



CHAPTER x.

An Act to empower the Corporation of Warrington to
construct bridges street improvements and other works
to make further and better provision with regard to
the gas and electricity undertakings of the Corporation
and the improvement health and local government of
the borough and for other purposes. [2nd June 1911.]

A.D. 1911.

WHEREAS the borough of Warrington (herein-after called
“the borough”) is a municipal and county borough and
the mayor aldermen and burgesses thereof acting by the town
council (in this Act called “the Corporation”) are the municipal
and urban sanitary authority within the borough :

And whereas it is expedient that the Corporation should
be authorised to construct the bridges and the river works and
street works by this Act authorised :

And whereas the Corporation are the owners of the gas-
works by which the borough and the neighbourhood thereof are
supplied with gas and it is expedient that further powers should
be conferred upon them with reference to their gas undertaking :

And whereas it is expedient that the Corporation should be
empowered to acquire hold and dispose of certain lands and to
borrow money in the manner and for the purposes in this Act
specified :

And whereas the Corporation have incurred capital expen-
diture which has not been authorised and capital expenditure
in excess of their authorised borrowing powers for the following
purposes (that is to say) :—

For the purposes of their water undertaking (up to the
thirtieth of September one thousand nine hundred and
nine) the sum of twenty-two thousand one hundred and
twenty-one pounds eight shillings and one penny ;

A.D. 1911.

For the purchase of land for gasworks purposes at Winwick Road (advanced out of the gasworks reserve fund) the sum of two thousand and eighty-three pounds sixteen shillings and sixpence ;

For the purchase of No. 78 Sankey Street and the lands adjacent thereto the sum of four thousand one hundred and ninety-five pounds ;

For the purchase of certain lands referred to in the Third Schedule to this Act and other capital expenditure incurred in connexion therewith the sum of twenty-five thousand nine hundred and thirty-two pounds and fivepence ;

and it is expedient that the said expenditure should be sanctioned and confirmed and that the Corporation should be empowered to borrow the amount thereof :

And whereas the Local Acts and Provisional Orders confirmed by Act of Parliament whereof the short titles are set forth in the First Schedule to this Act are in force within the borough :

And whereas the following Acts have been adopted by the Corporation and are in force within the borough (that is to say) :—

The Infectious Disease (Prevention) Act 1890 ;

Parts II. III. IV. and V. of the Public Health Acts Amendment Act 1890 ;

The Private Street Works Act 1892 ;

The Museums and Gymnasiums Act 1891 (so far as it relates to Museums only) ;

The Notification of Births Act 1907 :

And whereas the Public Libraries Acts 1892 to 1901 are in force in the borough :

And whereas it is expedient that further powers in relation to the supply of electricity and to the health good government improvement and finance of the borough be conferred upon the Corporation and that such other provisions be made as are contained in this Act :

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

And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which

they are by this Act authorised to borrow money and such estimates are as follows:-- A.D. 1911.

For and in relation to the construction of the bridge works and other works incidental thereto	£ 31,568
For and in relation to the purchase of land for and the construction of the street works and other works incidental thereto - - -	54,882

And whereas the several works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas an absolute majority of the whole number of the council at a meeting held on the twenty-third day of December one thousand nine hundred and nine after ten clear days' notice by public advertisement of the meeting and of the purposes thereof in the *Warrington Examiner* a local newspaper circulating in the borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be paid out of the borough fund and borough rate and the improvement fund and improvement rate in equal proportions:

And whereas such resolution was published twice in the *Warrington Examiner* a local newspaper circulating in the borough 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 first day of March one thousand nine hundred and ten being not less than fourteen days after the deposit of the Bill in Parliament :

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

And whereas plans and sections showing the lines and levels of the works by this Act authorised and also showing the lands authorised by this Act to be purchased compulsorily together with a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the

A.D. 1911. town clerk of the borough and with the clerk of the peace for the county of Lancaster and are in this Act respectively referred to as the deposited plans sections and book of reference :

And whereas plans and sections showing the lines and levels of the Works Nos. 7A 7B and 7C and also a book of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required to be taken or used for the purposes of the said works were deposited with the said town clerk and clerk of the peace and are in this Act respectively referred to as the additional plans and sections and the additional book of reference :

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.

Short title. **1.** This Act may be cited as the Warrington Corporation Act 1911.

Incorporation of Acts. **2.** The following Acts and parts of Acts (so far as they 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 (except section 127 of the Lands Clauses Consolidation Act 1845) :

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof shall apply to the bridges by this Act authorised and the works immediately connected therewith.

Interpretation. **3.** In this Act unless the subject or context otherwise requires—

“The borough” means the county borough of Warrington ;

“The Corporation” means the mayor aldermen and burgesses of the borough ;

“The council” means the town council of the borough; A.D. 1911.

“The town clerk” “the treasurer” “the medical officer”
“the surveyor” and “the inspector of nuisances”
mean respectively the town clerk the treasurer the
medical officer of health the surveyor and the inspector
of nuisances of the borough and include their respec-
tive deputies;

“The borough fund” and “borough rate” mean respectively
the borough fund and borough rate of the borough;

“The improvement fund” and “improvement rate” mean
respectively the improvement fund and improvement rate
of the borough;

“The Act of 1877” means the Warrington Corporation Gas
Act 1877;

“The Act of 1899” means the Warrington Corporation Act
1899;

“The Mersey Commissioners” means the Commissioners for
the Conservancy of the River Mersey acting under the
authority of the Local and Personal Act 5 & 6 Vict.
cap. 110;

“Infectious disease” means any infectious disease to which
the Infectious Disease (Notification) Act 1889 applies
for the time being within the borough;

“Daily penalty” means a penalty for every day on which
any offence is continued after conviction therefor.

Words or expressions to which meanings are assigned by
the Public Health Act 1875 or by any enactment incorporated
with this Act have in this Act the same respective meanings
unless there be something in the subject or context repugnant
to such construction.

For the purposes of this Act in the provisions of the Railways
Clauses Consolidation Act 1845 incorporated with this Act—

“The railway” means the bridges by this Act authorised;
and

“The centre of the railway” means the centre line of each
of the said bridges respectively.

4. This Act shall extend and apply to and within the Application
of Act.
borough except where otherwise expressed or implied.

A.D. 1911.

PART II.

BRIDGES RIVER WORKS AND STREET WORKS.

Power to
make
bridges and
street works.

5. Subject to the provisions of this Act the Corporation may make and maintain wholly in the borough in the lines and according to the levels shown on the deposited plans and sections and the additional plans and sections and on the lands in that behalf delineated on the deposited plans and described in the deposited book of reference and the additional book of reference the following bridges river works and street works with all necessary and proper foundations embankments arches girders piers supports anchorages piles platforms jetties landing stages wharves sluices engines weighing machines sheds offices approaches abutments culverts drains buildings lifts stairs apparatus machinery appliances conveniences and works connected therewith (that is to say):—

Work No. 1 A bridge (having a span of one hundred and thirty-four feet) to replace the present Warrington Bridge crossing the River Mersey between Bridge Street and Knutsford Road and occupying as nearly as may be the site of the existing bridge:

Work No. 2 A training wall on the northern bank of the River Mersey commencing at a point 70 yards measured in a south-westerly direction from the south-east corner of Bridge Foot House and extending in a north-easterly direction for a distance of 120 yards or thereabouts and terminating at the westerly end of the Packet stage:

Work No. 3 A training wall on the southern bank of the River Mersey commencing at a point 33 yards or thereabouts measured in a north-westerly direction from the south-west corner of the Bridge Inn and extending in a north-easterly direction for a distance of 75 yards or thereabouts and terminating at a point 47 yards or thereabouts measured in a north-westerly direction from the south-west corner of Water Street:

Work No. 4 A widening of Knutsford Road commencing on the southern bank of the River Mersey at the south-east end of Work No. 1 and extending in a south-easterly direction for a distance of 103 yards or thereabouts and terminating on the east side of the premises now occupied by John Lunt:

Work No. 5 A widening of the western side of the southern approach of Warrington Bridge from a point on the southern bank of the River Mersey at the termination of Work No. 1 and extending in a southerly direction for a distance of 50 yards or thereabouts to Wilderspool Causeway: A.D. 1911.

Work No. 6 A widening of Chester Road on the south-east side from its junction with River Road to its junction with Stag Bridge:

Work No. 7A A footbridge crossing the River Mersey at Howley commencing on the western bank at a point 121 yards or thereabouts measured in a southerly direction from the south corner of the warehouse of the Bridgewater Undertaking of the Manchester Ship Canal Company and terminating on the eastern bank at a point 72 yards or thereabouts drawn in an easterly direction from the point of commencement:

Work No. 7B An approach footway at the western end of the said bridge commencing by a junction with the said bridge at its commencement and terminating at a point 80 yards or thereabouts measured in a westerly direction from the centre line at the commencement of Work No. 7A:

Work No. 7C Approach footways at the eastern end of the said bridge commencing at a point 85 yards or thereabouts measured in a southerly direction from the termination of Work No. 7A and terminating at a point 85 yards or thereabouts measured in a northerly direction from the termination of Work No. 7A:

Work No. 11 A river wall along the south side of the River Mersey and a widening of the north side of Knutsford Road commencing at a point 120 yards measured in a westerly direction from the entrance to Victoria Park and extending in a westerly direction for a distance of 210 yards and terminating at a point 57 yards or thereabouts measured in a north-easterly direction from the centre of the north end of Grove Street.

6. The Corporation may for the purpose of making and maintaining the works by this Act authorised and within the limits of deviation shown on the deposited plans remove the existing bridge known as Warrington Bridge and dig pile and

Power to excavate &c. in river.

A.D. 1911. — make proper foundations in the River Mersey and on the banks thereof and cut level embank and secure the banks of the river and cut remove scour take and carry away all rock beds of gravel and sand and other impediments and execute all other works necessary or convenient for making or maintaining and repairing the said works and the approaches thereto In the exercise of the powers of this section the Corporation shall do as little damage as may be and make compensation to all persons whose property rights powers or works is or are interfered with damaged or affected by reason of the exercise of such powers :

Provided that in the execution and maintenance of the said works the Corporation shall take all reasonable precautions and provide all works and conveniences proper and reasonably sufficient for keeping the flow of water in the river and the navigation thereof free from obstruction and shall remove the piers of the existing bridge in the River Mersey to a level of two feet below Ordnance datum :

Provided also that all materials excavated or dredged under the powers of this Act if deposited below high-water mark and within the limits of the jurisdiction of the Mersey Commissioners or seaward thereof shall only be deposited in such positions and under such restrictions and regulations as may be fixed by those Commissioners and that no materials shall be deposited below high-water mark within the limits of the port of Manchester except in such manner as shall be approved in writing by the Manchester Ship Canal Company.

Limits of lateral and vertical deviation.

7. In the construction of the works by this Part of this Act authorised the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards and three feet downwards except that there shall be no deviation downwards of Works Nos. 1 and 7A (so far as regards the underside of the span of the bridges forming part of those works respectively) :

Provided also that no deviation below high-water mark shall be made without the consent in writing of the Mersey Commissioners and that no deviation of Work No. 6 shall be made without the consent in writing of the Manchester Ship Canal Company.

8. If the works authorised by this Part of this Act and shown on the deposited plans are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for executing those works or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as shall then be completed.

A.D. 1911
Period for completion of works.

9. Subject to the provisions of this Act and within the limits defined on the deposited plans the Corporation in connexion with the works authorised by this Part of this Act and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the said works and may make diversions widenings or alterations of lines or levels of any existing streets for the purpose of connecting the same with the said works or of crossing under or over the same or otherwise and may alter divert stop up enclose use or appropriate all or any part of any street square place court alley or passage whether a thoroughfare or not or of any thoroughfare road lane or way or of any drain sewer or other property shown on the deposited plans the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer Provided that the provisions of section 308 of the Public Health Act 1875 (Compensation in case of damage by local authority) shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act.

Power to make subsidiary works.

10. The Corporation within the limits of deviation defined upon the deposited plans may raise sink or otherwise alter or cause to be altered the position of any of the steps areas cellars windows and pipes or spouts belonging to any house or building and also the drains mains and the leaden or other pipes or wires which for the purpose of conveying water electricity or gas to any house or other place shall be laid into or from any main cable or pipe laid down by the Corporation and may remove all other obstructions so as the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the provisions of section 308 of the Public Health Act 1875 shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act.

Power to alter steps areas pipes &c.

11. The Corporation may during the execution and for the purposes of any work by this Part of this Act authorised stop

Temporary stoppage of streets.

A.D. 1911. up temporarily any street road footway passage court or alley and prevent all persons other than those bonâ fide, going to or returning from any house therein from passing along and using the same for any reasonable time but the Corporation shall provide reasonable access for all persons so bonâ fide going to or returning from any such house.

Lands laid into streets to become part of high-way.

12. The sites of all houses and all lands purchased by the Corporation under the powers of this Act and laid into or appropriated for or as part of a street shall when so laid or appropriated be and for ever thereafter form part of the public streets and shall be repaired and maintained in like manner and out of the like fund or rate as other streets in the borough.

Works below high-water mark to be subject to approval of Board of Trade.

13. Subject to the provisions of this Act any of the works authorised by this Act to be constructed on over or under tidal lands below high-water mark of ordinary spring tides shall be constructed only in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade.

Any alteration or extension of any such authorised works shall be subject to the like approval.

If any such authorised work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the Corporation and the amount of such cost shall be a debt due from the Corporation to the Crown and shall be recoverable as a Crown debt or summarily.

Abatement of work abandoned or decayed.

14. If a work constructed by the Corporation on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade or the Mersey Commissioners may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Corporation and the amount of such expense if incurred by the Board of Trade shall be a debt due from the Corporation to the Crown and be recoverable as a Crown debt or summarily or if incurred by the Mersey Commissioners shall be a debt due to the said Commissioners and be recoverable summarily.

15. If at any time the Board of Trade or the Mersey Commissioners deem it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Corporation on in over through or across tidal lands or tidal water or of the intended site of any such work the Corporation shall defray the expense of the survey and examination and the amount of such expense if incurred by the Board of Trade shall be a debt due from the Corporation to the Crown and be recoverable as a Crown debt or summarily or if incurred by the Mersey Commissioners shall be a debt due to the said Commissioners and be recoverable summarily.

A.D. 1911.
Survey of works by Board of Trade.

16. The Corporation shall at or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade from time to time require or approve. If the Corporation fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Lights on works during construction.

17. The Corporation shall at the outer extremity of their works below high water exhibit and keep burning from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Corporation of Trinity House Deptford Strond shall from time to time direct.

Permanent lights on works.

If the Corporation fail to comply in any respect with the provisions of the present section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

PART III.

GAS.

18. Section 41 (Maximum price of gas) of the Act of 1877 is hereby amended by striking out the words "less than the minimum nor" in subsection (2) thereof and striking out all the words and figures in the column headed "minimum additional charge" in the said subsection.

Amendment of enactments relating to charges for gas.

19. No penalty shall be incurred by the Corporation for insufficiency of pressure defect of illuminating power or excess of impurity in the gas supplied by them in any case in respect

Saving as to penalties.

A.D. 1911. of which it is proved that such insufficiency defect or excess was produced by any circumstance beyond the control of the Corporation.

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

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

Gas consumers to give notice to Corporation before removing.

21. At least twenty-four hours notice in writing shall be given to the Corporation by every gas consumer before he shall quit any premises supplied with gas by meter by the Corporation and in default of such notice the consumer so quitting shall be liable to pay to the Corporation the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Corporation to supply gas to such premises whichever shall first occur Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Corporation.

Notice to discontinue supply of gas.

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

Supply of gas where consumer has separate gas installation.

23. Where any person has a supply of gas laid on by the Corporation to any premises for which he has at the same time a supply of gas from an installation other than that of the Corporation the Corporation shall be entitled to receive from him as a standing charge in addition to the price of the gas actually supplied to him a fixed sum to be determined by them not exceeding twenty-five shillings for any one quarter of a year Provided always that in determining such fixed sum the Corporation shall have regard to the probable maximum supply of gas which might at any time be required for such premises And provided also that the Corporation shall not be entitled to any

such standing charge as aforesaid in respect of any premises for which the whole supply of gas afforded by them is taken through a meter having a nominal capacity of less than ten lights. A.D. 1911.

24. Where any person has a supply of gas laid on by the Corporation to any premises within the borough for which he has at the same time a supply of electricity either from the Corporation or from an installation other than that of the Corporation the Corporation shall be entitled to charge and receive from him in respect of the supply of gas so laid on such minimum sum as shall be fixed by them not exceeding twenty-five shillings for any one quarter of a year notwithstanding that the ordinary charge for the gas actually consumed in such quarter would amount to a lower sum. Provided always that in fixing the amount of such minimum charge the Corporation shall have regard to the probable maximum supply of gas which might at any time be required for such premises. Provided also that in respect of any premises for which the whole supply of gas afforded by the Corporation is taken through a meter having a nominal capacity of twenty lights or less and the supply of electricity is taken from the Corporation no such minimum charge shall be made. And provided also that in respect of any premises for which the whole supply of gas afforded by the Corporation is taken through such a meter as aforesaid and the supply of electricity is obtained from an installation other than that of the Corporation the amount of the minimum charge shall not exceed five shillings for any one quarter of a year. Minimum charge for gas laid on to premises having supply of electricity.

25.—(1) Every consumer of gas supplied by the Corporation who uses a gas engine shall use an effective anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and if any consumer shall make default in complying with the provisions of this section the Corporation may cease to supply him with gas. Power to require use of anti-fluctuators for gas engines.

(2) The Corporation shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Corporation if the anti-fluctuator be found in proper order but otherwise at the expense of such consumer.

26. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 Period of error in

A.D. 1911.
defective
meters.

and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter. The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Corporation.

PART IV.

ELECTRICITY.

Electrical
fittings.

27. The Corporation may provide let for hire and fix repair and remove but shall not manufacture lamps meters electric lines fuses switches fittings lamp-holders motors and other fittings for lighting and motive power and for all other purposes for which electrical energy can or may be used and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon:

Provided as follows:—

(A) The Corporation shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this section (including interest upon moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed):

(B) Every sum charged by the Corporation to a consumer in respect of the provision of such fittings or the fixing repairing or removal thereof shall be separately stated on every demand note delivered by the Corporation to the consumer:

(C) The total sums expended and received by the Corporation in connexion with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the electricity undertaking of the Corporation for that year.

28. The Corporation may upon the application of the owner or occupier of any premises within the area of supply of the Corporation abutting upon or being erected in any street or road laid out or made but not dedicated to public use supply such premises with electrical energy and may lay down take up alter relay or renew in across or along such street or road such mains pipes wires apparatus and other works as may be requisite or proper for furnishing such supply and the provisions of the Gasworks Clauses Act 1847 incorporated with the Electric Lighting Act 1882 so far as they are applicable for the purposes of this section shall extend and apply to and for the purposes hereof as if the works referred to in this section were pipes for the supply of gas.

A.D. 1911.

Power to lay electric mains in streets not dedicated to public use.

29.—(1) Any expenses incurred by the Corporation in carrying into effect the provisions of this Part of this Act and not otherwise provided for shall be deemed to be expenses incurred by the Corporation under the Electric Lighting Act 1882 and not otherwise provided for and the provisions of sections 7 and 8 of that Act shall extend and apply accordingly to such expenses.

Receipts and expenses under this Part of Act.

(2) Any moneys received by the Corporation under this Part of this Act shall be deemed to be moneys received in respect of the electricity undertaking of the Corporation and shall be applicable accordingly.

PART V.

LANDS.

30. Subject to the provisions of this Act the Corporation may for the purposes of Part II of this Act and for the widening of Market Gate enter on take and use all or any of the lands delineated on the deposited plans and the additional plans and described in the deposited book of reference and the additional book of reference.

Power to take lands.

31. If any omission misstatement or erroneous description is found to have been made of any lands or of any owners lessees or occupiers of any lands shown or described or intended to be shown or described on the deposited plans and the additional plans or in the deposited book of reference and the additional book of reference the Corporation may apply to two justices for the correction thereof after giving ten days notice to the owners lessees and occupiers of the lands affected by the proposed correction.

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

A.D. 1911.

If it appears to the justices that the omission misstatement or erroneous description arose from mistake they shall certify the same accordingly stating the particulars of the omission misstatement or erroneous description and such certificate shall be deposited with the clerk of the peace for the county palatine of Lancaster.

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

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

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

- (1) The owners of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are herein-after included in the term "the owner" and the said properties are herein-after referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:

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

A.D. 1911.

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

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

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

Provisions
as to com-
pensation.

33. For the purposes of determining any disputed question of compensation payable in respect of lands taken for or in connexion with any works by this Act authorised the following provisions shall apply and for the purposes of this section the expression "owner" shall mean the owner of and persons interested in the lands required by the Corporation:—

- (1) The tribunal shall take into account any permanent increase in value of any lands retained by or belonging to the owner which in the opinion of the tribunal will result from or be caused by the construction of the works for or in connexion with which the lands are required and generally all the other circumstances of the case which it is equitable to consider:

- (2) The tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the first day of January one thousand nine hundred and ten if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made

was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act. A.D. 1911.

34.—(1) The tribunal shall if so required by the Corporation award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Corporation by the claimant giving sufficient particulars and in sufficient time to enable the Corporation to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Corporation have been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

Costs of arbitration &c. in certain cases.

(2) Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days notice to the Corporation to amend the statement in writing of the claim delivered by him to the Corporation in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Corporation if they object to the amendment and such amendment shall be subject to such terms enabling the Corporation to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case.

(3) Provided that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contains or is endorsed with a notice of the effect of this section.

35. 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 or over or affecting any such lands and the provisions of the said 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 respectively.

Persons under disability may grant easements &c.

A.D. 1911.

Period for compulsory purchase of lands.

Power to purchase lands by agreement and to appropriate lands.

Power to retain sell &c. lands.

Confirmation of purchase of lands.

36. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

37.—(1) The Corporation may for the purposes of Part II. of this Act purchase take and hold (by agreement but not otherwise) any lands and hereditaments within the borough not exceeding in the whole twenty acres in addition to the lands to be compulsorily acquired under this Act but the Corporation shall not create or permit a nuisance on any such lands.

(2) The consideration for such acquisition may be either money or land or a mixed consideration of money and land and on any exchange the Corporation may give or take any money for equality of exchange.

38. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Corporation may retain hold and use for such time as they may think fit and may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands acquired by them under this Act or any interest therein and may sell exchange or dispose of any rents reserved on the sale exchange lease or disposition of such lands and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

39. The purchase by the Corporation of the land for gas-works purposes in Winwick Road and of the lands and property referred to in the Third Schedule to this Act and delineated upon a plan signed in triplicate by Sir Francis Layland-Barratt Baronet the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (one of which plans has been deposited in the Parliament Office of the House of Lords one in the Private Bill Office of the House of Commons and one at the office of the town clerk) is hereby sanctioned and confirmed and the Corporation shall hold use and appropriate the same subject to the provisions of this Act Provided that all of such lands shall for the purposes of section 3 of the Housing of the Working Classes Act 1903 be deemed to have been acquired under the powers of this section.

40.—(1) The Local Government Board may on the application of the Corporation and on such conditions as the Board may think fit prescribe the purposes and the Local Acts and Orders or the Public General Acts relating to such purposes for which all or any of the lands and property belonging to the Corporation and referred to in the Third Schedule to this Act may be held used and appropriated by the Corporation or may authorise the sale lease exchange or other disposition of such lands and property.

A.D. 1911.
—
Appropriation of lands specified in Third Schedule.

(2) The undertaking to which any part of such lands and property shall be appropriated shall be debited with the full value thereof.

(3) The Corporation shall not create or permit a nuisance on any such lands.

(4) If at the expiration of five years from the passing of this Act any part of such lands or property shall not have been so appropriated sold leased exchanged or otherwise disposed of the Corporation shall unless otherwise directed by the Local Government Board sell lease exchange or otherwise dispose of the same as if such lands and property had been acquired by them under this Act.

41. The purchase by the Corporation of the lands and premises known as No. 78 Sankey Street within the borough is hereby sanctioned and confirmed and the said lands and premises shall be held used and appropriated for the purposes of public baths and washhouses and municipal offices.

Lands for public baths and wash-houses.

42. The acquisition by the Corporation of the lands and premises within the borough known as St. Elphin's Park and comprising an area of two and a half acres or thereabouts is hereby sanctioned and confirmed and the Corporation shall hold use and appropriate the lands and premises so acquired for the purposes of a public park or place of recreation as if the same were public walks and pleasure grounds provided under the Public Health Act 1875 and the Corporation may lay out improve furnish and equip for purposes of public recreation and enjoyment any such lands.

St. Elphin's Park.

43. Notwithstanding anything contained in this Act the Corporation shall not without the consent in writing of James Fairclough and Sons Limited purchase or acquire any or any part of the properties numbered 1 to 14 inclusive and 51 on the deposited plans of Works Nos. 1 2 3 4 and 5 unless they purchase and acquire at the same time the whole of the said properties.

For protection of James Fairclough and Sons Limited.

A.D. 1911.

PART VI.

MOTOR OMNIBUSES.

Power to provide and run omnibuses.

44.—(1) The Corporation may provide (but shall not manufacture) motor omnibuses and may run the same within the borough in connexion with the tramways for the time being belonging to the Corporation when the running of carriages thereon is impracticable or during the construction reconstruction alteration or repair thereof or in extension of any of such tramways and the Corporation may demand and take such reasonable fares and charges for the conveyance of passengers therein as may be approved by the Board of Trade.

(2) The Corporation may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them omnibus carriage and motor houses buildings stables and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such omnibuses.

(3) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in their motor omnibuses Provided that any such byelaws shall be made subject and according to the provisions of the Tramways Act 1870 with respect to the making of byelaws.

(4) Every motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General.

(5) All provisions of the Conveyance of Mails Act 1893 relating to the conveyance of mails on tramways shall apply and have effect in relation to the omnibuses provided under this section as if such omnibuses were carriages on tramways authorised by an Act passed after the first day of January one thousand eight hundred and ninety-three.

(6) In this section the expression "motor omnibus" means any stage carriage moved by mechanical power including in that expression steam electrical and every other motive power not being animal power.

Separate account of omnibus undertaking to be kept.

45. The Corporation shall keep separate accounts of their receipts and expenditure under this Part of this Act distinguishing therein capital from revenue.

PART VII.

A.D. 1911.

LICENSING.

46. An occasional licence for a hackney carriage or other public vehicle may be granted by the Corporation to be in force for such day or days or other period less than a year as may be specified in the licence.

Occasional licences may be granted for public vehicles.

47. The provisions of the Town Police Clauses Acts 1847 and 1889 and the byelaws of the Corporation with respect to hackney carriages and other public vehicles shall be as fully applicable in all respects to hackney carriages and other public vehicles within the borough conveying passengers to or from any railway station within the borough as if such railway station were a public stand for public vehicles:

As to public vehicles taken at railway station.

Provided always that the provisions of this section shall not apply to any vehicle belonging to or used by any railway company for the purpose of carrying passengers and their luggage to or from any of their railway stations or to the drivers or conductors of such vehicles.

PART VIII.

ICE CREAM.

48.--(1) Any person being a manufacturer or vender of or merchant or dealer in ice cream or other similar commodity who within the borough—

For regulating manufacture and sale of ice cream &c.

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

shall be liable to a penalty not exceeding forty shillings.

A.D. 1911.

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

Inspection
of premises.

49.—(1) Any officer duly authorised by the Corporation in that behalf shall at all reasonable times have the same power of entry and inspection into and of the premises of any manufacturer or vender of or merchant or dealer in ice cream or other similar commodity for the purpose of inspecting such premises and the materials or commodities or articles of food therein as an officer of the Corporation would have under section 102 (Power of entry of local authority) of the Public Health Act 1875 in the cases therein mentioned.

(2) Any person refusing entry into such premises as aforesaid or obstructing such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings for each offence.

As to dealers
in ice cream.

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

Public notice
to be given
of provisions
of Part VIII.
of Act.

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

PART IX.

COMMON LODGING-HOUSES.

Power to
close infec-
ted common
lodging-
houses.

52. If the Corporation deem it necessary on account of the existence or recent existence therein of infectious disease to close a common lodging-house they may make an application to a justice for an order to close the same and the justice if

satisfied of the necessity of such closing may make an order for the closing of such house until the same shall have been disinfected to the satisfaction of and certified to be free from infection by the medical officer and any keeper of a common lodging-house who shall receive any lodger or suffer or permit any lodger to remain in such house after an order has been made to close the same and during the continuance of such order shall be liable to a penalty of five pounds for every day during which the offence continues.

A.D. 1911.

The Corporation shall make compensation to the keeper of any such lodging-house for any loss he may sustain by reason of such closing.

53. Notice of the provisions of this Part of this Act shall be served upon the keeper of every common lodging-house either personally or by leaving the same at the common lodging-house.

Notice to common lodging-house keepers.

PART X.

SANITARY PROVISIONS.

54. If the owner or occupier of any premises within the borough desires that the sewer or drain from such premises shall be made to communicate with any sewer of the Corporation such communication shall be made by the Corporation upon the cost or estimated cost of making the communication being paid to the Corporation or the payment thereof to them being secured to their satisfaction and the Corporation may execute all works necessary for that purpose.

Corporation may make communications between private drains and their sewers on payment &c.

55. The powers given by section 19 of the Public Health Acts Amendment Act 1890 in relation to two or more houses belonging to different owners shall extend and apply to two or more houses belonging to the same owner.

Amendment of section 19 of Public Health Acts Amendment Act 1890.

56.—(1) The owners or occupiers of all lands abutting upon any public street and the owners or occupiers of all lands abutting upon or adjoining any private street communicating with any public street shall so fence off channel or embank their lands as to prevent the soil and sand of such lands from falling upon or being washed or carried into any public street sewer or gully in such quantities as will obstruct the highway or choke up such sewer or gully.

For preventing soil and sand from being washed into streets.

A.D. 1911.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) For the purpose of this section "public street" means a street repairable by the inhabitants at large.

Water-courses not to be covered in except in accordance with approved plan.

57. Before the owner of any land within the borough shall culvert or cover over any watercourses thereon forming part of the natural drainage of the area involved he shall submit for the approval of the Corporation plans sections and specifications of such watercourses and the method of culverting or covering in the same and the Corporation may subject as herein-after provided require such owner to so construct any such culvert or so to cover any such watercourses as to secure the free and uninterrupted passage of the water flowing in any such watercourses.

If any difference shall arise between the Corporation and such owner as to the expediency necessity or otherwise of the works required by the Corporation to be executed such difference shall be referred to arbitration and the provisions of the Arbitration Act 1889 shall apply thereto.

Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Improper construction or repair of watercloset or drain.

58. If a watercloset drain or soil pipe is so constructed or repaired as to be a nuisance or injurious or dangerous to health the person who undertook or executed such construction or repair shall unless he shows that such construction or repair was not due to any wilful act neglect or default be liable to a penalty not exceeding twenty pounds. Provided that where a person is charged with an offence under this section he shall be entitled upon information duly laid by him to have any other person being his agent servant or workman whom he charges as the actual offender brought before the court at the time appointed for hearing the charge and if he proves to the satisfaction of the court that he had used due diligence to prevent the commission of the offence and that the said other person committed the offence without his knowledge consent or connivance he shall be exempt from any penalty and the said other person may be summarily convicted of the offence.

Street orderly bins.

59. The Corporation may provide and maintain orderly bins for the collection and temporary deposit of street refuse in upon

or under the streets of the borough of such dimensions and in such positions as they may from time to time determine. A.D. 1911.

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

Regulation dustbins.

61.—(1) It shall not be lawful to blow or to inflate the carcase or any part of the carcase of any animal slaughtered within or brought into the borough.

Prohibition of blowing or inflating carcases.

(2) Any person who shall offend against the provisions of subsection (1) of this section or shall expose or deposit for sale within the borough a carcase so blown or inflated or any part thereof shall be liable to a penalty not exceeding twenty shillings.

62. If any person shall at the request of the Corporation or of the medical officer stop his employment for the purpose of preventing the spread of infectious disease the Corporation may make compensation to him for any loss he may sustain by reason of such stoppage.

Compensation to persons ceasing employment.

63.—(1) The occupier of any building in the borough which is used for human habitation and in which there is or has been any person suffering from an infectious disease shall on the application of the medical officer at any time during the illness of such person or within six weeks from the occurrence of such illness furnish such information within his knowledge as the medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

Information to be furnished to medical officer and penalty for furnishing false information.

(2) Any occupier knowingly furnishing false information shall be liable on summary conviction to a penalty not exceeding forty shillings.

A.D. 1911.

(3) In this section the expression "occupier" shall have the same meaning as in the Infectious Disease (Notification) Act 1889.

Public notice to be given of provisions of Part X. of Act.

64.—(1) Public notice of the foregoing provisions of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice affixed outside the town hall and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can be reasonably ascertained.

(2) Copies of the newspapers containing the advertisements shall be sufficient evidence that the provisions of this section have been complied with.

PART XI.

POLICE PROVISIONS.

No person to have care of more than one cart.

65.—(1) Notwithstanding anything contained in the Highway Act 1835 or in the Town Police Clauses Act 1847 no person shall act as the driver of or have the care of more than one cart waggon or carriage each drawn by an animal or animals in any street within one mile and a quarter from the Market Gate in Warrington upon which any tramway is laid and no person shall fasten or allow to be fastened to the rear of any such cart waggon or carriage any other cart waggon or carriage drawn by an animal or any animal drawing a cart waggon or carriage.

(2) Any person acting in contravention of this enactment shall be liable to a penalty not exceeding twenty shillings.

PART XII.

FINANCIAL PROVISIONS.

Power to borrow.

66.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest—

(A) For and in connexion with the bridges and river works by this Act authorised any sum or sums not exceeding thirty-two thousand pounds:

(B) For and in connexion with the street works and river walls by this Act authorised any sum or sums not exceeding fifty-four thousand eight hundred and eighty-two pounds:

- (c) For and in connexion with the provision and running of omnibuses by this Act authorised any sum or sums not exceeding five thousand pounds :
- (d) For the repayment of capital expenditure incurred by the Corporation in connexion with their water undertaking up to the thirtieth day of September one thousand nine hundred and nine the sum of twenty-two thousand one hundred and twenty-one pounds eight shillings and one penny :
- (e) For the repayment of the purchase money of land for gasworks purposes at Winwick Road advanced out of the gasworks reserve fund the sum of two thousand and eighty-three pounds sixteen shillings and sixpence :
- (f) For the purchase of part of St. Elphin's Park in pursuance of the powers of this Act any sum or sums not exceeding three thousand five hundred and ten pounds nineteen shillings and sevenpence :
- (g) For paying the purchase money of No. 78 Sankey Street and the lands adjacent thereto any sum or sums not exceeding four thousand one hundred and ninety-five pounds :
- (h) For payment of the costs charges and expenses referred to in the section of this Act whereof the marginal note is "Costs of Act" any sum or sums not exceeding the amount ascertained as in that section provided :
- (i) With the sanction of the Local Government Board such further sums as the Corporation may require for any of the purposes of this Act.

(2) The revenues of the Corporation herein-after set forth are as regards the purposes mentioned in this section hereby made liable for the repayment of moneys borrowed in respect thereof under this section and the payment of interest thereon (that is to say):—

Purposes.	Revenue.
(B) and (F) - - - -	Improvement rate.
(A) (C) and (G) - - - -	Borough rate.
(H) - - - -	Improvement rate and borough rate.
(D) - - - -	Water undertaking and improvement rate.
(E) - - - -	Gas undertaking and improvement rate.
(I) - - - -	Such of the revenues of the Corporation as the Local Government Board may direct.

A.D. 1911.

Power to borrow in respect of expenditure already incurred.

67.—(1) The Corporation may also borrow at interest for the repayment of capital expenditure incurred for and in connexion with the purchase of the lands and property referred to in the Third Schedule to this Act the sum of twenty-five thousand nine hundred and thirty-two pounds and fivepence repayable within the periods set forth in the seventh column of the Third Schedule to this Act.

(2) The improvement rate is hereby made liable for the repayment of moneys borrowed under this section and the payment of interest thereon.

Certain provisions of Public Health Act not to apply.

68. In calculating the amount which the Corporation may borrow under the provisions of the Public Health Acts any sums which the Corporation may borrow under or for the purposes of this Act shall not be reckoned and the power of the Corporation of borrowing and re-borrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

Repayment of borrowed moneys.

69. All moneys borrowed by the Corporation under the authority of this Act shall be paid off within the periods hereinafter respectively mentioned (in this Act referred to as "the prescribed period") (that is to say):—

As to moneys borrowed for the purpose (E) in the section of this Act whereof the marginal note is "Power to borrow" within forty-eight years from the passing of this Act;

As to moneys borrowed for the purpose (B) in the said section mentioned within forty-five years from the date or dates of borrowing the same;

As to moneys borrowed for the purpose (A) in the said section mentioned within forty years from the date or dates of borrowing the same;

As to moneys borrowed for the purpose (D) in the said section mentioned within thirty years from the date or dates of borrowing the same;

As to moneys borrowed for the purpose (C) in the said section mentioned within five years from the date or dates of borrowing the same;

As to moneys borrowed for the purpose (F) in the said section mentioned within fifty-seven years from the passing of this Act;

As to moneys borrowed for the purpose (g) in the said section mentioned within fifty-five years from the passing of this Act; A.D. 1911.

As to moneys borrowed for the purpose (ii) in the said section mentioned within five years from the passing of this Act;

and with respect to moneys borrowed by the Corporation under the authority of this Act with the consent of the Local Government Board within such period not exceeding sixty years as that Board may prescribe.

70. The following provisions of the Act of 1899 shall apply to this Act *mutatis mutandis* as if the same had been enacted therein:— Application of financial provisions of Act of 1899.

Section 134 (Mode of raising money);

Section 136 (Provisions of Public Health Act as to mortgages to apply);

Section 138 (Protection of lender from inquiry);

Section 139 (Corporation not to regard trusts);

Section 140 (Appointment of receiver);

Section 161 (Application of money borrowed);

Section 170 (Proceeds of sale of lands to be treated as capital).

71.—(1) From and after the thirty-first day of March nineteen hundred and twelve sections 25 26 and 27 of the Municipal Corporations Act 1882 and section 246 of the Public Health Act 1875 shall cease to apply to any accounts of the Corporation or of the treasurer of the borough or of the officers of the Corporation but the accounts of the Corporation and of the treasurer and the officers of the Corporation under any public or private Act of Parliament or otherwise relating to matters dealt with by the Corporation in any capacity and including the accounts of any joint committee and of the officers of any joint committee appointed by the Corporation with the council of any county or of any other borough or with a district council or a parish council shall be audited by a district auditor appointed by the Local Government Board in like manner as accounts of an urban authority and their officers are audited under sections 247 and 250 of the Public Health Act 1875 and those sections and all enactments amending them or applying to audit by district auditors including the enactments imposing Audit of accounts.

A.D. 1911. penalties and providing for the recovery of sums as well as all enactments relating to matters incidental to or consequential upon any such accounts or audit shall apply in like manner as if so far as they relate to an audit of the accounts of an urban authority and the officers of that authority they were herein re-enacted with the necessary modifications and accordingly all burgesses of the borough and all ratepayers and owners of property in the borough shall have the like rights and there shall be the same appeal as in the case of that audit. Provided that for the purposes of this section the First Schedule to the District Auditors Act 1879 shall be modified in the manner described in the Second Schedule to the Local Government Act 1888.

(2) Nothing in subsection (1) of this section shall apply to the audit of the accounts of the Corporation for the financial year ending the thirty-first day of March nineteen hundred and twelve and these accounts shall be audited by the elective auditors for the borough elected in the manner provided by sections 25 26 and 27 of the Municipal Corporations Act 1882 as if this Act had not been passed.

Power to Corporation to apply funds towards deputations entertainments &c.

72. The Corporation may pay out of the borough fund or rate as expenses incurred by them under the Municipal Corporations Act 1882—

(1) Reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation not exceeding in any case four at conferences or meetings of such associations or any of them the reasonable travelling expenses of the members of the Corporation engaged in attending meetings on behalf of the Corporation and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings:

(2) The reasonable expenses of the Corporation in providing public entertainments on the occasion of public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the borough:

(3) Reasonable subscriptions not exceeding in the whole twenty guineas in any one year in aid of local units of the territorial forces rifle clubs and other institutions established in or connected with the borough for the purpose of rendering national or public services. A.D. 1911.

73. The provisions of section 131 (Power of local authority to provide hospitals) of the Public Health Act 1875 shall be extended so as to enable the Corporation to subscribe to any hospital infirmary nursing institution or other institution of a similar character within the borough any sum not exceeding in the aggregate in respect of any one year the sum of fifty pounds. Power to Corporation to subscribe to hospitals.

74. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made may be defrayed by the Corporation out of the borough fund and borough rate or out of the improvement fund and improvement rate as the Corporation may in their discretion having regard to the object of the expenditure deem just. Expenses of execution of Act.

PART XIII.

MISCELLANEOUS.

75. Where in any legal proceedings taken by or on behalf of the Corporation 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 Corporation or to prove any resolution of the Corporation or of any committee of the Corporation a certificate of such appointment authority or resolution purporting to be authenticated by the signature of the mayor or the town clerk shall be primâ facie 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. Evidence of appointments &c.

76. Proceedings for the recovery of any demand 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 any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action. Recovery of demands in county court.

A.D. 1911.

Recovery of penalties &c.

77. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner. Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Appeal.

78. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence or consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order by a court of summary jurisdiction under any provision of this Act may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts.

Authentification and service of notices &c.

79.—(1) Where any notice or demand under this Act or under any local Act Provisional Order or byelaw for the time being in force within the borough requires authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force within the borough may be served in the same manner as notices under the Public Health Act 1875 are by section 267 of that Act authorised to be served. Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

Application of penalties.

80. All penalties recovered under this Act or under any byelaw thereunder shall except in the case of penalties recovered against the Corporation be paid to the borough treasurer and be by him carried to the credit of the improvement fund.

Persons acting in execution of Act not to be personally liable.

81. No matter or thing done or contract entered into by the Corporation nor any matter or thing done by the town clerk or by any member or officer of the Corporation or any person whomsoever acting under the direction of the Corporation shall if the matter or thing be done or the contract be entered into bonâ fide for the purpose of executing this Act subject them, or

any of them personally to any action liability claim or demand whatsoever and any expense incurred by the Corporation or town clerk member officer or person acting as last aforesaid shall be borne and repaid out of any of the funds at the disposal of the Corporation. A.D. 1911.

82.—(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 inspectors of the Local Government Board have for the purposes of inquiries directed by that Board under the Public Health Act 1875. Inquiries by Local Government Board.

(2) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries 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.

83. Whenever the Corporation under any enactment or byelaw for the time being in force within the borough execute re-execute or alter any work act or thing in default of the owner or occupier and in the absence of misconduct or negligence on the part of the Corporation or of any contractor or person employed by them are required to pay any damages penalties costs charges and expenses for or consequent upon the executing re-executing or altering such work act or thing the amount thereof when paid shall be deemed to be part of the expense payable by such owner or occupier and shall be recoverable accordingly. In executing works for owner Corporation not liable for damages save in case of negligence.

84. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided by the Public Health Act 1875. Compensation &c. how to be determined.

85. Save as herein expressly provided all informations and complaints under or for the breach of any of the provisions of this Act or of any byelaws made thereunder may be laid by an officer of the Corporation authorised in that behalf or by the town clerk. Informations by whom to be laid.

A.D. 1911.

Powers of
Act cumulative.

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

Saving of
indictments.

87. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Judges not
disqualified.

88. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Crown
rights.

89. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or of the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Saving
rights of
duchy of
Lancaster.

90. Nothing contained in this Act shall extend or operate to authorise the Corporation to take use enter upon or in any manner interfere with any land soil water or hereditaments or any land parcel of any manor or any manorial rights or any other rights of whatsoever description belonging to His Majesty in right of His duchy of Lancaster without the consent in writing of the chancellor for the time being of the said duchy

first had and obtained (which consent the said chancellor is hereby authorised to give) or take away, prejudice or diminish any estate right privilege power or authority vested in or enjoyed or exerciseable by His Majesty His heirs or successors in right of His said duchy. A.D. 1911.

91. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act (including the costs charges and expenses preliminary to and of and connected with the compliance with the provisions of the Borough Funds Acts 1872 and 1903 with respect to the Bill for this Act) or otherwise in relation thereto as taxed and ascertained 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 and the improvement fund and improvement rate in equal proportions or out of moneys borrowed under the powers of this Act and shall be apportioned by the Corporation amongst the whole or part of the several undertakings and departments under the control of the Corporation and affected thereby as they may decide. Costs of Act.

A.D. 1911. The SCHEDULES in the foregoing Act referred to.

THE FIRST SCHEDULE.

LOCAL ACTS AND ORDERS.

Session and Chapter.	Short Title.
10 & 11 Vict. c. 44.	- The Warrington Gas Act 1847.
17 Vict. c. 8.	- The Warrington Improvement and Market Act 1854.
18 & 19 Vict. c. 93.	- The Warrington Waterworks Act 1855.
31 & 32 Vict. c. 79.	- The Warrington Waterworks Act 1868.
34 Vict. c. 53.	- The Warrington Gas Act 1871.
40 Vict. c. 33.	- The Warrington Corporation Gas Act 1877.
41 & 42 Vict. c. 209.	- The Warrington Waterworks Act 1878.
42 & 43 Vict. c. 92.	- The Warrington Corporation Lighting and Improvement Act 1879.
53 & 54 Vict. c. 236.	- The Warrington Extension and Water Act 1890.
58 & 59 Vict. c. 41.	- The Warrington Order 1895.
59 & 60 Vict. c. 113.	- The Warrington (Extension) Order 1896.
59 & 60 Vict. c. 169.	- The Warrington Order 1896.
61 & 62 Vict. c. 94.	- The Warrington Electric Lighting Order 1898.
62 & 63 Vict. c. 225.	- The Warrington Corporation Act 1899.
63 & 64 Vict. c. 178.	- The Warrington Order 1900.
63 & 64 Vict. c. 201.	- The Warrington Corporation Tramways Order 1900.
6 Edw. 7. c. 104.	- The Warrington Order 1906.
7 Edw. 7. c. 152.	- The Warrington Order 1907.
9 Edw. 7. c. 120.	- The Warrington Order 1909.

THE SECOND SCHEDULE.

A.D. 1911.

PROPERTIES PARTS OF WHICH MAY BE TAKEN COMPULSORILY.

Parish and County Borough.	Numbers.
Warrington - - - - -	<p style="text-align: center;">WORKS NOS. 4 AND 5.</p> <p>37 38 39 40 41 43 44 45 46 47 48.</p>
" - - - - -	<p style="text-align: center;">WORKS NOS. 7A 7B AND 7C.</p> <p>2 7 9 11.</p>

A.D. 1911.

THE THIRD SCHEDULE.

1. No. of Property.	2. Date of Purchase.	3. Name of Vendor.	4. Statutory Authority for Purchase.	5. Total Cost. £ s. d.	6. Amount to be borrowed. £ s. d.	7. Period.
2	21st March 1900	J. Fairclough and Sons	—	2,615 13 5	3,870 11 5	51 years from passing of this Act.
3	5th May 1904	James Grace	—	275 0 0		
4	30th January 1901	Mrs. Beaumont's Trustees	—	979 18 0		
	Paving expenses in connexion with the above purchases.		—	420 11 1	420 11 1	10 years from passing of this Act.
	<i>General:</i>					
5	9th September 1904	Thomas Hill	—	1,267 10 0		
6	17th January 1905	W. D. Bullock	—	1,327 10 0		
7	3rd February 1905	J. C. Kenyon's Executors	—	708 15 0		
8	17th August 1905	Jane Fairhurst	—	2,211 0 0		
9	10th October 1907	Travers Pickmere	—	416 5 0		
10	31st December 1907	Lord Newton	—	319 17 6		
11	Ditto	Ditto	—	244 1 10		
12	6th April 1908	S. Hewitson and others	—	452 5 0		
13	10th March 1910	Miles and Shaw	—	180 5 0		
					7,127 9 4	55 years from passing of this Act.
					11,418 11 10	

A.D. 1911.

<i>Bridge Street Improvement:</i>						
14	30th December 1905	Hart and Levy Limited	-	Act of 1899	3,982	2 0
15	22nd December 1905	Goodsons Limited	-	"	4,098	19 9
16	18th August 1908	J. Shaw's Executors	-	"	2,469	4 9
17	31st December 1907	Lord Newton	-	"	2,995	15 0
18	1st June 1906	T. B. Carter	-	"	97	2 6
19	20th February 1905	William Parkinson	-	"	50	0 0
20	30th December 1905	Hon. Miss Wilson-Patten	-	"	45	5 0
					13,738	9 0
		Less receipts	-	-	4,238	15 6
21	6th February 1904	R. E. Garnett	-	Same Act and Provisional Order of 1907.	654	0 0
22	22nd November 1907	Executors of Thomas Hewitt	-	Provisional Order 1906.	1,200	0 0
	Expenses in demolition of old property in connexion with Bridge Street Improvement.		-	Act of 1899	1,040	4 4
	Paving expenses in connexion with same		-	"	2,119	10 9
					9,499	13 6
					654	0 0
					1,200	0 0
					1,040	4 4
					2,119	10 9
					25,932	0 5

56 years from passing of this Act.
54 years from passing of this Act.
57 years from passing of this Act.
10 years from passing of this Act.
Ditto.

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