available for the purpose of reconstructing rebuilding repairing restoring replacing and making good any loss or damage by or in consequence of fire to any buildings works and property belonging or on loan to or under the care custody or control of the Board.



(2) In each year after the establishment of the fire insurance fund the Board shall pay into that fund such a sum as would in their opinion be equal to the aggregate amount of the premiums payable in the event of the Board insuring their buildings works and property in some public fire insurance office in England but when the fund shall amount to the sum of twenty thousand pounds the Board may if they think fit, discontinue such yearly payments but so that if the fund is at any time reduced the Board shall recommence and continue the yearly payments until the fund be restored to the sum of twenty thousand pounds. Provided that nothing in this Act shall affect the power of the Board to insure any of their buildings works and property against loss or damage by fire in any public insurance office in England and if the Board so insure any of their buildings works and property the yearly sums payable to the fire insurance fund shall during the continuance of any such insurance be reduced by the amount of the premiums payable in respect of such insurance.

(3) The Board shall provide the yearly payments aforesaid by contributions from the rents and revenues of the lands buildings and undertakings or from the respective funds or rates which if the buildings works and property were insured in a public insurance office would be properly chargeable with the payment of the premiums of such insurance and if there be no rents or revenue specially chargeable then by contributions from the funds and rates of the constituent authorities.

(4) Except so far as the fire insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses from or in consequence of fire all moneys for the time being standing to the credit of the fire insurance fund shall be invested in statutory securities and the interest and annual proceeds arising from those securities shall be invested and accumulated until the fund amounts to the sum of twenty thousand pounds and when and so long as the fund amounts to that sum the interest and annual proceeds of the securities shall be carried to the credit of the fund or funds to which the same are properly applicable.

(5) If at any time and from time to time the fire insurance fund shall be insufficient to make good any loss or damage sustained by the Board by or in consequence of fire they may

A.D. 1905. with the sanction of the Local Government Board borrow at interest on the credit of all the revenues of the Board such sums of money as will be necessary to make up the deficiency.

(6) The Board shall repay any moneys borrowed under this section within such period (not exceeding sixty years) from the date of the borrowing of the same as the Board with the sanction of the Local Government Board determine in each case.

Power to  
create acci-  
dent fund.

**27.** The Board may if they think fit form a fund to be called the accident fund to provide for meeting claims upon them under the Employers' Liability and Workmen's Compensation Acts in respect of any accident occurring in the execution of any of their powers as a Board and such fund shall be formed by annually appropriating thereto out of any of their revenues such sum as they from time to time deem expedient and investing the same at compound interest in or upon any statutory securities and accumulating the same and the Board may from time to time or at any time resort to that fund for any purpose mentioned in this section. The said fund shall at no time exceed the sum of ten thousand pounds but if it be reduced at any time it may be restored to the said amount.

Power to  
grant gratui-  
ties in cer-  
tain cases.

**28.—**(1) The Board may if they think fit grant gratuities (not exceeding in the whole one year's pay to any one recipient) to any of their officers or servants who may be disabled or injured in their service or may become incapacitated through age or other infirmity or to the widow or family of any such officer or servant who may die in their service.

(2) Every such gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer or servant would have been charged or paid if he had continued in his office or service.

Evidence  
of appoint-  
ments autho-  
rity &c.

**29.** Where in any legal proceedings taken by or on behalf of the Board whether under this Act or under any general or Local Act passed before or after this Act it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Board or to prove any resolution of the Board or of any committee of the Board a certificate of such appointment authority or resolution purporting to be authenticated by the signature of the clerk shall be *prima facie*

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evidence of such appointment authority or resolution without further proof of the holding of any meeting or the production of any minute book or other record or document. A.D. 1905.

**30.**—(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 Board shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in 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.

**31.** The costs charges and expenses preliminary to and of and incidental to preparing 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 Board in the first instance out of the revenue of their water undertaking and gas undertaking or either of them but ultimately out of moneys borrowed under the powers of this Act. Costs of Act.

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