



CHAPTER xciii.

An Act to empower the mayor aldermen and burgesses of the county borough of Bolton to construct additional waterworks and tramways and to run services of omnibuses and to execute street improvements to make further provision in regard to their water tramway electricity and market undertakings to make further provision for the improvement health and good government of the borough and for other purposes.

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[4th August 1922.]

WHEREAS the borough of Bolton (in this Act called "the borough") is a county borough subject to the Acts relating to municipal corporations and is under the government of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation") acting by the council :

And whereas the several local Acts and Provisional Orders confirmed by Parliament mentioned in the First Schedule to this Act (save so far as any of them is amended by any later Act or Order among the same) are in force within the borough which Acts and Orders are in this Act referred to collectively as "the former Acts" and each of them separately as an Act or Order of the year in which the same was passed or made :

And whereas the Corporation are the owners of the water undertaking of the borough and under the powers of certain of the former Acts supply water within the borough and elsewhere :

[Price 9s. 9d. Net.]

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And whereas it is expedient that the Corporation should be authorised to construct the waterworks described in this Act and to acquire lands and easements for the purposes thereof and for the general purposes of their water undertaking :

And whereas the Corporation are the owners of and are working a system of tramways in and adjacent to the borough and it is expedient that they should be authorised to make the new tramways described in this Act :

And whereas by virtue of the Act of 1901 the Corporation have certain powers of running omnibuses and it is expedient that such further powers in that behalf as are contained in this Act should be granted :

And whereas it is expedient that the Corporation should be empowered to execute the street works and improvements described in this Act and to acquire lands therefor :

And whereas it is expedient that the Corporation should be empowered to acquire lands for the other purposes specified in this Act :

And whereas the Corporation also own and carry on an electricity undertaking and an undertaking consisting of certain markets and slaughter-houses in the borough and it is expedient that the powers and provisions relating to those undertakings and to slaughter-houses in the borough not belonging to the Corporation and the further powers and provisions relating to the said water and tramway undertakings which are contained in this Act should be granted and made :

And whereas by virtue of provisions contained in the Acts of 1872 1877 and 1898 the borough is for the purpose of rating for sanitary purposes divided into fourteen separate districts in each of which a separate rate is levied for those purposes :

And whereas it is expedient with a view to economy and convenience of administration that the said separate districts should be abolished except in the case of the district known as the Astley Bridge District (the representatives of whose local government electors are unwilling to agree to the abolition of their separate district) and that the borough should hereafter comprise only two separate rating districts for such purposes as aforesaid namely the said Astley Bridge District and a district consisting of the remainder of the borough :

And whereas it is expedient that further powers should be granted to the Corporation for the improvement and better government and for the protection of the health of the borough as in this Act provided :

And whereas it is expedient that further borrowing powers for the purposes of this Act and for the other purposes hereinafter referred to should be conferred upon the Corporation :

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

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

And whereas estimates have been prepared by the Corporation for the purchase of lands and easements and for the execution of the works by this Act authorised and for the other purposes referred to in this Act and such estimates are as follows :—

	£
For the construction of waterworks -	212,850
For the acquisition of lands and easements for the waterworks by this Act authorised and for the general purposes of the water undertaking - - -	95,000
For the strengthening or reconstruction of the dam of the Belmont Reservoir and the consideration payable under the agreements set forth in the Seventh Schedule to this Act - - - -	137,600
For the construction of tramways - -	115,300
For the equipment of tramways - -	31,700
For the provision of tramcars - -	44,000
For the provision of omnibuses - -	7,500
For the acquisition of lands for and for the erection of car-sheds and other buildings for the purposes of the tramway undertaking - - - -	50,000
For the execution of street works and improvements - - - -	73,600
For the acquisition of lands therefor -	369,100
For the erection of baths and washhouses	60,000
For the acquisition of lands therefor -	6,000
For the acquisition of lands for the general improvement of the borough -	283,850

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 :

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And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

And whereas plans and sections showing the lines situations and levels of the works authorised by this Act and plans showing the lands which the Corporation may acquire compulsorily under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of and describing such lands have been deposited 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 :

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 Bolton Corporation Act 1922.
- Act divided into Parts. 2. This Act is divided into Parts as follows :—
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| Part | I.—Preliminary. |
| Part | II.—Water. |
| Part | III.—Tramways. |
| Part | IV.—Omnibuses. |
| Part | V.—General Provisions as to Tramways and Omnibuses. |
| Part | VI.—Street Works and Improvements. |
| Part | VII.—General Provisions as to Works. |
| Part | VIII.—Lands &c. |
| Part | IX.—Electricity. |
| Part | X.—Streets and Buildings. |
| Part | XI.—Temporary Stands &c. |
| Part | XII.—Means of Escape in Case of Fire. |
| Part | XIII.—Sanitary. |
| Part | XIV.—Human Food. |
| Part | XV.—Infectious and Contagious Diseases. |

- Part XVI.—Public Baths.
Part XVII.—Markets and Slaughter-houses.
Part XVIII.—Parks and Public Buildings.
Part XIX.—Sewers and Drains.
Part XX.—Verminous Houses and Persons.
Part XXI.—Offensive Trades.
Part XXII.—Rating.
Part XXIII.—Finance.
Part XXIV.—Miscellaneous.

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

Incorporation of Acts.

(1) The Lands Clauses Acts with the following exception and modification—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section:

(2) The Waterworks Clauses Act 1847 except—

(a) The words “with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner” in section 44;

(b) Sections 75 to 82 (with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit); and

(c) Section 83 (with respect to the yearly receipt and expenditure of the undertakers):

(3) The Waterworks Clauses Act 1863:

(4) The clauses and provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and also section 16 (Works to be executed) of that Act:

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(5) Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 :

Provided that in the said provisions of the Railways Clauses Consolidation Act 1845 "the company" shall mean the Corporation "the railway" shall mean the waterworks authorised by this Act and "the centre of the railway" shall mean the centre lines as shown on the deposited plans of the aqueducts conduits or lines of pipes authorised by this Act and the top water-line of the service reservoirs so authorised and "the prescribed limits" for the purposes of section 30 shall be four thousand yards and for the purposes of section 32 four hundred and forty yards.

Interpre-
tation.

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 Public Health Act 1875 have the same respective meanings unless there be something in the subject or context repugnant to such construction And—

"The borough" means the borough of Bolton;

"The Corporation" means the mayor aldermen and burgesses of the borough whether acting as the municipal Corporation of the borough or as the town council of the borough;

"The Central district" "the Rumworth district" "the Halliwell district" "the Astley Bridge district" "the Tonge district" "the Darcy Lever district" "the Brightmet district" "the Great Lever district" "the Over Hulton district" "the Middle Hulton district" "the Deane district" "the Lostock district" "the Heaton district" and "the Smithills district" mean those parts of the borough which immediately before the passing of this Act respectively comprised the districts bearing the said names;

"The Tonge district committee" "the Darcy Lever-cum-Brightmet district committee" "the Great Lever district committee" "the Hulton district committee" "the Deane-cum-Lostock district committee" "the Heaton district committee" and "the Smithills district committee" respectively mean the committees by those names constituted by the Corporation for

managing (subject to the approval of the Corporation) the affairs of the Tonge Ward the Darcy Lever-cum-Brightmet Ward the Great Lever Ward the Hulton Ward the Deane-cum-Lostock Ward the Heaton Ward and the Smithills Ward;

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

“The district fund” and “the district rate” mean respectively the fund and rate by this Act directed to be constituted or made assessed and levied in the borough other than the Astley Bridge district;

“The Astley Bridge district fund” and “the Astley Bridge district rate” mean respectively the fund and rate directed or authorised by the Act of 1898 to be constituted or made assessed and levied in the Astley Bridge district and continued under the provisions of this Act;

“The district funds” means the district fund and the Astley Bridge district fund or one of those funds as the case may be;

“The district rates” means the district rate and the Astley Bridge district rate or one of those rates as the case may be;

“The town clerk” “the treasurer” “the surveyor” “the medical officer” and “the sanitary inspector” mean respectively the town clerk the treasurer the surveyor and the medical officer of health of the borough and any sanitary inspector appointed by the Corporation in pursuance of the powers of the former Acts or this Act or any public Act and respectively include any person duly appointed by the Corporation to discharge temporarily the duties of any of such officers;

“The former Acts” means the Acts and Provisional Orders mentioned in the First Schedule to this Act;

“The waterworks” means the waterworks and the works in connexion therewith authorised by this Act;

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- “The water undertaking” means the water undertaking of the Corporation as authorised by the former Acts and by this Act;
- “The water limits” means the limits within which the Corporation are for the time being authorised to supply water to consumers;
- “Water revenue” means all moneys received by the Corporation in respect of the water undertaking other than borrowed moneys and other moneys which ought to be carried to the account of capital;
- “The tramways” means the tramways by this Act authorised;
- “The Corporation tramways” means the tramways and all other tramways for the time being belonging to or leased to or worked by the Corporation;
- “The tramway undertaking” means the tramway undertaking of the Corporation as for the time being authorised;
- “Tramway revenue” means all moneys received for or in relation to the tramway undertaking other than borrowed moneys and other moneys which ought to be carried to the account of capital;
- “Omnibus” means any stage carriage moved by animal power or by mechanical power (including in that expression steam electrical and every other motive power not being animal power) obtained from some internal source;
- “The omnibus undertaking” means the omnibus undertaking of the Corporation authorised by the Act of 1901 and by this Act;
- “Road authority” means the authority body or person by or at the expense of whom any road in relation to which the expression is used is maintained and repaired;
- “The electricity undertaking” and “the market undertaking” mean respectively the electricity undertaking and the market undertaking of the Corporation authorised by the former Acts and this Act;
- “The arbitrator” means the arbitrator to whom any question of disputed purchase-money or

compensation under the Acquisition of Land (Assessment of Compensation) Act 1919 is referred; A.D. 1922.

“Telegraphic line” has the same meaning as in the Telegraph Act 1878;

“Sanitary purposes” means and includes the making and maintaining of streets and highways and scavenging (except the repairing maintaining improving (other than widening) and scavenging of such roads as are referred to in section 19 (Expenses of main roads in borough added area) and in subsection (3) of section 55 (As to Astley Bridge cemetery tramways and sewage works &c.) of the Act of 1898) and private improvements lighting sewerage prevention of nuisances the preservation of the health and the improvement of the borough and the powers of the Corporation in relation to the River Croal and other streams and includes also the manufacture and supply of gas and the production and supply of electricity;

“Daily penalty” means a penalty for each day on which an offence is continued after conviction thereof;

“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 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 Corporation;

“Statutory borrowing power” means any power whether or not coupled with a duty of—

(a) borrowing or continuing on loan or re-borrowing money; or

(b) 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

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money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed ;

“ Revenues of the Corporation ” includes the revenues of the Corporation from time to time arising from any land or undertaking or other property for the time being of the Corporation and rates or contributions leviable by or on the order or precept of the Corporation.

PART II.

WATER.

Power to
make
waterworks.

5. Subject to the provisions of this Act the Corporation may in the county of Lancaster and in the lines and situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections make and maintain the waterworks described in this section and the construction of such of the said waterworks as have already been wholly or partly constructed is hereby sanctioned and confirmed and the Corporation may maintain the same.

The said waterworks are the following (that is to say) :—

Work A (Eagley Well) A well or borehole and pumping station in the urban district of Turton in the enclosures respectively numbered on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXVIII. 16) 41 in the parish of Belmont and 1567 in the parish of Turton :

Work B An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing at the well or borehole and pumping station (Work A) hereinbefore described and terminating at or in the existing intake basin of the Corporation on the Slate Brook near the Slate Brook Bridge :

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Work C An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing by a junction with the aqueduct or conduit line or lines of pipes (Work B) hereinbefore described at a point in Longworth Road 3·3 chains or thereabouts westward of the point at which the Delph Brook passes under that road and terminating at or in the balancing tank (Work D) next hereinafter described :

Work D A balancing tank in the said urban district of Turton situate on the easterly side of the Delph Reservoir of the Corporation in the enclosure numbered 1563 in the said parish of Turton on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXIX. 13) at a point 13·3 chains or thereabouts northward of the easternmost corner of the enclosure numbered 1252 in that parish on that Ordnance map and 8·3 chains or thereabouts north-eastward of the northernmost corner of the enclosure numbered 1254 in that parish on that Ordnance map :

Work E An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing at or in the balancing tank (Work D) hereinbefore described and terminating at or in the compensation water gauge basin of the said Delph Reservoir :

Work F An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing at the said well or borehole and pumping station (Work A) and terminating at or in the Springs Reservoir of the Corporation :

Work G (Springs Well) A well or borehole and pumping station in the said urban district of Turton in the enclosure numbered 57 in the said parish of Belmont on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXVIII. 16) and 2 in the said parish on the $\frac{1}{2500}$ scale Ordnance map edition of 1908 (Lancashire sheet LXXXVI. 4) at a point 4·7 chains or thereabouts north-westward of the northernmost corner of the enclosure numbered 29 in the said parish of Belmont on the said Ordnance maps and 11 chains

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or thereabouts southward of the overflow weir of the said Springs Reservoir :

Work H (Lower Height Well) A well or borehole and pumping station in the said urban district of Turton in the enclosure numbered 129 in the said parish of Belmont on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXVIII. 16) at a point 14·8 chains or thereabouts southward of the southernmost corner of the Wright's Arms public-house and 18·9 chains or thereabouts westward of the westernmost corner of the keeper's lodge near that public-house :

Work J (Grange Well) A well or borehole and pumping station in the said urban district of Turton in the enclosure numbered 132 in the said parish of Belmont on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXVIII. 15) at a point 8·5 chains or thereabouts south-westward of the north-easternmost corner and 8 chains or thereabouts north-westward of the south-eastern corner of that enclosure :

Work K (Bromiley Well) A well or borehole and pumping station in the said urban district of Turton in the enclosure numbered 208 in the said parish of Belmont on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXVIII. 11) at a point 16·2 chains or thereabouts westward of the south-eastern corner and 22·3 chains or thereabouts south-eastward of the north-western corner of that enclosure :

Work L An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing at the well or borehole and pumping station (Work K) hereinbefore described and terminating at or in the Dingle Reservoir of the Corporation :

Work M An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing at the well or borehole and pumping station (Work J) hereinbefore described and terminating by a junction with the aqueduct conduit or line or lines of pipes (Work L) hereinbefore described at a point in or near the southern

side of the road leading from Bolton to Preston 10·8 chains or thereabouts north-westward of the westernmost corner of the Wright's Arms public-house : A.D. 1922.

Work N An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing at the well or borehole and pumping station (Work H) hereinbefore described and terminating by a junction with the said aqueduct conduit or line or lines of pipes (Work L) at a point 9·8 chains or thereabouts south-eastward of the southernmost corner of the Wright's Arms public-house and 1·5 chains or thereabouts south-westward of the south-western side of the said road leading from Bolton to Preston :

Work O An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing at the well or borehole and pumping station (Work G) hereinbefore described and terminating by a junction with the said aqueduct conduit or line or lines of pipes (Work L) at a point in or near the south-western side of the said road leading from Bolton to Preston 9·8 chains or thereabouts south-eastward of the over-flow weir of the said Springs Reservoir :

Work P (Scot Meadow Service Reservoir) A service reservoir in the borough in the enclosures respectively numbered 1899 1900 1901 1911 and 1913 in the parish of Bolton on the $\frac{1}{2500}$ scale Ordnance map edition of 1909 (Lancashire sheet XCV. 5) or in some or one of those enclosures :

Work Q An aqueduct conduit or line or lines of pipes in the borough commencing by a junction with the existing main or aqueduct of the Corporation in Derby Street at a point opposite Goldsmith Street and terminating at or in the Scot Meadow Service Reservoir (Work P) hereinbefore described :

Work R (Egerton Service Reservoir) A service reservoir in the said urban district of Turton in the enclosure numbered 1560 in the said parish of Turton on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXIX. 13) at a point

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1.5 chains or thereabouts eastward of the overflow channel of the said Delph Reservoir and 3 chains or thereabouts northward of the north-westerly corner of the Walmsley Chapel;

Work S An aqueduct conduit or line or lines of pipes in the said urban district of Turton commencing at or in the Egerton service reservoir (Work R) hereinbefore described and terminating by a junction with the existing main or aqueduct of the Corporation in Blackburn Road at a point opposite the Cross Guns Inn :

Work T (Top o' Cow Service Reservoir No. 2) A service reservoir in the borough in the enclosure numbered 1610 in the said parish of Bolton on the $\frac{1}{2500}$ scale Ordnance map edition of 1908 (Lancashire sheet XCIV. 8) at a point 2 chains or thereabouts south of the centre of the existing Top o' Cow Service Reservoir of the Corporation :

Work U An aqueduct conduit or line or lines of pipes in the borough commencing by a junction with the existing main or aqueduct of the Corporation in Cow Lane at a point 11.9 chains or thereabouts measured along Cuthbert Street and Cow Lane from Saint Helen's Road and terminating at or in the Top o' Cow Service Reservoir No. 2 (Work T) hereinbefore described :

Provided that nothing in this section shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Limits of deviation for waterworks.

6. Subject to the provisions of this Act in the construction of the waterworks the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits 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.

For protection of London and Nerth

7. The following provisions for the protection of the London and North Western Railway Company (hereinafter called "the North Western Company") shall unless otherwise agreed between the North Western Company

and the Corporation have full force and be binding upon the Corporation :— A.D. 1922.

Western
Railway
Company in
respect of
Work Q.

(1) The aqueduct conduit or line or lines of pipes Work Q (hereinafter called "the said work") shall be carried over the Bolton and Kenyon Branch Railway of the North Western Company by a bridge supported on suitable piers in such positions within the limits of deviation marked on the deposited plans as may be reasonably required or approved by the principal engineer of the North Western Company and so as in no way to interfere with the adjoining bridge shown on the deposited plans in the borough of Bolton and such bridge for carrying the said work shall have a clear headway throughout of fifteen feet above the upper surface of the rails of the said railway at the said point of crossing and the Corporation shall for ever maintain the said headway above the level of the existing level of the rails and the said work shall where the same is carried over the said Bolton and Kenyon Branch Railway and for twenty-five feet on each side thereof be constructed and maintained by means of materials to be approved by the said principal engineer :

(2) In carrying the said work over the Bolton and Kenyon Branch Railway of the North Western Company as also in effecting the maintenance repairs and renewals thereof the same and all works connected therewith shall be done under the superintendence (if the same be given) and to the reasonable satisfaction of the principal engineer of the North Western Company and before commencing any such works the Corporation shall deliver to the said principal engineer plans sections and specifications of the works proposed to be executed and such plans sections and specifications shall be delivered at least twenty-one days before the commencement of any such work Provided that if within twenty-one days from such delivery the said principal engineer shall fail to disapprove such plans sections and specifications he shall be deemed to have approved the same All such works

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shall when commenced be completed with due despatch in accordance with such plans sections and specifications as aforesaid and shall be executed by and in all things at the expense of the Corporation and so as not to cause any injury to the said railway or the works lands or property of the North Western Company or interruption to the passage or conduct of the traffic over the said railway and if any injury shall arise to the said railway works lands or property or interruption to such traffic the Corporation shall make full compensation to the North Western Company in respect of such injury or interruption :

- (3) The Corporation shall at all times maintain the said work and all other works connected therewith where the same are carried across the said railway works or property in substantial repair and good order and condition to the reasonable satisfaction of the said principal engineer and if and whenever the Corporation fail so to do the North Western Company may make and do all such works and things as may be reasonably requisite in that behalf and the sum from time to time certified by the said principal engineer to be the reasonable amount of such their expenditure shall be repaid to them by the Corporation :
- (4) If at any time hereafter the North Western Company shall require in the exercise of any powers existing at the date of the passing of this Act to make any alterations of or to widen the said railway or works or to increase the railway accommodation where the said work will cross the same the Corporation on being required so to do by the North Western Company shall at their own cost make such alterations of and additions to the said work and the works connected therewith as may in the opinion of the said principal engineer be necessary for facilitating the carrying out of such alteration or widening of the said railway and works or to provide such increased accommodation as aforesaid :

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(5) If by reason of any works or proceedings of the Corporation or of their contractors or of their workmen or of the leakage bursting or failure of the said work or other works of the Corporation the said railway or any of the works or lands thereof shall be injured or damaged such injury or damage shall be forthwith made good by the Corporation at their expense and to the reasonable satisfaction of such engineer and in the event of their failing so to do or in case of emergency the North Western Company may make good the same and recover the reasonable expense thereof from the Corporation and if any interruption shall be caused to the traffic of the said railway by reason of any of the works of the Corporation or of any such leakage bursting or failure as aforesaid the Corporation shall make good and repay to the North Western Company any loss damage or expense which they may sustain or be put to by reason of the construction or the leakage bursting or failure of the said work or works or in respect of the interruption of the traffic of the said railway :

(6) Notwithstanding anything contained in this Part of this Act or shown on the deposited plans and sections the Corporation shall not without the previous consent of the North Western Company under their common seal purchase or acquire any lands or property of the North Western Company for the purposes of the said work but the Corporation may purchase and take and the North Western Company shall sell and grant accordingly an easement or right of using so much of the lands of the North Western Company as may be necessary for the crossing of the said work over the Bolton and Kenyon Branch Railway :

(7) The Corporation shall bear and on demand pay to the North Western Company the reasonable expense of the employment by them during the making or maintenance of the said work and all works connected therewith across the said railway and works of a sufficient number of inspectors signalmen or watchmen for inspecting such works and for watching the said railway

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and the conduct of the traffic thereon with reference to and during the execution and maintenance of such works and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of any person or persons in the employ of the Corporation with reference thereto or otherwise :

- (8) If any difference shall arise between the Corporation and the North Western Company or their respective engineers as to the reasonableness of the plans sections and specifications hereinbefore provided for or otherwise under this section such difference shall be referred to and determined on the application of either party by an engineer to be appointed as arbitrator by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference.

Subsidiary
waterworks.

8. The Corporation may upon any lands delineated on the deposited plans or upon any lands within the drainage area of any reservoir constructed under the powers of any of the former Acts acquired by them under the powers of any such Act or of this Act and for the time being belonging to them make and maintain all such buildings machinery works and apparatus of whatever character as may be necessary or convenient in connection with or subsidiary to any waterworks for the time being belonging to the Corporation but nothing in this section shall exonerate the Corporation from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them.

Application
of Water-
works
Clauses Act
1847 to
aqueducts
and
telephones.

9. The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall apply with the necessary modifications to the construction laying down erection and maintenance in any street or road of the aqueducts conduits or lines of pipes authorised by this Part of this Act and of any discharge pipes scour pipes telephone or telegraph posts wires conductors or apparatus which the Corporation may and which they are hereby authorised to lay down or erect for the purposes of the water undertaking.

10. Any telephone or telegraph posts wires conductors or apparatus laid down or erected by the Corporation under this Part of this Act shall be used only for the purposes of the waterworks by this Act authorised or the existing waterworks of the Corporation and shall not be used in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

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For protection of Postmaster-General.

11.—(1) For the purpose of constructing enlarging extending repairing cleansing or examining any waterworks of the Corporation the Corporation may cause the water in any such works to be temporarily discharged into any available stream or watercourse :

Temporary discharge of water into streams.

Provided that no water shall be so discharged which in combination with the water in the stream or watercourse would be injurious to any manufacturing process or plant and that any water so discharged shall (except in times of flood) so far as may be reasonably practicable be free from mud or solid or offensive matter or polluting matter in suspension.

(2) In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall pay compensation to all persons for all damage sustained by them by the exercise of such power the amount of compensation to be settled in default of agreement by arbitration.

12. Subject to the provisions of this Act the waterworks shall for all purposes whatsoever (inclusive of the levying and recovery of water rents rates and charges) be deemed part of the water undertaking as if they had been authorised by or included or referred to in the former Acts.

Waterworks to form part of water undertaking.

13. Subject to the provisions of this Act the Corporation may by means of the waterworks collect impound take use divert and appropriate for the purposes of the water undertaking all such underground waters as may be intercepted by any of the wells by this Act authorised or any work subsidiary thereto respectively.

Power to take water.

14. The Corporation shall not sink any well upon or construct any works for taking or intercepting water from any lands acquired by them unless the works and the lands upon which the same are to be constructed are specified in this or some other Act of Parliament.

Limiting powers of Corporation to abstract water.

A.D. 1922.

As to
compensa-
tion water
for Delph
Brook.

15.—(1) The Corporation may by means of the waterworks or some of them discharge into a compensation water-gauge basin to be constructed by them as hereinafter provided and thence into the Delph Brook such quantity of water obtained from the Eagley Well by this Act authorised as they may from time to time think fit not exceeding three hundred and fifteen thousand two hundred and fifty-five gallons in any one day. Provided that the Corporation shall not in any day or part of a day discharge water under the powers of this section at any greater rate than at the rate of three hundred and fifteen thousand two hundred and fifty-five gallons per twelve hours.

(2) The said compensation water-gauge basin shall be of similar design and character to the existing compensation water-gauge basin of the Delph Reservoir and shall be constructed in such situation southwards of and within thirty feet from the existing basin as may be agreed between the Corporation and Deakins Limited or failing agreement be determined by an arbitrator who (unless otherwise agreed between the parties) shall be appointed by the President of the Institution of Civil Engineers.

(3) For the purpose of measuring the quantity of water to be discharged under subsection (1) of this section the Corporation shall construct a suitable measuring gauge over or through which the water so discharged shall flow and such gauge shall thenceforth be maintained in a proper state of repair by the Corporation and shall at all times be open to the inspection and examination of all persons interested in such water. The provisions of sections 16 and 17 of the Act of 1905 shall apply to such gauge and to the Corporation with respect thereto as if those sections were re-enacted in this section with any necessary consequential alterations.

(4) For the purposes of section 10 (Compensation water for Eagley and Delph Brooks) of the Act of 1905 and of all or any other provisions of that Act any water discharged by the Corporation under the powers and in accordance with the provisions of this section shall be deemed to have been caused by them to flow out of the Delph Reservoir.

(5) Any water to be discharged by the Corporation under the provisions of this section shall be discharged

in a regular and continuous flow between five o'clock in the morning and five o'clock in the afternoon on every day during which the water is so discharged. A.D. 1922.

16. For the protection of Deakins Limited or other the owner or owners for the time being of the mills or works known as the Egerton Dye Works (all of whom are in this section referred to as "the owners") the following provisions shall unless otherwise agreed in writing between the Corporation and the owners apply and have effect (that is to say):— For protection of Deakins Limited.

(1) Not less than forty-eight hours before the Corporation commence to exercise the powers conferred by subsection (1) of the section of this Act of which the marginal note is "As to compensation water for Delph Brook" they shall give to the owners notice in writing of their intention so to do and of the day and hour on and at which they intend so to commence and of the quantity of water obtained from the Eagley Well which they intend to discharge into the compensation water-gauge basin to be constructed under the provisions of the said section:

(2) As from the day and hour on and at which the Corporation commence to discharge water as aforesaid they shall continue to discharge in a regular and continuous flow on every day on which they are required to cause water to flow out of the Delph Reservoir and during the hours referred to in subsection (5) of the said section the quantity of water specified in the notice given by them as aforesaid. Provided that the Corporation may at any time and from time to time after a similar notice in writing given to the owners vary such quantity or discontinue such discharge.

17. Notwithstanding anything contained in section 10 (Compensation water for Eagley and Delph Brooks) of the Act of 1905 as amended by the section of this Act of which the marginal note is "As to compensation water for Delph Brook" the Delph Reservoir (Work H) by that Act authorised may be used by the Corporation as part of their waterworks and the waters therein may be Use of water impounded by Delph Reservoir.

A.D. 1922. — appropriated and used by the Corporation for the purposes of the water undertaking provided that the Corporation cause or permit to flow down the Delph Brook at the times and in the manner specified in subsection (1) of the said section 10 as so amended as aforesaid the quantity of water specified in that subsection as the compensation for the waters of the Delph Brook to be taken impounded and appropriated under the powers of that Act.

Repeal of certain provisions of Act of 1854.

18. As from the passing of this Act the following sections of the Act of 1854 shall be and the same are hereby repealed (namely):—

Section 71 (Supply therefrom to Folds and Belmont Estates);

Section 72 (Limiting quantity of water to be drawn off from Belmont Reservoir without consent);

Section 77 (Right of fishing &c. in Belmont Reservoir reserved &c.).

Extinguishment of fishing and fowling rights over Turton and Entwistle Reservoir.

19.—(1) As from the thirty-first day of December one thousand nine hundred and twenty-two so much of section 25 (Transfer of Turton and Entwistle Reservoir to Corporation) of the Act of 1864 as saves and reserves to Robert Heywood and his heirs with his and their servants and assistants rights and privileges of fishing and fowling in and around the Turton and Entwistle Reservoir of the Corporation shall be and the same is hereby repealed and all rights and privileges of such fishing and fowling exerciseable at the date of the passing of this Act by any such person as aforesaid whether under that section or otherwise shall cease and determine.

(2) The Corporation shall pay such compensation for and in full satisfaction of the cesser and extinguishment of the said rights and privileges to the parties entitled thereto as may be agreed upon or failing agreement as shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement as if such right or privilege were lands within the meaning of those Acts.

(3) Within three months after the final determination of the compensation payable in respect of the cesser and extinguishment of the said rights and privileges the Corporation shall produce to the Commissioners of Inland Revenue a King's Printer's copy of this Act

duly stamped with the ad valorem stamp duty chargeable upon an instrument (as defined by the Stamp Act 1891) effecting the release upon a sale of such rights and privileges in consideration of the payment of the amount of such compensation and in default of such production as aforesaid the amount of the duty with interest thereon at the rate of five per centum per annum from the date of such final determination of the compensation shall be a debt due from the Corporation to His Majesty.

A.D. 1922.

20. Notwithstanding anything in this Act contained the following provisions for the protection of the owners and lessees of the following mills and works situate on the Eagley Brook and the streams into which it flows namely the Dunscair Bleachworks the Eagley Bleachworks the Eagley Mills the New Eagley Mills the Bolton Union Mills the Dart Mill the Hall i' th' Wood Works the Waters Meeting Bleachworks the Little Bolton Bleachworks the Mill Hill Bleachworks the Raikes Bleachworks the Farnworth Bleachworks and the Great Lever Bleachworks (all of whom are in this section referred to as "the millowners") shall unless otherwise agreed in writing between the millowners and the Corporation apply and have effect (that is to say):—

For protection of owners of mills and manufactories on Eagley Brook.

- (1) The Corporation shall forthwith after the passing of this Act provide and fix proper and suitable measuring and recording gauges for recording the flow of the water (a) out of the Delph Reservoir into the Delph Brook and (b) in the Eagley Brook above its confluence with the Delph Brook:
- (2) In the event of the aggregate amount of water flowing through the said gauges during the period of twenty-four hours ending at five-thirty o'clock in the afternoon of any day (after making allowance for any increase or decrease in the stock of water in the two reservoirs of the Ryecroft and Belmont Works and the Wards Reservoir in that period) exceeding by less than two hundred and sixty thousand gallons the quantity of compensation water which the Corporation are from time to time under obligation to discharge during that period from the Belmont and Delph Reservoirs

A.D. 1922.

the Corporation in addition to any other compensation water which they are from time to time under obligation to discharge out of their reservoirs shall out of their Delph Springs and Dingle Reservoirs or out of one or more of those reservoirs or out of one or more of the wells by this Act authorised cause to flow into the Eagley Brook or the Delph Brook above their confluence but below the said gauges respectively in a regular and continuous flow between five-thirty o'clock in the morning and five-thirty o'clock in the afternoon of the following day such an amount of compensation water as is equal to the amount by which such excess was less than two hundred and sixty thousand gallons. Provided that no water out of any well by this Act authorised shall be caused to flow under this subsection into the Delph Brook :

- (3) The Corporation shall forthwith after the passing of this Act provide and fix proper and suitable measuring and recording gauges for recording the amount of water caused to flow into the Eagley Brook or the Delph Brook in accordance with the provisions of subsection (2) of this section :
- (4) All the gauges hereinbefore referred to shall at all times be maintained in a state of efficiency by and at the expense of the Corporation and together with the records shall at all times be open to the inspection and examination of the millowners :
- (5) In case of any neglect on the part of the Corporation to maintain the said gauges or any of them in a state of efficiency and in case of any other neglect by or in consequence of which the said amount of compensation water shall not flow into the Eagley Brook or the Delph Brook in accordance with the provisions of this section the Corporation shall for every day on which such neglect occurs forfeit and pay to each of the millowners affected thereby who may sue for and recover the same the sum of five pounds and shall in addition make compensation for any loss damage or injury sustained by such millowners or any of them :

A.D. 1922;

(6) The Corporation shall not construct any work or do any act or thing upon or in connection with so much of the lands (*f*) described in Part I. of the Second Schedule to this Act as lies to the north-east of the road from Bolton to Preston so as to diminish the supply of water directly or indirectly draining or flowing into the Gale Brook :

(7) Any difference which shall arise between the Corporation and the millowners or any of them under or in pursuance of the provisions of this section shall be referred to the arbitration of an engineer to be nominated on the application of either party by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such arbitration :

(8) As from the date on which subsection (2) of section 10 (Compensation water for Eagley and Delph Reservoirs) of the Act of 1905 comes into operation the provisions of this section except subsection (6) thereof shall cease to have any force or effect.

21. Notwithstanding anything contained in this Act or shown upon the deposited plans no adit heading or other work for collecting impounding taking or diverting underground water by means of the Lower Height Grange and Bromley Wells (Works H J and K) by this Act authorised or any of those wells shall without the consent in writing of the lord mayor aldermen and citizens of the city of Liverpool be driven from any of the said wells beyond the line shown in red on the map signed in duplicate by Sir William Middlebrook the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one of which has been deposited in the Private Bill Office of the House of Commons and the other in the Parliament Office of the House of Lords.

For
protection
of Liverpool
Corporation.

22. Where water is supplied by measure the register of the meter or other instrument for measuring water shall be *primâ facie* evidence of the quantity of water consumed and in respect of which any water rate or rent is charged and sought to be recovered by the Corporation

Register of
meter to be
primâ facie
evidence.

A.D. 1922. Provided that if the Corporation and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

Application
of section 35
of Water-
works
Clauses
Act 1847.

23. Section 35 of the Waterworks Clauses Act 1847 in its application to the Corporation shall be read and construed as if the words "one-sixth part" and "five successive years" were substituted therein for the words "one-tenth part" and "three successive years" respectively.

Power to
Minister of
Health to
fix rates for
supply of
water for
domestic
use.

24.—(1) The Minister of Health on the application of the Corporation may from time to time fix by order the yearly rates to be paid quarterly in advance for a supply of water for domestic purposes (in relation to the yearly rack-rent or value of the premises supplied) and the rates for waterclosets and baths within the water limits. Provided that the said rates shall be so fixed as to enable the water undertaking so far as can be estimated to be carried on without loss after providing for the modes of application authorised by section 92 (Application of water revenue) of the Act of 1905.

(2) Before making an order under subsection (1) of this section the Minister of Health shall require the Corporation to serve notice of the application for the order upon the local authority of each district wholly or partly within so much of the water limits as is outside the borough and to state therein in terms approved by him the manner in which and the time within which such local authorities may make objections and the manner in which and the place where any documents submitted to the Minister of Health in connection with the application may be inspected and copies thereof made and purchased and shall consider any objection which may be duly made by any such local authority and in the event of any objection being so made and not withdrawn shall cause an inquiry to be held.

(3) The Corporation shall as soon as practicable after an order is made in pursuance of subsection (1) of this section cause the order to be published in two successive weeks in one or more local newspapers

circulating in the water limits and the order shall come into operation on the quarter day next following the date of the last of the said publications.

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(4) On and after the date on which any order made in pursuance of subsection (1) of this section comes into operation sections 60 (Rates for water supply for domestic purposes) and 61 (Rates for supply in Farnworth &c. and to houses not exceeding 6*l.* a year) of the Act of 1854 and section 38 (Rates for supply to Worsley &c.) of the Act of 1872 shall have effect as if—

(a) for the yearly rates specified in the said sections or any of them there were substituted the rates fixed by the order made as aforesaid;

(b) such other modifications were made in the said sections or any of them as are necessary to render the section or sections applicable to any premises or rate or rates specified in the order.

25. The Corporation shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

Corporation not bound to supply several houses by one pipe.

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

Notice of discontinuance.

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

Injuring meters &c.

A.D. 1922.

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

Power to lay
pipes in
private
streets.

28. The Corporation may on the application of the owner or occupier of any premises within the water limits abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were excepted from incorporation in this Act or any previous Act relating to the water undertaking.

Amending
obligations
as to con-
stant
supply.

29. Notwithstanding anything in this Act or the former Acts or any enactment incorporated with any of such Acts water need not be constantly laid on under pressure to any dwelling-house of which the top storey is at a higher level than fifty feet below the bottom of the service reservoir from which a supply of water is furnished by the Corporation to such dwelling-house. Provided that this section shall not apply with respect to any dwelling-house to which the Corporation were at the date of the passing of this Act furnishing a constant supply of water.

30.—(1) The Corporation may subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes construct place fix and maintain in or under any street within the borough tanks or other receptacles for water for use by the users of road locomotives or motor cars with all necessary or convenient apparatus and appliances (including covers or boxes and pillars or standpipes projecting above the level of the surface of the street) for taking or using water from such tanks or receptacles.

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Power to provide water tanks under streets.

(2) The Corporation may make and recover such charges as they may think fit for any water so taken or used and make regulations as to the taking or use of such water and the issuing of permits for such taking or use and the mode of payment of the charges of the Corporation therefor.

(3) If any person shall take or use any water from any such tank or receptacle as aforesaid without being duly authorised so to do by the Corporation he shall be deemed to have committed an offence under section 59 of the Waterworks Clauses Act 1847.

(4) The Corporation may attach to any lamp-post pole standard or other similar erection erected on or in any street in under or near to which any such tank or other receptacle is constructed or placed signs or directions indicating the position of such tank or other receptacle and the means by which water may be obtained from the same.

(5) The proviso to subsection (1) and subsections (2) (3) and (4) of the section of this Act of which the marginal note is "Attachment of signs indicating stopping places to lamp-posts &c." (except the words "to any local authority beyond the borough or" in the said subsection (4)) shall extend and apply mutatis mutandis to the exercise of the powers of subsection (4) of this section.

(6) The Corporation may in any such street as aforesaid erect place fix and maintain posts or poles for carrying such signs or directions as aforesaid.

(7) The Corporation shall not under the powers of this section construct or place any such tank or receptacle as aforesaid on any bridge carrying any street or road over

A.D. 1922. the railways of the London and North Western Railway Company or under any bridge carrying any such railway over any street or road or within ten feet of any abutment of any such bridge or so as to interfere with or render less convenient the access to or exit from any station or depôt of that company.

Supply to
certain
buildings.

31.—(1) The Corporation shall not be bound to supply with water otherwise than by measure any work-house hospital asylum sanatorium school or similar institution club hotel boarding-house restaurant public-house or inn.

(2) The price to be charged for a supply of water by measure under this section shall not (subject as hereinafter provided) exceed two shillings per thousand gallons or such larger sum as the Minister of Health may from time to time allow on the application of the Corporation Provided that the minimum amount payable for any such supply in respect of any year ending on any thirty-first day of March shall be an amount equal to the amount payable for the time being for a supply of water for domestic purposes to premises of a like rateable value.

Detection
of waste.

32. Subject to the provisions of the Waterworks Clauses Act 1847 the Corporation may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Corporation and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose break up and interfere temporarily with public and private streets roads lanes footways courts passages tramways gas or water pipes electric wires and apparatus Provided that the Corporation shall not break up or interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Mainten-
ance of
common
pipe.

33. When several houses or parts of houses in the occupation of several persons are supplied by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Corporation in the maintenance and repair of such pipe

and their respective proportions of contributions shall be settled by the water engineer of the Corporation. A.D. 1922.

34.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Acts 1847 and 1863 to maintain any pipe or apparatus the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes. Power to persons liable to maintain pipes &c. to open ground.

(2) The Corporation may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street execute such works on behalf of such owner or occupier and any expenses incurred by the Corporation shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

35.—(1) When water of the Corporation supplied for domestic purposes is used for washing horses or carriages or for other purposes in stables or premises where horses or carriages are kept the Corporation may if a hose pipe or other similar apparatus is used charge such additional sum not exceeding seven shillings and sixpence per quarter as they may prescribe and any sum charged under this section shall be recoverable in the same manner as water rates. Supply of water by hose pipe to stables &c.

(2) For the purposes of this section the expression “carriage” shall include “motor car.”

36. In any case where the Corporation supply water by measure within the water limits but beyond the borough for any purpose the Corporation shall not charge for the water so supplied a price exceeding by more than three-pence per one thousand gallons the price for the time being charged by them for water supplied by measure for the like purpose and in the like quantity within the borough. Provided that nothing in this section shall in any way alter or affect the provisions of section 2 of the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1904 with respect to supplies of water to farmhouses or for farming purposes. Price for water supplied for trade purposes outside borough.

A.D. 1922.

PART III.

TRAMWAYS.

Power to
make
tramways.

37. Subject to the provisions of this Act the Corporation may make form lay down work use and maintain the tramways hereinafter described (which with the exception of parts of Tramway No. 5 in the urban district of Westhoughton will be wholly within the borough) in the lines and situations and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all necessary and proper rails plates sleepers channels passages and tubes for ropes cables wires and electric lines junctions turntables turnouts crossings passing places posts poles brackets stables carriage houses depots buildings engines dynamos works and conveniences connected therewith respectively (that is to say) :—

Tramway No. 1 A tramway (1 mile 3 furlongs 0·46 chain or thereabouts in length) whereof 1 furlong 6·72 chains will be double line and 1 mile 1 furlong 3·74 chains will be single line commencing in Eskrick Street by a junction with the existing tramway in that street at its termination and terminating in Chorley Old Road by a junction with Tramway No. 2 hereinafter described at a point 73 yards or thereabouts east of the centre of the road leading to Johnson Fold :

Tramway No. 2 A tramway (4 furlongs 5 chains or thereabouts in length) whereof 6·36 chains will be double line and 3 furlongs 8·64 chains will be single line commencing in Chorley Old Road by a junction with the existing tramway in that road at its termination and terminating in that road at a point 20 yards or thereabouts west of the road leading to Hollin Hey :

Tramway No. 3 A tramway (2 furlongs 2·49 chains or thereabouts in length) whereof 4·62 chains will be double line and 1 furlong 7·87 chains will be single line commencing in Hag End Brow by a junction with the existing tramway in that road at its termination and terminating in Maze Street at a point 15 yards or thereabouts east of the junction of that street with Radcliffe Road :

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Tramway No. 4 A tramway (7 furlongs or thereabouts in length) whereof 5 furlongs 5·59 chains will be double line and 1 furlong 4·41 chains will be single line commencing in Bridgman Street by a junction with the existing tramway in that street at the junction of that street and Fletcher Street and terminating in Higher Swan Lane at a point opposite the centre of Farman Street :

Tramway No. 5 A tramway (3 miles 3·6 chains or thereabouts in length) whereof 5 furlongs 1·2 chains will be double line and 2 miles 3 furlongs 2·4 chains will be single line commencing in Wigan Road in the borough by a junction with the existing tramway of the Corporation in that road at a point 70 yards or thereabouts east of the centre of Hulton Lane and terminating in the urban district of Westhoughton at the junction of Market Street with Wigan Road :

Tramway No. 6 A tramway (9·75 chains or thereabouts in length) whereof 1·36 chains will be double line and 8·39 chains will be single line commencing in ~~Deane Road~~ by a junction with the existing tramway in that road at a point 21 yards or thereabouts east of the centre of Salisbury Street and terminating on the northerly side of Ellesmere Street at the Ellesmere Street entrance to the Mayor Street store yard of the Corporation :

Tramway No. 7 A tramway (single line) 1 furlong 2·81 chains or thereabouts in length commencing in Shiffnall Street by a junction with the existing tramway in that street at or near the junction of Shiffnall Street with Carlton Street and terminating in Brightmet Street by a junction with the existing tramway in that street at or near the junction thereof with Carlton Street :

Provided that no post or other apparatus shall be erected on the carriageway of any street or road except with the consent of the Minister of Transport.

The tramways hereinbefore referred to and authorised by this Act shall be constructed on the gauge of four feet eight and a half inches The Corporation shall not run thereon carriages or trucks adapted for use on railways.

A.D. 1922.

Power to
make
additional
crossovers
and to
double
tramway
lines.

38.—(1) The Corporation may subject to the provisions of this Act with the consent of the Minister of Transport make maintain alter and remove such cross-overs passing places sidings junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the Corporation tramways or for providing access to any warehouses stables carriage-houses depots engine-houses generating stations or works of the Corporation.

(2) Notwithstanding anything shown on the deposited plans or in any Act authorising the Corporation tramways or any of them the Corporation may with the consent of the Minister of Transport lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines in lieu of double or single lines on any of the Corporation tramways and may with the like consent at any time alter the position in the road of any of the Corporation tramways or any part thereof.

(3) Provided that if in the construction of any works under this section any rail is intended to be laid nearer to the footpath than previously authorised in such a manner that for a distance of thirty feet or upwards a less space than nine feet six inches would intervene between it and the outside of the footpath on either side of the road the Corporation shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses shops or warehouses abutting on the place where such less space would intervene and such rail shall not except with the consent of the Minister of Transport be so laid if the owners or occupiers of one-third of such houses shops or warehouses by writing under their hands addressed and delivered to the Corporation within three weeks after receiving the notice from the Corporation express their objection thereto.

Power to
alter
position of
tramways.

39.—(1) If at any time any street or road in which any of the Corporation tramways is laid or is authorised to be laid has been or shall be altered or widened the Corporation may take up and remove such existing tramways or any part thereof and reconstruct the same or as the case may be lay down such authorised tramway in such position in the said street or road as subject to

the provisions of this section they may think fit and the Minister of Transport may approve. A.D. 1922.

(2) In the exercise of the powers of this section no rail shall except with the consent of the Minister of Transport be so laid that for a distance of thirty feet or upwards a less space than nine feet six inches shall intervene between such rail and the outside of the footway on either side of the road if one-third of the owners or one-third of the occupiers of the houses shops or warehouses abutting upon the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Corporation within three weeks after receiving from the Corporation notice in writing of their intention express their objection thereto.

(3) The Corporation shall not exercise the powers of this section outside the borough without the consent of the local authority of the district affected and if there be a road authority distinct from the local authority the consent of such road authority also but such consents shall not be unreasonably withheld and if any difference shall arise between the Corporation and any such local or road authority under this section the same shall be deemed to be a difference within the meaning of section 33 of the Tramways Act 1870 and shall be determined in manner therein provided.

40. The Corporation may in under or over the surface of the streets or roads along or adjoining those along which the Corporation tramways are or will be situated or in which it may be necessary so to do in order to connect the Corporation tramways with any generating station place erect and maintain all necessary standards conductors and any necessary appliances for the purpose of working the Corporation tramways by electrical power and may for those purposes subject to the provisions contained in Part II. of the Tramways Act 1870 and in this Act open and break up any such street or road or any sewers drains water or gas pipes tubes wires telephonic and telegraphic apparatus therein or thereunder and may supply electrical energy for the purpose of working the Corporation tramways :

As to
electrical
works.

Provided that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity

A.D. 1922. (Supply) Acts 1882 to 1919 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

For
protection
of Post
Office tele-
graph lines.

41. Section 16 (For protection of Postmaster-General) of the Act of 1897 is hereby repealed and the following provisions shall have effect in lieu thereof (that is to say):—

(a) Notwithstanding anything in this Act contained if any of the works authorised to be executed by this Act involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration :

(b) In the event of any of the Corporation tramways being worked by electricity the following provisions shall have effect :—

(1) The Corporation shall construct their electric lines and other works of all descriptions and shall work the tramway undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by His Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of the tramway undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein Any difference which arises between the Postmaster-General and the Corporation as to compliance with this subsection shall be determined by arbitration ;

(2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the tramway undertaking the Corporation shall pay the

expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection ;

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(3) Before any electric line is laid down or any act or work for working the Corporation tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work Any difference which arises between the Postmaster-General and the Corporation as to any requirement so made shall be determined by arbitration ;

(4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Corporation is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Corporation's works or to the working of the tramway undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated by the Corporation enter any of the Corporation's works for the purpose of inspecting the Corporation's plant and the working of the same and the Corporation shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for

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—

the inspection of the Postmaster-General the records kept by the Corporation pursuant to the Ministry of Transport regulations ;

(5) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding twenty pounds and to a further fine not exceeding ten pounds for every day during which such contravention or non-compliance continues after conviction thereof or if the telegraphic communication is wilfully interrupted to a fine not exceeding fifty pounds and to a further fine not exceeding fifty pounds for every day on which such interruption continues after conviction thereof;

(6) Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of any act or the execution of any work in respect of which the penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice;

(7) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work ;

(8) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act;

(9) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882;

(10) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Minister of Transport on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act;

(11) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid;

(12) In this section the expression "the Corporation" includes their lessees and any person owning working or running carriages on any of the Corporation tramways.

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

Use of
tramway
posts &c. by
Postmaster-
General.

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

(b) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and

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the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided:

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

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of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants :

- (h) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided :
- (i) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the Corporation tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants :
- (j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

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(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connection with the Corporation tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connection with the lighting of the streets. Provided that any difference between the Postmaster-General and such company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided.

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

(4) In this section the expression "Corporation" includes their lessees the expression "the telegraph" has the same meaning as in the Telegraph Act 1869 and other expressions have the same meaning as in the Telegraph Act 1878.

Incorporating sections of Acts of 1897 and 1901.

43. The following sections of the Act of 1897 and of the Act of 1901 (that is to say):—

Act of 1897—

~~Section 8 (Tramways not to be opened until certified by Board of Trade);~~

Section 9 (As to rails of tramways);

Section 10 (Further provision as to construction of tramways);

Section 11 (Power to alter level of rails);

Section 13 (Power to Corporation to work their tramways);

Section 14 (Prohibiting increased fares on Sundays or bank holidays);

Section 17 (Provisions as to motive power);

Section 18 (Special provisions as to use of electric power);

Section 19 (Byelaws):

Act of 1901—

Section 7 (Altering width of footways);

Section 13 (Power to attach brackets &c. to buildings);

so far as they are respectively applicable for the purposes of this Act shall with the substitution of references therein to the Minister of Transport for references to the Board of Trade extend and apply mutatis mutandis to and in relation to those purposes and be deemed to be incorporated with this Act.

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44. If the tramways be not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for constructing the same or otherwise in relation thereto shall cease except as to so much of the tramways as is then completed.

Period for completion of tramways.

45. The tramways shall for all purposes form part of the tramway undertaking.

Tramways to form part of tramway undertaking.

46. The provisions of sections 26 to 33 of the Tramways Act 1870 (except so much of section 28 as relates to the repair of the road between and on each side of the rails of a tramway) shall apply as if all posts tubes pipes wires and other apparatus used or to be used by the Corporation for the purposes of mechanical power were parts of the Corporation tramways.

Apparatus used for mechanical power to be deemed part of tramway.

47. The Corporation may enter into and carry into effect agreements with any local or road authority within whose district any of the Corporation tramways may be laid for the use of any of such tramways for the sanitary purposes of such local or road authority and for the collection and conveyance of scavenging stuff road metal night soil dust refuse and other materials arising from used by or connected with any undertaking or department of any such local or road authority.

Agreements with local authorities as to use of tramways for sanitary and other purposes.

48. The Corporation may at such times and in such manner as they think fit (but subject to the provisions of this Act and to any byelaws for the time being in force with respect to the carriages to be used on their tramways) use the Corporation tramways for sanitary or road watering purposes and for the conveyance of scavenging stuffs road metal and other materials required for the works of the Corporation free of all tolls rates and charges in respect of such use.

Use of Corporation tramways for carriage of road materials &c.

49. If any obstruction to the traffic on any of the Corporation tramways is caused by any vehicle breaking down or any load falling from a vehicle the person in

Removal of obstructions.

A.D. 1922. charge of the vehicle shall forthwith remove the vehicle or load so as to prevent the continuance of the obstruction and if he fails to do so the Corporation may so remove the vehicle or load and may provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction and the Corporation shall in removing any such obstruction outside the borough conform to the reasonable requirements of the police.

Power for Corporation to suspend traffic.

50. The Corporation may for the purpose of regulating and facilitating the traffic on market or fair days or for the execution of any works by the Corporation or during the time of any public meeting procession or demonstration or for any other purpose which the Corporation having regard to the good government of the borough or the safety of the public may deem necessary order that the working of the Corporation tramways or any part thereof shall be stopped delayed or suspended but so that such stoppage delay or suspension shall continue only so long as may reasonably be necessary for the purposes aforesaid or any of them and the Corporation shall not be liable to pay compensation for damages in respect thereof.

Regulations by Corporation.

51. The regulations authorised by the Tramways Act 1870 to be made by the promoters of any tramway and their lessees may with respect to any of the Corporation tramways be made by the Corporation alone.

Power to use trailer and coupled carriages.

52.—(1) The Corporation may provide (but shall not manufacture) maintain work and use trailer carriages and coupled carriages on the Corporation tramways under such conditions with respect to the safety of the public as the Minister of Transport may from time to time approve.

(2) The trailer carriages and coupled carriages used by the Corporation under the provisions of this section shall be fitted with such brakes and safety appliances as the Minister of Transport may approve and no trailer carriage or coupled carriage shall be used by the Corporation unless the design thereof has been approved by the Minister of Transport.

(3) The number of carriages which may be used or run attached together shall not in any case exceed two.

53.—(1) Section 22 (Tolls and charges) of the Order of 1878 shall be read and have effect as if the words “one penny and one half-penny” had been inserted therein instead of the words “one penny” and as if the words “but for any less distance than two miles any toll or charge not exceeding twopence may be charged” had been omitted therefrom. A.D. 1922.
Increase of
tolls and
charges.

(2) Section 14 (Cheap fares for labouring classes) of the Act of 1901 shall be read and have effect as if the words “one penny” had been inserted therein instead of the words “one halfpenny.”

(3) Section 24 (Cheap fares for labouring classes) of the Order of 1878 and section 10 (Passengers’ fares) of the Order of 1909 are hereby repealed.

54. If at any time after three years from the passing of this Act (as respects any district outside the borough with respect to which an order has been made in pursuance of this section) after three years from the date of such order it is represented in writing to the Minister of Transport (a) by the local authority of any district outside the borough in which any part of the Corporation tramways is situate or (b) by the Corporation that under the circumstances then existing all or any of the fares or other charges demanded and taken should (i) in the case of a representation by any such local authority as aforesaid be revised as respects so much of the Corporation tramways as is situate within the district of that authority and (ii) in the case of a representation by the Corporation be revised as respects all or any part of the Corporation tramways with respect to which an order has been made in pursuance of this section the Minister of Transport may (if he thinks fit) direct an inquiry by a referee to be appointed by him in accordance with the provisions of the Ministry of Transport Act 1919 and if the referee reports that it has been proved to his satisfaction that all or any of the fares or charges should be revised the Minister may subject to the maximum fares and charges for the time being authorised by order in writing alter modify reduce or increase all or any of the fares or charges to be taken in respect of any such portion of the Corporation tramways as aforesaid and thenceforth such order shall be observed until the same is revoked or modified by an order of the Minister of Transport made in Periodical
revision
of tram-
way fares
and charges.

A.D. 1922. pursuance of this section Provided that such fares and charges shall not by any such order be reduced below the maximum fares and charges authorised immediately before the passing of this Act.

Orders &c.
of Minister
of Trans-
port.

55. All orders regulations and byelaws made by the Minister of Transport under the authority of this Act shall be signed by a secretary or an assistant secretary of the Ministry of Transport.

For pro-
tection of
London and
North
Western
Railway
Company in
respect of
tramways.

56. For the protection of the London and North Western Railway Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company apply and have effect (that is to say):—

- (1) Before commencing any works in connection with the tramways on under or over any bridge or the approaches thereto carrying any road over any railway canal or works belonging to the company or carrying any such railway canal or works over any road (in this section referred to as "the said works") the Corporation shall give fourteen days' notice in writing to the company except in case of emergency (when they shall give the longest notice practicable) of their intention to execute the said works and such notice shall be accompanied by plans sections and specifications showing the nature and extent of the said works and the Corporation shall not commence the construction of the said works until such plans sections and specifications have been reasonably approved in writing by the principal engineer of the company Provided always that if the said principal engineer shall for the period of fourteen days fail to disapprove such plans sections or specifications he shall be deemed to have approved the same :
- (2) The said works shall be executed and maintained by the Corporation according to the plans sections and specifications so approved and under the superintendence and to the reasonable satisfaction of the company and all such works shall be thereafter maintained to the like satisfaction :

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- (3) The Corporation shall not in any manner in the execution maintenance and user or repair of the said works alter interfere with or injuriously affect the structure of any bridge or of the approaches thereto or obstruct or interfere with the free uninterrupted and safe user of any railway canal or other work belonging to the company or any traffic thereon :
- (4) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company or any of their works or property or to the traffic on their railways or canal or to any company or person using the same by reason of the execution or breakdown of any of the said works or by or by reason of any act default or omission of the Corporation or of any person in their employ or of any contractor for the said works or any part thereof and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such execution or breakdown or any such act default or omission :
- (5) In the event of any injury being caused to any such bridge or approaches by the construction maintenance repair user or removal of the said works the company may at the expense of the Corporation restore such bridge and approaches or the part or parts thereof which may be injured to as good a state and condition as they were in before such injury was occasioned :
- (6) The Corporation shall on demand pay to the company the reasonable expense of any necessary lighting or watching of the railways canal and works of the company for preventing interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of either of them :
- (7) Whenever and so often as the company shall require in the exercise of any powers existing at the date of the passing of this Act to widen lengthen strengthen reconstruct alter or repair such any bridges or approaches or to widen or alter

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their railways or canal thereunder or to lift or support any such bridge or approaches owing to the subsidence thereof caused by the minerals thereunder having been or being worked or gotten and it shall be necessary for effecting any of such purposes that the working and user of the tramway over any such bridge or approaches shall be wholly or partially stopped or delayed or that the tramways should be temporarily diverted or wholly or in part taken up or removed and shall except in case of emergency (when they shall give the longest notice practicable) give to the Corporation one month's notice in writing requiring such stoppage delay or diversion taking up or removal the working or user of such tramway shall be stopped or delayed or the said tramway shall be diverted or taken up or removed accordingly at the expense of the Corporation and under the superintendence of their engineer if such engineer give such superintendence but only for so long as shall be absolutely necessary for effecting such purposes and without the company being liable for any compensation claims demands damages costs and expenses for or in respect of such stoppage or delay or in any way relating thereto :

- (8) The Corporation shall pay to the company any additional expense which they may incur or be put to in effecting any such widening lengthening strengthening reconstruction alteration repairing lifting or supporting of any such bridge by reason of the existence of the tramway :
- (9) All works which may be necessary in constructing and maintaining any of the tramways or for working the tramways by mechanical or electrical power over or under any such bridge and approaches shall be constructed and maintained in all things at the expense of the Corporation and to the reasonable satisfaction of the principal engineer of the company :
- (10) No additional stays posts wires or other apparatus in connection with the electrical equipment of the tramways shall without the previous consent in writing of the company be attached to any bridge or other work of the company :

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(11) If and when the company shall require to repair or paint any bridge carrying the railway or canal over any of the tramways the Corporation shall in order to ensure the safety of the workmen employed in such repairing or painting cut off the electric current from the trolley wires under such bridge at such times as shall be reasonably required by the said principal engineer of the company and as shall not unduly interfere with the traffic on the tramways unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said principal engineer :

(12) The provisions of this section shall apply to the exercise by the Corporation of the powers contained in the sections of this Act the marginal notes of which are " Power to make additional cross-overs and to double tramway lines " and " Power to alter position of tramways " and the provisions of subsection (1) of this section shall apply to the exercise of the powers contained in the section of this Act the marginal note of which is " As to electrical works " :

(13) Any difference arising between the Corporation and the company under this section shall be determined by an engineer to be appointed by the President of the Institution of Civil Engineers upon the application of either party and the provisions of the Arbitration Act 1889 shall apply to any such determination.

57. Notwithstanding anything contained in this Act the following provisions for the protection of the urban district council of Westhoughton (in this section called " the council ") shall except so far as may otherwise be agreed in writing between the council and the Corporation apply and have effect (that is to say) :—

For pro-
tection of
West-
houghton
Urban
District
Council.

(1) The Corporation on the one hand and the council on the other hand may enter into and fulfil contracts and agreements for all or any of the following purposes (that is to say)—

The construction maintenance working and use of Tramway No. 5 by this Act authorised so far as such tramway is within the urban district of Westhoughton ;

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Act, 1922.

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The purchase and sale of all or any of the plant and appliances used for the purpose of such working and use;

The lease sale and purchase of the said Tramway No. 5 so far as such tramway is within the urban district of Westhoughton;

The interchange accommodation and forwarding of carriages passengers and traffic on to or from any tramways for the time being of the Corporation from or to any tramways of the council;

The user by the contracting parties or any or either of them of the whole or any part of their respective tramway undertakings;

Such contracts and agreements may be made in consideration of such payments and upon such terms and conditions as may be agreed on between the Corporation and the council:

- (2) In construing section 43 of the Tramways Act 1870 with reference to the purchase by the council of the tramways to be constructed under the provisions of this Act in the urban district of Westhoughton the period of fourteen years shall be substituted for the period of twenty-one years and the subsequent periods of seven years in the said section mentioned shall be calculated from the expiration of the said period of fourteen years:
- (3) The council shall be at liberty after giving to the Corporation in each case not less than one month's notice in writing to attach to any posts or standards which the Corporation may require to erect within the urban district of Westhoughton in pursuance of the provisions of this Act for the purpose of working the tramways by mechanical power brackets lamps and fittings for use for the purposes of street lighting. The council shall not be required to make any payment to the Corporation for the right to use any such posts or standards as aforesaid for the purposes referred to in this subsection but all such brackets lamps and fittings as aforesaid shall be attached and maintained subject to such other conditions as the Corporation may in their discretion prescribe.

PART IV.

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OMNIBUSES.

58.—(1) Subject to the provisions of this Act the Corporation may in addition and without prejudice to the exercise of their powers under section 16 (Omnibuses &c.) of the Act of 1901 provide and maintain (but shall not manufacture) and may run omnibuses within the borough.

Power to
provide
and run
omnibuses.

(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 and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running equipment maintenance and repair of such omnibuses but the Corporation shall not create or permit any nuisance on any lands upon which they erect any such houses buildings or sheds.

(3) Every 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.

(4) The Corporation shall perform in respect of the omnibuses provided under this section and section 16 (Omnibuses &c.) of the Act of 1901 such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

(5) The provisions of section 51 (Penalty on passengers practising frauds on the promoters) and section 56 (Recovery of tolls penalties &c.) of the Tramways Act 1870 shall apply to and in relation to the omnibuses of the Corporation as if such omnibuses were carriages used on tramways.

(6) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in or upon their omnibuses or in or upon any premises belonging to them and used for the purposes of their omnibus undertaking Provided that any such byelaws shall be made subject to and in accordance with the provisions of the Tramways Act 1870 with respect to the making of byelaws.

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As to
bridges of
railway and
canal
companies.Fares and
charges on
Corporation
omnibuses.

59. Nothing contained in this Part of this Act shall impose any obligation on or enlarge any obligation of any railway company or canal company to strengthen adapt alter or reconstruct any bridge maintainable by them.

60.—(1) Subject to the provisions of this section the Corporation may demand and take for passengers and parcels carried on the omnibuses of the Corporation fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport.

(2) Every passenger may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

(3) The Corporation may if they think fit carry on their omnibuses small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger but they shall not carry any other goods or animals.

(4) The fares and charges for the time being authorised to be demanded and taken for the conveyance of passengers and parcels upon the omnibuses of the Corporation shall be paid to such persons and at such places upon or near to the omnibus routes and in such manner as the Corporation may by notice to be annexed to the list of fares and charges appoint.

Working
and other
agreements.

61.—(1) Subject to the provisions of this Act the Corporation and any other local authority for the time being empowered to provide or run omnibuses in any borough or urban or rural district in which any omnibus route for the time being of the Corporation is situate or any company body or person for the time being so empowered may enter into and carry into effect agreements for all or any of the following purposes (that is to say):—

(a) The working user management and maintenance of all or any of the omnibus services of the contracting parties and of any omnibuses lands depôts building sheds and property provided by either of the contracting parties and the

A.D. 1922.

exercise of the right to provide and use the same and to demand and take the fares and charges authorised in respect of such omnibuses :

- (b) The supply by any of the contracting parties under and during the continuance of any such agreement of omnibuses and conveniences in connection therewith necessary for the purpose of such agreement and the employment of officers and servants :
- (c) The interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any omnibus service of the contracting parties :
- (d) The payment collection and apportionment of the fares and charges and other receipts arising from any such omnibus services of the contracting parties.

(2) The Corporation shall not enter into or carry into effect any agreement (other than with a local authority) under the provisions of this section in relation to any omnibus service lands depôts buildings sheds or property beyond the borough otherwise than with the consent of the local authority of the district within which such omnibus service lands depôts buildings sheds or property are situate Provided that on complaint being made to the Minister of Transport that such consent is unreasonably withheld the Minister may if he thinks fit by order dispense with such consent.

62. Subject to the provisions of this Act the omnibus undertaking shall be deemed to form part of the tramway undertaking Provided that in the accounts of the Corporation relative to the tramway undertaking the income and expenditure upon and in connection with omnibuses shall (so far as may be reasonably practicable) be distinguished from the income and expenditure upon or in connection with the remainder of such undertaking.

Omnibuses to form part of tramway undertaking.

63.—(1) The Corporation shall apply all money received by them on account of revenue in respect of the omnibus undertaking in the manner and in the order following (that is to say) :—

Application of revenue of omnibus undertaking.

First—In payment of the working and establishment expenses and cost of maintenance of the undertaking ;

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Secondly—In payment of the interest on moneys borrowed by the Corporation for the purposes of the undertaking;

Thirdly—In providing the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;

Fourthly.—In providing a reserve fund (if the Corporation think fit) by setting aside such money as they think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding a sum equal to two-fifths of the aggregate capital expenditure for the time being by the Corporation upon the undertaking which fund shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for payment of the cost of renewing any part of the omnibuses and buildings and works connected therewith and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens Provided that resort may be had to the reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed maximum :

And the Corporation shall carry to the credit of the tramway revenue so much of any balance remaining in any year of the income of the omnibus undertaking (including the interest on the reserve fund when such fund amounts to the prescribed maximum) as may in the opinion of the Corporation not be required for carrying on the omnibus undertaking and paying the current expenses connected therewith.

(2) Any deficiency in the revenue of the omnibus undertaking shall be made good as provided by the section of this Act of which the marginal note is "Expenses of execution of Act."

PART V.

A.D. 1922.

GENERAL PROVISIONS AS TO TRAMWAYS AND OMNIBUSES.

64. The Corporation may erect and maintain within and (with the consent of the local and road authorities) beyond the borough sheds shelters or waiting-rooms and gangways for the accommodation of passengers on the route of any of the Corporation tramways or on any omnibus routes established under the authority of this Act and may use for that purpose portions of the public streets or roads. Shelters or waiting-rooms.

65.—(1) Notwithstanding anything contained in this or any other Act to the contrary the Corporation may on any occasion run and reserve carriages on any of the Corporation tramways and omnibuses on any route on which the Corporation are for the time being authorised to run omnibuses for any special purpose which the Corporation may consider necessary or desirable. Provided that such special carriages and omnibuses shall be distinguished from other carriages and omnibuses in such manner as may be directed by the Corporation and that during the running of such special carriages or omnibuses the Corporation shall maintain a reasonably sufficient ordinary service of carriages or omnibuses as the case may be. Power to reserve carriages or omnibuses for special purposes.

(2) The Corporation may make byelaws and regulations for prohibiting the use of any such carriages or omnibuses by any persons other than those for whose conveyance the same are reserved.

(3) The restrictions contained in this or any other Act of the Corporation as to tolls fares rates or charges for passengers shall not extend to any special carriages run upon the Corporation tramways or omnibuses run for such special services as aforesaid and in respect thereof the Corporation may demand and take such tolls fares rates or charges as they shall think fit.

66. For the better regulation of persons desiring to travel in the carriages on the Corporation tramways and the omnibuses of the Corporation the Corporation may erect and maintain barriers and posts at any stopping place or terminus and for that purpose may with the consent (as respects any road outside the borough) Power to require intending passengers to wait in lines or queues.

A.D. 1922. of the road authority use part of the highway and the Corporation may make byelaws requiring persons waiting to enter carriages at any stopping place or terminus upon any of the Corporation tramways or omnibuses to wait in lines or queues and to enter such carriages or omnibuses in the order in which they stood in such line or queue.

Confir-
mation of
byelaws &c.
under
certain
provisions
of this Part
of Act.

67. All such byelaws and regulations as are referred to in the sections of this Act of which the marginal notes are respectively "Power to reserve carriages or omnibuses for special purposes" and "Power to require intending passengers to wait in lines or queues" shall be subject as regards making and confirmation to the provisions of sections 46 and 47 of the Tramways Act 1870.

Stopping
and starting
places.

68. The Corporation may appoint the stations and places from which the carriages on the Corporation tramways and the omnibuses of the Corporation shall start or at which they may stop for the purposes of taking up or setting down passengers and may make regulations for fixing the time during which such carriages and omnibuses shall be allowed to remain at any such place but any such appointment and regulations shall (as respects any station or place outside the borough) be subject to the consent of the local authority of the district within which that station or place is appointed which consent shall not be unreasonably withheld and any question as to whether or not any such consent is unreasonably withheld shall be determined by the Minister of Transport.

For further
protection
of London
and North
Western
Railway
Company in
respect of
tramways
and
omnibuses.

69. The following provisions for the protection and benefit of the London and North Western Railway Company (in this section referred to as "the company") shall apply and have effect except so far as may be otherwise agreed in writing between the Corporation and the company:—

Notwithstanding anything contained in this Act no shed shelter waiting-room gangway cloak-room or room barrier or post shall be erected maintained or provided nor shall any starting or stopping station or place be appointed nor shall the Corporation require persons waiting at any such stopping place or any terminus to wait in

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any line or queue so as to cause interference with or render less convenient the access to or exit from any station depôt or property belonging to the company nor shall any such shed shelter waiting-room gangway cloak-room room barrier or post be erected maintained or provided on any bridge carrying any street or road over the railways of the company.

70.—(1) The Corporation may attach to any lamp-post pole standard or other similar erection erected on or in the highway on or near to the route of any of the Corporation tramways or of their omnibuses signs or directions indicating the position of stopping places for tramcars and omnibuses :

Attachment
of signs
indicating
stopping
places to
lamp-posts
&c.

Provided that in cases where the Corporation are not the owners of such lamp-post pole standard or similar erection they shall give notice in writing of their ~~intention to attach thereto any such sign or direction~~ and shall make compensation to the owner for any damage or injury occasioned to such lamp-post pole standard or similar erection by such attachment and the Corporation shall indemnify the said owner against any claim for damage occasioned to any person or property by or by reason of such attachment.

(2) Nothing in this section shall be deemed to require the said owner to retain any such lamp-post pole standard or similar erection when no longer required for his purposes.

(3) The Corporation shall not attach any such sign or direction to any pole post or standard belonging to the Postmaster-General except with his consent in writing.

(4) The Corporation shall not attach any such sign or direction to any lamp-post pole standard or any similar erection belonging to any local authority beyond the borough or to any railway company without their consent in writing which consent shall not be unreasonably withheld and any question as to whether or not any such consent is unreasonably withheld shall be determined by the Minister of Transport.

71. The Corporation may run through cars along any of the routes of the Corporation tramways or any specified portion thereof and through omnibuses along

Through
cars and
omnibuses.

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any route on which the Corporation are for the time being authorised to run omnibuses and such cars and omnibuses shall be distinguished from other cars and omnibuses in such manner as may be directed by the Corporation and they may demand and take for every passenger by such cars and omnibuses a toll fare or charge not exceeding the maximum toll fare or charge authorised or charged for and in respect of the whole of such route or the whole of the portion thereof traversed by any such car or omnibus. Provided that notwithstanding the running of such through cars or omnibuses the Corporation shall maintain a reasonably sufficient ordinary service of cars or omnibuses as the case may be.

Lost
property.

72. Any property found in any tramcar or omnibus of the Corporation shall forthwith be taken to a place to be appointed for the purpose by the Corporation and if the same be not claimed within six months after the finding thereof it may be sold as unclaimed property by public auction after notice by advertisement.

Penalty for
malicious
damage.

73. If any person wilfully does or causes to be done with respect to any apparatus used for or in connection with the working of the Corporation tramways or the omnibuses of the Corporation anything which is calculated to obstruct or interfere with the working of such tramways or omnibuses or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence shall be liable to a penalty not exceeding twenty pounds.

Power to
acquire
additional
lands by
agreement
for purposes
of tramway
or omni-
bus under-
taking.

74. The Corporation may for the purposes of the tramway undertaking or the omnibus undertaking (in addition to any lands which they are or may be authorised to acquire and hold under the powers of the former Acts or of this Act or of any future Act) from time to time by agreement acquire either by purchase or by way of exchange or otherwise or take on lease any land not exceeding ten acres in the whole or any easement power or privilege therein thereunder thereover or thereupon (not being an easement or privilege of water) which shall be deemed necessary by the Corporation but the Corporation shall not deal with any such lands so as to create or permit a nuisance.

75. The Corporation shall as soon as practicable after the expiration of each financial year send to the Minister of Transport a copy of the accounts of the tramway undertaking for that year as published in their annual abstract of accounts.

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Annual
accounts
of tramway
undertaking
to be sent to
Minister of
Transport.

PART VI.

STREET WORKS AND IMPROVEMENTS.

76. Subject to the provisions of this Act the Corporation in the lines and situations and according to the levels shown on the deposited plans and sections and upon the lands in that behalf delineated on the deposited plans and described in the deposited book of reference may if they think fit make and maintain the following street works and improvements in the borough (that is to say):—

Power to
execute
street works
&c.

Widening No. 1 A widening and improvement of St. George's Road on the southerly side thereof and Kensington Street on the northerly side thereof between Chorley Street and the junction with Kensington Street of Back Kensington Street North;

Widening No. 2 A widening and improvement of Oxford Street on the westerly side thereof between the northerly side of Victoria Square and a point 56 yards or thereabouts measured in a northerly direction from the northern side of that square;

Widening No. 3 A widening and improvement of Newport Street on the westerly side thereof and Great Moor Street on the northerly side thereof between Victoria Square and the junction of Coronation Street with Great Moor Street;

Widening No. 4 A widening and improvement of Bridge Street on the westerly side thereof between a point 26 yards or thereabouts south of the southerly side of Bark Street and Corporation Street;

Widening No. 5 A widening and improvement of Bridgeman Place on the northerly side thereof between points respectively 6 yards and 35 yards or thereabouts measured in an easterly direction from the eastern side of Cockrell Springs;

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Widening No. 6 A widening and improvement of Newport Street on the easterly side thereof and Great Moor Street on the northerly side thereof between a point in Newport Street 17 yards or thereabouts north of the northerly side of Great Moor Street and Mawdsley Street;

Widening No. 7 A widening and improvement at the corner of Great Moor Street and Newport Street between a point on the southern side of Great Moor Street 7 yards or thereabouts west of the western side of Newport Street and a point in Newport Street 10 yards or thereabouts south of the southern side of Great Moor Street;

Widening No. 8 A widening and improvement at the corner of Great Moor Street and Newport Street between a point on the eastern side of Newport Street 11 yards or thereabouts south of the southern side of Great Moor Street and a point in Great Moor Street 11 yards or thereabouts east of the eastern side of Newport Street;

Widening No. 9 A widening and improvement of Crook Street on the northerly side thereof and Great Moor Street on the south-easterly side thereof between a point in Crook Street 12 yards or thereabouts east of the easterly side of Great Moor Street and Blackhorse Street;

Widening No. 10 A widening and improvement of Churchgate on the southerly side thereof between points respectively 18 yards and 37 yards or thereabouts west of the westerly side of Paley Street;

Widening No. 11 A widening and improvement of Deansgate on the southern side thereof between points respectively 10 yards and 30 yards or thereabouts east of the easterly side of Oxford Street;

Widening No. 12 A widening and improvement of Deansgate on the southern side thereof between points respectively 17 yards and 51 yards or thereabouts east of the easterly side of Market Street;

Widening No. 13 A widening and improvement of Corporation Street on the southerly side thereof Knowsley Street on the easterly side thereof and

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Deansgate on the northerly side thereof between a point in Corporation Street 15 yards or thereabouts east of the easterly side of Knowsley Street and a point in Deansgate 15 yards or thereabouts east of the easterly side of Knowsley Street;

Widening No. 14 A widening and improvement of St. George's Road on the southerly side thereof and Knowsley Street on the easterly side thereof between a point in St. George's Road 23 yards or thereabouts east of the easterly side of Knowsley Street and Bark Street;

Widening No. 15 A widening and improvement of Blackburn Road on the easterly side thereof between Kay Street and Cooper Street;

Widening No. 16 A widening and improvement of Tempest Road on the easterly and southerly sides thereof between points respectively 34 yards and 93 yards or thereabouts (measured along Tempest Road) north of the northerly side of Cremo Street;

Widening No. 17 A widening and improvement of Hulton Lane on the westerly side thereof and Wigan Road on the southerly side thereof between a point 61 yards or thereabouts south of the southerly side of Wigan Road and a point 19 yards or thereabouts west of the westerly side of Hulton Lane;

Widening No. 18 A widening and improvement of Church Road between points respectively 20 yards and 42 yards or thereabouts east of the easterly side of the road leading to Lower Pools;

Widening No. 19 A widening raising and improvement of Lever Bridge on both sides thereof between Chapel Place or a point opposite thereto and Woodside Place;

Widening No. 20 A widening raising and improvement of Radcliffe Road on the easterly side thereof between Woodside Place and a point 115 yards or thereabouts measured in a southerly direction from the southern side of Woodside Place and on the westerly side thereof between Lever Bridge and a point 84 yards or thereabouts

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measured in a southerly direction from the southern side of Lever Bridge;

Widening No. 21 A widening and improvement of Radcliffe Road on the westerly side thereof between the northern side of the Manchester Bolton and Bury Canal and Waterside.

Limits of deviation for street works.

77. In the construction of the works authorised by this Part of this Act the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and from the levels thereof as shown on the deposited sections to any extent not exceeding five feet either upwards or downwards.

Subsidiary works in connection with street works.

78.—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connection with the street works and improvements authorised by this Part of this Act and for the purposes thereof make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to such works and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with such works or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe or electricity or telephone wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of any gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus and making compensation for any damage done by them in the execution of the powers of this section.

(2) Provided that the Corporation shall not alter divert or otherwise interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

For protection of London and North

79. The following provisions for the protection of the London and North Western Railway Company (in this section referred to as "the company") shall apply

and have effect except as far as may be otherwise agreed in writing between the Corporation and the company :— A.D. 1922.

- (1) Before commencing the construction of the street works and improvements Widening No. 20 and Widening No. 21 by this Act authorised the Corporation shall submit to the principal engineer of the company plans and sections showing the nature and extent of the works where the same adjoin or pass under any station railway or canal belonging to the company :
- (2) The Corporation shall not in any manner in the execution maintenance and user or repair of the said works alter interfere with or injuriously affect the structure of any bridge or obstruct or interfere with the free uninterrupted and safe use of any railway canal or other work belonging to the company or any traffic thereon.

Western
Railway
Company in
respect of
street
works.

PART VII.

GENERAL PROVISIONS AS TO WORKS.

80. The Corporation during the execution of any works under the powers of this Act may break up and also temporarily stop up and interfere with any street for the purpose of executing such works and may for any reasonable time divert the traffic therefrom and prevent all persons other than those bonâ fide going to or from any house or railway station in the street from passing along and using the same Provided that the Corporation shall provide reasonable access for foot passengers bonâ fide going to or from any such house or railway station.

Temporary
stoppage of
streets.

81. The following sections of the former Acts (that is to say)—

Of the Act of 1877—

Section 44 (Streets disused vested in Corporation) :

Of the Act of 1897—

Section 38 (Power to alter pipes &c.); and

Section 46 (Corporation empowered or may be required to underpin or otherwise strengthen houses near works &c.)

Application
of pro-
visions of
Acts of 1877
and 1897 to
works.

shall extend and apply mutatis mutandis to and in relation to the works by this Act authorised.

A.D. 1922;

PART VIII.

LANDS &C.

Power to
take lands
for works.

82. Subject to the provisions of this Act the Corporation may enter upon take and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference which they may require for the purposes of the works by this Act authorised or (in the case of the widening or improving of any street) for the providing of space for the erection of buildings adjoining or near to any such street.

Power to
take other
lands.

83. Subject to the provisions of this Act the Corporation may enter upon and take and may hold and use for the purposes hereinafter respectively specified the lands in the county of Lancaster hereinafter referred to or any part or parts thereof so far as those lands are shown upon the deposited plans and described in the deposited book of reference and included within the limits of land to be acquired shown upon those plans (that is to say)—

- (a) for the purposes of the water undertaking the lands described in Part I. of the Second Schedule to this Act:
- (b) for the purposes of baths and washhouses the lands described in Part II. of the said Second Schedule:
- (c) for the purposes of general improvement of the borough the lands described in Part III. of the said Second Schedule.

Restriction
on compul-
sory pur-
chase of
property of
London and
North
Western
Railway
Company.

84. Notwithstanding anything contained in this Part of this Act or shown on the deposited plans and sections the Corporation shall not without the previous consent in writing of the London and North Western Railway Company under their common seal purchase or acquire the lands or property of that company coloured green on the plan marked "A" signed by the most Honourable the Marquess of Bath K.G. the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (of which plan copies have respectively been deposited in the Parliament Office of the House of Lords and in the Private Bill Office of the House of Commons).

85. The Corporation may utilise the lands described in Part III. of the Second Schedule to this Act or any part of those lands for the erection of municipal offices police courts and offices libraries art galleries museums or other municipal buildings or for markets or other municipal purposes and for the laying out of streets and roads and may hold and retain the said lands or any part thereof for those purposes and may sell let exchange or otherwise dispose of any parts of the said lands not required for the said purposes.

A.D. 1922.

Powers with reference to certain lands to be acquired.

86.—(1) The Corporation may in lieu of acquiring any lands for the purposes of the works authorised by this Act where the same are intended to be constructed underground acquire such easements only in such lands as they may require for such purposes and may give notice to treat in respect of such easements describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such easements as fully as if the same were lands within the meaning of those Acts.

Corporation may acquire easements only in certain cases.

(2) As regards any lands in respect of which the Corporation have acquired easements only under the provisions of this section the Corporation shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such easements have the same rights to use and cultivate the said lands at all times as if this Act had not passed.

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

87.—(1) Whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed

Owners may be required to sell parts only of certain premises.

A.D. 1922. from the remainder of the said properties without material
— detriment thereto Therefore the following provisions
shall have effect :—

- (a) The owner of and persons interested in any of the properties whereof the whole or part is described in the Third Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are hereinafter in this section included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (b) 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:
- (c) 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 arbitrator shall in addition to the other questions required to be determined by him determine whether the portion of the scheduled properties 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:
- (d) If the arbitrator determines that the portion of the scheduled properties 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 arbitrator 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 arbitrator :

- (e) If the arbitrator determines that the portion of the scheduled properties specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the arbitrator may in his absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner :
- (f) If the arbitrator determines that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not he 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 :
- (g) If the arbitrator determines that the portion of the scheduled properties 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 arbitrator shall having regard to the circumstances of the case and his final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as

A.D. 1922. — 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.

(3) The provisions of this section shall be stated in or endorsed on every notice given thereunder to sell and convey any premises.

Persons
under
disability
may grant
easements
&c.

88. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the 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.

Limit of
time for
compulsory
purchase of
lands.

89. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall cease as respects the lands described in Part III. of the Second Schedule to this Act after the expiration of five years from the passing of this Act and as respects all other lands after the expiration of three years from the passing of this Act.

For pro-
tection of
Earl of
Ellesmere
and Bridge-
water
Collieries
Limited.

90. Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the following provisions for the protection of the Right Honourable John Francis Granville Scrope Earl of Ellesmere and his successors in title (all of whom are in this section referred to as "the Earl") and of the Bridgewater Collieries Limited and their successors in title (all of whom are in this section referred to as "the company") shall unless otherwise agreed in writing between the Corporation and the Earl or the company as the case may be apply and have effect (that is to say) :—

Except as hereinafter in this section provided the Corporation shall not under the powers of this Act enter upon take or use any lands minerals or property of the Earl or the company but the Corporation may purchase and acquire and the

Earl and the company as the case may be may and if required by the Corporation shall sell and convey to the Corporation upon the terms and conditions and subject to such exceptions and reservations as may be agreed between the Corporation and the Earl and the company—

A.D. 1922.
—

(a) for the purpose of the Works P and T respectively by this Act authorised the lands coloured red on the plan marked "B" (in this section referred to as "the signed plan") signed in duplicate by the Most Honourable the Marquess of Bath K.G. the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords and the other copy in the Private Bill Office of the House of Commons ;

(b) for the purpose of the Works Q and U respectively by this Act authorised such easements in the lands coloured green on the signed plan as may be required for the purpose of making and maintaining the said works.

91.—(1) All private rights of way over any lands which the Corporation are authorised by this Act to acquire compulsorily shall as from the date of the acquisition of such lands by the Corporation be extinguished.

Extinction
of private
rights of
way.

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

92. For the purpose of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the arbitrator 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 November one thousand nine hundred and twenty-one if in the opinion of the arbitrator the improvement alteration or building or the creation of the interest

Compensa-
tion in case
of recently
acquired
interest.

A.D. 1922. 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.

Removal of
human
remains.

93.—(1) If and when the Corporation shall acquire for the purposes of or in connection with the Widening No. 6 by this Act authorised the premises numbered 23 in the borough on the deposited plans relating to that widening they shall before applying or using any part thereof for any of the purposes of this Act remove or cause to be removed the remains of all deceased persons interred in the said premises :

Provided that a Secretary of State on the application of the Corporation and on being satisfied that such removal is not necessary or desirable may dispense with all or any of the requirements of this section on such conditions (if any) as he thinks fit.

(2) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive days in two local newspapers circulating in the borough to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section.

(3) Any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the said premises may give notice in writing to the Corporation of his intention to undertake the removal of such remains and thereupon he shall be at liberty to cause such remains to be removed to and re-interred in any burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Corporation that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the Bolton county court who shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave the sum of fifteen pounds) shall be defrayed by the Corporation such sum to be apportioned if necessary equally according to the number of remains in the grave.

A.D. 1922.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section the Corporation may remove the remains of the deceased person and cause them to be interred in such other burial ground or cemetery in which burials may legally take place as the Corporation think suitable for the purpose.

(7) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Corporation be removed and re-erected at the place of re-interment of such remains or at such place within the borough as the registrar of the Bolton county court may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Corporation and the Corporation shall cause to be made a record of such monuments and tombstones and of their situation when re-erected showing the particulars respecting each monument or tombstone as a separate entry and such record shall be deposited at the General Register Office Somerset House London with the miscellaneous records in the custody of the Registrar General.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer.

94. Notwithstanding anything in any other Act or Acts to the contrary the Corporation may retain hold and use for such time and for such purpose as they may think fit or 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 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 or any interest therein acquired by them under this Act or any general or local Act for the time being in force in the borough (other than the Housing Acts 1890 to 1919) and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interests therein and may make do and

Retention
and disposal
of lands.

A.D. 1922. — 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:

Provided that nothing in this section shall be taken to dispense with the consent of any Government department to any sale lease appropriation or other disposition of any lands of the Corporation in any case in which such consent would have been required if this Act had not been passed.

Reservation of water rights &c.

95. The Corporation on selling any lands held by them for the purposes of the water undertaking and not required for those purposes 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.

Proceeds of sale of surplus lands.

96.—(1) The Corporation may so far as they consider necessary apply subject to the approval of the Minister of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health.

(2) Any capital moneys received by the Corporation on the re-sale or exchange of or by leasing any lands acquired under any Act other than this Act shall be applied in the same manner as capital moneys received under that Act are applicable or in such other manner as may be approved by the Minister of Health.

Power to hold lands for protection of waterworks.

97. The Corporation may hold any lands acquired by them under the powers of this Act which they may deem necessary for the purpose of protecting against

pollution fouling and contamination any waterworks for the time being belonging to them but the Corporation 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 Provided that the restrictions of this section as to the erection of buildings shall not apply in respect of lands leased or which may hereafter be leased or sold by the Corporation.

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

Power to acquire additional lands by agreement.

99. The consideration for any 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.

Consideration for such acquisition.

100. Sections 41 (Correction of errors &c. in deposited plans and book of reference) and 48 (Power to take easements &c. by agreement) of the Act of 1897 and section 26 (Corporation may use their own lands for purposes of Act) of the Act of 1901 shall extend and apply to and in relation to the lands acquired under the powers or held for the purposes of this Act as if those enactments were in this Act re-enacted with special reference thereto.

Incorporation of certain provisions of former Acts relating to lands.

101.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the

Further powers for the acquisition of lands.

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purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any moneys so borrowed shall be repaid within such period as may be prescribed by the Minister of Health.

(2) The Corporation may enter into contracts for the purposes of this section and may pay any sum payable under the contract and for that purpose may borrow money temporarily from their bankers for a period not exceeding twelve months.

(3) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the borough fund and borough rate or the district funds and district rates as the case may be.

Power to
develop
lands &c.

102.—(1) The Corporation may lay out and develop and erect and maintain shops offices warehouses and other like buildings and construct pave flag channel and kerb streets roads and ways on any lands (a) within the limits of deviation for the Widening Nos. 1 2 3 6 7 8 13 and 14 by this Act authorised as marked on the deposited plans or (b) described in Part III. of the Second Schedule to this Act acquired by them under the powers of this Act and not required for the purposes for which they were acquired and may sell lease exchange or otherwise dispose of any such shops offices warehouses or buildings upon and subject to such terms and conditions and restrictions as they may think fit.

(2) The Corporation may also grant building leases of any such lands as aforesaid subject to such restrictions and conditions as the Corporation may see fit to impose and may grant any easements rights or privileges in under or over such lands or any part or parts thereof and may use or dispose of the building or other materials of any houses and premises on any lands acquired or

appropriated by them which they may deem it necessary or desirable to pull down. A.D. 1922.

(3) The Corporation in selling or disposing of such lands may attach to the same and may convey the same subject to any conditions and restrictions upon the use thereof and as to the buildings to be erected thereon and as to the use to which such buildings may be put.

(4) The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired under the provisions of this Act or which may be in the neighbourhood of the works by this Act authorised or any of them with respect to the reinstatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

103. Nothing in the sections of this Act of which the marginal notes are respectively "Further powers for the acquisition of lands" and "Power to develop lands &c." shall authorise the Corporation—

Restrictions upon use of certain lands.

(a) to create or permit any nuisance on any such lands as are referred to in those sections or either of them; or

(b) to appropriate or use or permit the appropriation or use of any such lands to or for any purpose other than purposes for which and subject to the conditions under which they are for the time being authorised by the said sections or either of them or by any other enactment to acquire and use lands.

104. If the Corporation acquire under the powers of this Act the lands described in Part III. of the Second Schedule to this Act or any part thereof they shall hold the lands so acquired under and subject to the provisions of the Municipal Corporations Act 1882.

Certain lands to be held under Municipal Corporations Act 1882.

PART IX.

ELECTRICITY.

105. If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in

Provisions as to supply of electricity by agreement.

A.D. 1922.

any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement :

Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

Extending
section 89
of Act of
1905 and
section 15 of
Electric
Lighting
Act 1909.

106. The provisions of section 89 (As to supply of electrical energy where consumer has a separate supply) of the Act of 1905 and of section 15 of the Electric Lighting Act 1909 shall extend and apply to the supply of electricity by the Corporation for power purposes to any premises having a separate supply of power whether such separate supply be by electricity gas steam or other source of power.

Power to lay
electric
mains in
streets not
repairable
by inhabi-
tants at
large.

107. 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 repairable by the inhabitants at large within their area for the supply of electricity supply such premises with electrical energy and may lay down take up alter re-lay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1919 and of the Order of 1891 and the Order of 1898 with respect to the breaking up of streets shall extend and apply mutatis mutandis to and for the purposes of this section as if such streets had been specified in the Third Schedule to the Order of 1891 Provided that the Corporation shall not in carrying out any works authorised by this section unreasonably obstruct or interfere with the convenient access to any station or depôt of any railway company or any street belonging to and forming the approach to any such station or depôt.

Period of
error in
defective
meters.

108.—(1) In the event of a meter of a construction and pattern approved by the Board of Trade or Minister of Transport used by any consumer of electricity being proved to register erroneously such erroneous registration

shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

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(2) The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

109.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings) of the Electric Lighting Act 1882 or from exercising the powers contained in that section shall be liable to a penalty not exceeding five pounds and such penalty shall be recoverable in manner provided by the Summary Jurisdiction Acts.

Entry upon premises:
Penalty for obstruction.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to the Corporation and cannot be ascertained after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

110. The provisions of section 52 (Application of revenue) of the Order of 1891 with respect to the reserve fund referred to in that section shall be read and have effect as if the words "one-fifth" were therein inserted instead of the words "one-tenth" and any reserve fund provided by the Corporation in pursuance of that section as amended by this section shall be applicable from time to time for the purpose of meeting expenses incurred in the replacement renewal and repair of buildings plant or apparatus forming part of the electricity undertaking and for the purpose of extending and improving such buildings plant and apparatus.

Electricity reserve fund.

111. The Corporation may in or under any street repairable by the inhabitants at large and (with the consent of the persons liable to repair the same) in or under any street not so repairable or not dedicated to the public use subject to the provisions of the Electricity

Power to construct electrical sub-stations under streets.

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(Supply) Acts 1882 to 1919 and the Order of 1891 and the Order of 1898 construct and maintain sub-stations transforming stations and other works in connection with the electricity undertaking and may in any such street as aforesaid provide and maintain all such means of access and approach to such sub-stations transforming stations and works as may be necessary or convenient Provided that where in the opinion of the Corporation the consent of the person liable to repair any street not repairable by the inhabitants at large or not dedicated to the public use is unreasonably withheld the Corporation may appeal to a petty sessional court who shall have power to allow the construction and maintenance of such sub-stations transforming stations and works subject to such terms and conditions as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid :

Provided also that the Corporation shall not construct any such sub-station transforming station or work (a) in or upon any bridge carrying a street over a railway or under any bridge carrying a railway over a street or within ten feet of any abutment of any such bridge or (b) so as to interfere with or render less convenient the access to or exit from any station or depôt of a railway company.

Power to
recover
charge for
reconnec-
tion.

112. Any expenses reasonably incurred by the Corporation in reconnecting any electric line or other work through which electricity may be supplied which may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the Corporation in like manner as expenses lawfully incurred by them in such cutting off or disconnecting.

PART X.

STREETS AND BUILDINGS.

Laying out
of streets by
Corporation.

113. The Corporation may lay out with grass margins or plant with trees or lay out as gardens any part of any street repairable by the inhabitants at large and may erect guards or fences for the protection of such grass margins trees or gardens and the Corporation may maintain in good order any grass margins trees

gardens guards and fences in any such street and alter or renew the same and may add to the carriageway or footway of any such street any part of such grass margins parts planted with trees or parts laid out as gardens as aforesaid and may alter or rearrange the parts of any street laid out as carriageway or footway respectively :

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Provided always that nothing in this section contained shall empower the Corporation to prevent any person residing in any premises in or abutting on any such street having full and free right and liberty of access to and from such premises from and to the metalled or paved portion of such street or to interfere with or render less convenient the access to or exit from any station or depôt of the London and North Western Railway Company.

114.—(1) For the purpose of securing the proper laying out or development of any estate or lands in respect of or in connection with which plans for any new streets to be constructed are submitted to the Corporation for approval the Corporation may require that provision shall be made for adjusting and altering the boundaries of any such estate or lands or any lands adjacent or near thereto and for effecting such exchanges of land and the removal imposition or other regulation of covenants restrictions and conditions attaching to such lands as may be necessary or convenient for such purposes and the provision to be so made and the terms and conditions upon which such provision is to be made shall failing agreement between the Corporation and the respective persons interested in such estates or lands be determined on the application of the Corporation or any such person by an arbitrator to be appointed by the Minister of Health and the Corporation may for securing the execution of any such purposes agree to pay and may and shall pay to any such person or persons such sums as may be agreed upon or in default of agreement be determined by arbitration as aforesaid Provided that the payment of money by any such person shall not be made a term or condition of any award made under this section otherwise than with his consent.

Adjustment
of bound-
aries.

(2) Any award made under the provisions of this section shall operate to effect any adjustment or alteration of boundaries or exchange of lands or the removal

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(3) Any lands or moneys received by any person in or in respect of an adjustment or alteration of boundaries or exchange of lands under the provisions of this section shall be held by such person subject to the same trusts (if any) and any lands so received shall also be held subject to the same covenants restrictions and conditions (if any) so far as the same are applicable as the lands exchanged therefor. Where any such covenants restrictions or conditions shall in any case be agreed to be inapplicable or be determined by the arbitrator to be inapplicable the same shall be indicated in any agreement or award made under the provisions of this section.

(4) For the purpose of the adjustment or alteration of the boundaries of any such estate or lands as aforesaid the Corporation may themselves purchase any land and may sell or lease the land so purchased in whole or in part at such time or times at such price or prices and on such conditions as they may think fit or may appropriate the same for any public purpose approved by the Minister of Health and until such sale or appropriation may occupy manage or let the same or any part thereof in such manner as the Corporation may think reasonable.

Power to
Corpora-
tion to
grant
licences for
bridges
over streets.

115.—(1) The Corporation may grant to the owner or with the consent of the owner to the lessee or occupier of any premises abutting upon any street repairable by the inhabitants at large or any public highway a licence to construct and use a way (exclusive or otherwise) for himself his servants and agents at all times with or without trucks by means of a bridge over such street or highway for such term as shall be co-extensive with or less than the interest of such owner lessee or occupier in the premises in respect of which such licence shall be given on such terms and with under and subject to such covenants conditions and agreements as to the Corporation may seem fit. Provided that no fine rent or

other sum of money (except a reasonable sum in respect of legal or other expenses incurred) shall be payable for or in respect of such licence. A.D. 1922.

(2) Provided also that any licence given under this section shall not in any way interfere with the convenience of persons using such street or affect the rights of the owners of the property adjoining and up to the line of the street or highway.

(3) Provided further that in the event of the construction of any such bridge involving the alteration of a telegraphic line of the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to such alteration and any such bridge shall for the purposes of the placing or maintenance of overground telegraphic lines under the powers conferred by the Telegraph Acts 1863 to 1921 be deemed part of the street or road which it crosses.

(4) If any person shall construct a bridge over any such street or highway without such licence or shall construct or use the same otherwise than in accordance with the terms and conditions of the licence he shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

116.—(1) Whenever application shall be made to the Corporation to approve the laying out of a new street (including in that expression the formation of a new street or the widening of an existing street or the widening or adaptation of a road footpath or way so as to form a new street) within the borough the Corporation may require the owner of the estate or lands the development of which will be commenced or continued by the laying out of such new street to furnish the Corporation with plans and particulars showing the general scheme for the development or laying out of such estate or lands. Approval and conditions of formation of streets.

(2) Every person who fails to comply with the provisions of this section shall be liable on summary conviction to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

117.—(1) Where a road or lane within the borough becomes a new street within the meaning of the Public Health Act 1875 but the land on only one side of such street has been or is in course of being built on or is Further provisions as to new streets.

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about to be built on the Corporation may instead of requiring the owner of such land to widen such road or lane to a width prescribed by the byelaws in force in the borough or required by the Corporation in exercise of the powers vested in them in that behalf require such owner to widen such road or lane so as to give a width of not less than one-half of such prescribed or required width from the old centre line of such road or lane to the boundary thereof adjoining such land.

(2) Provided that if and when the land on the opposite side of such road or lane shall be in course of being built on or prior to the Corporation approving plans for the erection of buildings upon the land on such opposite side the owner of such land shall complete the widening of such road or lane so as to comply in all respects with the byelaws or requirements of the Corporation as aforesaid.

Corpora-
tion need
not require
back streets
in certain
circum-
stances.

118. It shall be lawful for the Corporation upon the application of any person laying out lands for building purposes within the borough to dispense in any case in which they may resolve so to do with the requirements of any byelaw or regulation involving the provision of a back street in connection with houses intended to front on to a principal street but any such requirement shall not be dispensed with unless the area which would otherwise have been occupied by such back street shall be retained as a garden or court or other open space in addition to any open space required in respect of such building by the byelaws or regulations of the Corporation and no building on any land in respect of which the provisions of this section shall become operative shall extend beyond the area which could have been occupied by such building if the Corporation had required the provision of such back street.

Cleansing of
gullies in
private
streets.

119.—(1) The Corporation may by notice in writing require the owner of any street in the borough (not being a street in charge of or maintainable wholly or partly by or at the expense of the Corporation) or the owners of the premises abutting upon such street to cleanse the gullies in such street within such reasonable time as may be specified in the notice.

(2) In the event of such owner or owners neglecting or refusing to comply with any requirement of the Corporation under this section the Corporation may

themselves cleanse the gullies in such street and may recover the expense incurred by them in so doing from such owner or owners. A.D. 1922.

120. The Corporation may erect or fix street fire alarms in such positions in any street road or public place within the borough as they think fit. Provided that nothing in this section shall authorise the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869. Fire alarms.

121. The Corporation may provide and maintain orderly bins or other receptacles for the collection and temporary deposit of street refuse and waste paper and the storage of sand grit or shingle in upon or under the streets of the borough of such dimensions and in such positions as the Corporation may from time to time determine. Street orderly bins.

122.—(1) Where an unoccupied building is ruinous or so far dilapidated as thereby to have become and to be unfit for use or occupation or is from neglect or otherwise in a structural condition prejudicial to the property in or the inhabitants of the neighbourhood a court of summary jurisdiction on complaint by the Corporation may order the owner at his option to take down or repair such building (in this section referred to as a “neglected structure”) or any part thereof or otherwise put the same or any part thereof into a state of repair and good condition to the satisfaction of the Corporation within a reasonable time to be fixed by the order and may also make an order for the costs incurred up to the time of the hearing. Removal of dilapidated and neglected buildings.

(2) If the order is not obeyed the Corporation may with all convenient speed enter upon the neglected structure and execute the order.

(3) Where the order directs the taking down of a neglected structure or any part thereof the Corporation in executing the order may remove the materials to a convenient place and (unless the expenses of the Corporation under this section in relation to such structure are paid to them within fourteen days after such removal) sell the same if and as they in their discretion think fit.

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(4) All expenses incurred by the Corporation under this section in relation to a neglected structure may be deducted by the Corporation out of the proceeds of the sale and the surplus (if any) shall be paid by the Corporation on demand to the owner of the structure and if such neglected structure or some part thereof is not taken down and such materials are not sold by the Corporation or if the proceeds of the sale are insufficient to defray the said expenses the Corporation may recover such expenses or such insufficiency from the owner of the structure together with all costs in respect thereof in a summary manner but without prejudice to his right to recover the same from any lessee or other person liable to the expenses of repairs.

As to
dangerous
buildings.

123.—(1) In the case of any building which may appear to the Corporation on the report of any duly qualified officer to be dangerous to the inmates or to persons working therein the Corporation may order a complete external and internal inspection and examination of any such building to be made by a competent person and for that purpose such person may on giving not less than twenty-four hours' notice to the occupier of the building and on producing written authority from the town clerk at any hour of the day between nine o'clock in the morning and six o'clock in the afternoon with such other persons as he may deem necessary enter upon such building and examine and inspect the same.

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

Elevation of
buildings
erected on
front lands
to be sub-
ject to
approval
of Corpor-
ation.

124. All buildings or parts of buildings which may in future be erected on the site of any building or on any land which site or land in consequence of any improvement made after the passing of this Act by the Corporation becomes front land shall be erected according to such elevation as the Corporation approve and if the owner lessee or occupier of any building or land which on the making of any such improvement

acquires a frontage to the street makes any door or entrance opening upon or communicating with the street or any wall or fence by the side of the street every such owner lessee or occupier shall make the building wall or fence in a line and the elevation thereof fronting to or towards the street in accordance with a drawing approved by the Corporation and in case the Corporation for a space of six weeks after any drawing of such elevation is submitted to them neglect to notify their determination in writing with reference thereto they shall be deemed to have approved thereof 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 The Corporation shall make compensation to the owner of any building or land for any loss or damage which he may suffer by reason of the setting back or bringing forward of such building wall or fence.

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125.—(1) Before any person shall erect on any land within the borough a retaining wall of greater height than six feet abutting on or adjacent to or within twelve feet of any street or road he shall submit to the Corporation plans sections and specifications thereof and no such wall shall be erected except in accordance with such plans sections and specifications as approved by the Corporation.

As to
erection of
retaining
walls.

(2) Any person who shall erect a retaining wall contrary to the provisions of this section or any owner who after erection shall after reasonable notice in writing from the Corporation requiring him so to do fail to put such wall in proper repair shall without prejudice to any other right or remedy of the Corporation be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

126. Section 23 of the Public Health Acts Amendment Act 1890 in its application to the borough shall have effect as if the words "and floor area" had been inserted therein after the word "height" in subsection (1) of that section.

Area of
habitable
rooms.

127. The Corporation may make byelaws with respect to—

Byelaws as
to erection
of dwelling-
houses
under con-
tinuous roof.

(i) the number of dwelling-houses which may be erected in one block or in one continuous row;

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- (ii) the provision of an open space for separating blocks or rows of dwelling-houses and the width of such space;
- (iii) the situation construction and height of walls or fences upon or across such open space.

Powers on inspection.

128. In exercising any powers of entry and inspection of any building or works in course of construction the surveyor and his assistants shall have from the builder of or contractor for such building or works free of expense all reasonable use and assistance of ladders scaffolding and plant in and about such building or works. Any person who shall refuse such use and assistance as aforesaid or shall obstruct the surveyor or his assistants in the use of such ladders scaffolding and plant as aforesaid shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Power to require water-courses on building land to be culverted.

129.—(1) If any watercourse or ditch situate upon any land in the borough laid out for building or on which any such land abuts requires in the opinion of the Corporation to be wholly or partially filled up or covered over the Corporation may by notice in writing require the owner or owners of such lands to substitute for such watercourse or ditch a pipe drain or culvert with all necessary gullies pipes and means of conveying surface water thereinto. Provided that nothing in this section shall authorise the Corporation to require the filling up or covering over of any watercourse or ditch wholly or partly belonging to any person other than the owner of the land so laid out for building.

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

Streams not to be covered over obstructed or diverted except in accordance with plans.

130.—(1) It shall not be lawful to culvert cover over stop up obstruct or divert any stream or watercourse within the borough except in accordance with plans and sections to be submitted to and approved by the Corporation such approval not to be unreasonably withheld or delayed and any person acting in contravention of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings :

Provided that—

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- (a) no requirement of the Corporation in relation to such plans and sections shall operate to compel any such owner to receive upon his land or to make provision for the passage of a greater quantity of water than he would have been obliged to receive or to permit to pass if this section had not been enacted;
- (b) if with the consent of such owner the Corporation shall require him to make provision for the passage of a larger quantity of water than he is obliged to permit to pass at the time of the commencement of any work under this section any additional cost occasioned by such requirement shall be borne by the Corporation.

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

131. The provisions of this Part of this Act shall not extend or apply to any building (not used as a dwelling-house) railway or work constructed by or belonging to or which may hereafter be constructed by or belong to the London and North Western Railway Company in the exercise of their statutory powers or to any lands held or acquired by that company and used for the purposes (other than for a dwelling-house) of their undertaking with the authority of Parliament.

Saving as to London and North Western Railway Company.

PART XI.

TEMPORARY STANDS &C.

132.—(1) Every person intending to erect within the borough any stand or structure for affording sitting or standing accommodation for a number of persons shall within fourteen days prior to the commencement of the erection thereof submit to the Corporation a plan and section thereof and shall comply with such regulations as the Corporation may prescribe for securing the stability

Restriction on erection of temporary stands &c.

A.D. 1922. of such stand or structure and for securing the safety of persons to be accommodated thereon.

(2) Any person acting in contravention of this section or offending against any such regulation shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

PART XII.

MEANS OF ESCAPE IN CASE OF FIRE.

Means of escape from buildings in case of fire.

133.—(1) Every new building which exceeds two storeys in height and in which the upper surface of the floor of any upper storey is above twenty feet from the street level and which is used or intended to be used as flats or as a tavern hotel hospital boarding-house common lodging-house or school or as a shop or restaurant in which sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop or restaurant shall be provided on each of the storeys the upper surface of the floor whereof is above twenty feet from the street level with such means of escape in case of fire for the persons dwelling sleeping or employed therein or resorting thereto as may be reasonably required by the Corporation under the circumstances of the case and no such building shall be occupied until the Corporation shall have issued a certificate that the provisions of this section have been complied with in relation thereto.

(2) From and after the first day of January one thousand nine hundred and twenty-three the Corporation in the case of every existing building exceeding two storeys in height and used or intended to be used as a tavern hotel hospital boarding-house common lodging-house or school or as a shop or restaurant in which sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop or restaurant if in their opinion such building is not provided with proper and sufficient means of escape from each storey the upper surface of the floor whereof is above twenty feet from the street level in case of fire for the persons dwelling or sleeping therein may at any time serve on the owner of such building a notice requiring him within a reasonable time to be specified in such

notice to provide such means of escape as in the circumstances of the case can reasonably be required and the owner shall thereupon take the necessary steps to provide the means of escape so required.

(3) Where the means of escape in case of fire provided in connection with any such building as aforesaid shall become inadequate in consequence of any alteration in the circumstances or conditions affecting such building the owner of the building shall upon the requirement of the Corporation make such alterations in the said means of escape as may be reasonably necessary and shall if so required by the Corporation provide further or other means of escape.

(4) (a) Any person aggrieved by any requirement of the Corporation under subsection (2) or subsection (3) of this section may appeal to a court of summary jurisdiction within seven days after the receipt of the requirement provided he give twenty-four hours' notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs.

(b) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under either of the said subsections.

(5) The owner of the building shall notwithstanding any agreement with the occupier have power to take such steps as are necessary for complying with any requirement of the Corporation under this section.

(6) If the owner alleges that the occupier of the building ought to bear or contribute to the expenses of complying with any requirement of the Corporation under this section he may apply to the county court and thereupon the county court after hearing the occupier may make such order as appears to the court just and equitable under all the circumstances of the case.

(7) The means of escape in case of fire provided in connection with any such building as aforesaid shall not be altered without the consent in writing of the Corporation and shall at all times be maintained and kept by the occupier of the building in good and efficient condition and free from obstruction.

(8) Nothing in this section contained shall be deemed to interfere with the operation of sections 14 (Provision

A.D. 1922. — of means of escape in case of fire) and 15 (Byelaws for means of escape from fire) of the Factory and Workshop Act 1901 or of any Act amending the same.

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

(10) The provisions of this section shall be in addition and without prejudice to the provisions of section 81 (Means of escape from buildings in case of fire) of the Act of 1905.

PART XIII.

SANITARY.

Regulation
dustbins.

134.—(1) The Corporation may by notice in writing require the owner or occupier of any dwelling-house warehouse or shop in the borough to provide portable galvanised iron dustbins in lieu of ashpits or ashtubs or other receptacles for refuse and such bins shall be of such size and construction as may be approved by the Corporation.

(2) Every owner or occupier having provided any receptacle pursuant to this section shall maintain the same in good order and condition.

(3) Any owner or occupier who fails within fourteen days after notice given to him to comply with the requirements of the Corporation under subsection (1) of this section or who fails to comply with his obligations under subsection (2) of this section shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding five shillings.

(4) Provided that this section shall not apply to any ashpits or ashtubs or other receptacles for refuse in use at the passing of this Act so long as the same are of suitable material size and construction and in proper order and condition.

Restriction
as to use of
dustbins.

135.—(1) From and after the passing of this Act it shall not be lawful for any person to use any ashbin or dustbin for any purpose other than the deposit of dust ashes or other house refuse (not being of a liquid or partly liquid character) intended for removal by or on behalf of the Corporation.

(2) Any person contravening the provisions of this section shall be liable to a penalty of ten shillings and to a daily penalty of ten shillings.

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136. Any river stream or watercourse or any part or parts thereof respectively within the borough so choked or silted up as to obstruct or impede the proper flow of water along the same and thereby to cause or render probable an overflow of such river stream or watercourse on to or into the land and property adjacent thereto shall be deemed to be a nuisance within the meaning of section 91 of the Public Health Act 1875 and all the provisions of that Act relating to nuisances shall apply to every such river stream or watercourse notwithstanding that the same may not be injurious to health.

Water-course choked up to be a nuisance under Public Health Act 1875.

137.—(1) If the owner of any dwelling-house or premises occupied therewith represents to the Corporation that the occupier of such dwelling-house or premises habitually maintains the same in a filthy condition any officer of the Corporation duly authorised in that behalf may enter upon such dwelling-house or premises and inspect the same and if such officer is satisfied of the truth of the representation of such owner the occupier shall be liable on the information of the medical officer to a court of summary jurisdiction to be ordered to quit the dwelling-house or premises within such time as may be specified in the order and any such order may be enforced in the manner provided by section 34 (Summary order to do act other than a payment of money) of the Summary Jurisdiction Act 1879.

As to filthy premises.

(2) Any expenses incurred by the Corporation under this section and not paid by the occupier shall be recoverable from the owner of the dwelling-house or premises.

PART XIV.

HUMAN FOOD.

138.—(1) No room shop or other part of a building in which any food is sold or prepared or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale shall be used as a sleeping place.

Places used for storage &c. of human food not to be used for sleeping place.

(2) If any person occupies or lets or knowingly suffers to be occupied any such room shop or other part

A.D. 1922. of a building as a sleeping place in contravention of this section he shall be liable to a penalty not exceeding for the first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The medical officer and the sanitary inspector and any other officer duly authorised by the Corporation in that behalf shall be entitled at all reasonable times to enter into and inspect any premises on which he suspects that there is any contravention of the provisions of this section and any person refusing such entry or inspection or obstructing any such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings.

Power to
sample
milk.

139.—(1) Any officer of the Corporation authorised by the Corporation in that behalf may in addition to any powers exerciseable within the borough take at any place outside the borough and within one mile and a quarter from any part of the boundary thereof or at any railway station outside the borough and within four miles from any part of the boundary thereof samples of any milk consigned to a purchaser in the borough. Such officer shall have all the powers of procuring samples conferred by the Sale of Food and Drugs Acts and those Acts shall apply as if such officer were an officer authorised to procure samples under the Sale of Food and Drugs Act 1875:

Provided that in the exercise of the powers of this section at any railway station such officer shall conform to the reasonable requirements of the railway company owning or using such station so that the working of the traffic thereat may not be obstructed or unduly interfered with.

(2) For the purposes of subsection (3) of section 21 of the Milk and Dairies (Consolidation) Act 1915 this section shall be deemed to be a provision of a Local Act dealing with matters dealt with by the said Milk and Dairies (Consolidation) Act 1915.

Rag and
bone dealers
not to sell
food.

140.—(1) It shall not be lawful for any collector of or dealer in rags or bones or similar articles or any person carrying on the business of a rag and bone merchant or any person acting on behalf of any such person as aforesaid to sell or distribute within the borough any

articles of food from any cart barrow or other vehicle used for the collection of rags bones or similar articles or in or from any shop or premises used for or in connection with the business of a rag and bone merchant.

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(2) Every person who shall offend against this section shall be liable to a penalty not exceeding five pounds.

PART XV.

INFECTIOUS AND CONTAGIOUS DISEASES.

141. If the medical officer shall at any time receive notice of a case of infectious disease he may apply to the person who is required by section 3 of the Infectious Disease (Notification) Act 1889 to send a notice of the case of infectious disease for the name and address of any laundryman to whom any clothes or other things may from time to time during the continuance of the infectious disease be sent for washing or mangling from the house in which the case of infectious disease exists and such person shall forthwith furnish such information accordingly Any person who offends against this enactment shall for every such offence be liable to a penalty not exceeding five pounds.

Persons to furnish names of laundrymen to whom clothes &c. from infected houses sent.

142.—(1) If the medical officer certifies in writing that any person is suffering from pulmonary tuberculosis and is in an infectious state and that the lodging or accommodation with which such person is provided is such that proper precautions to prevent the spread of the infection cannot be taken or that such precautions are not being taken and serious risk is thereby caused to other persons and that thorough inquiry and consideration have shown the necessity in the public interest for the compulsory isolation of the person the medical officer may make application to a court of summary jurisdiction and such court upon oral proof of the allegations in such certificate and subject to examination by a registered medical practitioner to be nominated by them if they think fit may make an order for the removal of such person to a suitable hospital or place for the reception of the sick provided within the borough or within a convenient distance of the borough and for the retention and maintenance of such person therein for such period not exceeding three months as may be determined by

Removal of persons suffering from pulmonary tuberculosis to hospital.

A.D. 1922. such order or such further period not exceeding three months as may be determined by any further order made under and in accordance with the provisions of this section.

(2) The medical officer shall give the person so suffering or some person being in charge of the person so suffering three clear days' notice of his intention to make such application and of the time and place when and where such application will be made.

(3) The Corporation may in their discretion during the period of retention make payments for or towards the effective support and maintenance of the relatives of or those actually dependent upon any person so suffering occasioned by the removal of any such person to a suitable hospital or place as aforesaid whether voluntarily or in pursuance of an order made by the court as aforesaid and on the hearing of any application under this section the court shall take into consideration the amount necessary for such effective support and maintenance and shall not make an order unless they are satisfied that the Corporation will make a sufficient payment in any case in which it appears that a contribution is necessary for the support and maintenance of such relatives or dependants.

(4) An order under this section may be addressed to such constable or officer of the Corporation as the court making the same may think expedient and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

(5) At any time after but not before the expiration of six clear weeks from the making of the order an application may be made to the court by or on behalf of the person in respect of whom the order was made for the rescission of the order and such court may make a rescission order accordingly if having regard to the circumstances of the case they are of opinion that it is right and proper that such rescission order should be made. Such person or other the person making the application shall give to the medical officer not less than three clear days' notice of his intention to make the application and of the time and place when and where the application will be made.

(6) The provisions of this section shall cease to be in force within the borough at the expiration of five years from the date of the passing of this Act unless they shall have been continued by Act of Parliament or by an order of the Minister of Health which order the Minister of Health is hereby empowered to make.

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143. Whenever the medical officer shall report in writing to the Corporation or to a committee of the Corporation that there is a prevalence of dangerous infectious disease in the borough or any adjoining or neighbouring borough or district and that there are reasonable grounds to apprehend the spread or communication of such disease to persons within the borough by persons resorting to common lodging-houses the Corporation or such committee as aforesaid may by resolution declare that by reason of the prevalence of the dangerous infectious disease named in the resolution it is expedient that the medical officer should be entrusted with the special powers hereinafter mentioned and subject as hereinafter provided the following provisions shall thereupon be in force within the borough for such period as the Corporation or such committee as aforesaid having regard to the circumstances of the case shall in the resolution determine (that is to say) :—

Power medically to examine inmates of common lodging-houses where infectious disease is supposed to exist.

(1) The medical officer may when authorised by warrant granted by any justice on complaint on oath by the medical officer that he has reason to believe that the dangerous infectious disease named in the resolution of the Corporation or such committee as aforesaid may exist or has recently existed in any common lodging-house in the borough medically examine any person found in any common lodging-house in the borough with a view to ascertaining whether such person is suffering or has recently suffered from such disease. Any person obstructing the medical officer from making the examination aforesaid shall be liable to a penalty not exceeding forty shillings for each offence :

(2) A copy of every such resolution shall forthwith be sent by the Corporation or such committee as aforesaid to every keeper of a common lodging-house in the borough and to the Minister of Health :

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- (3) Unless approved by the Minister of Health any such resolution shall cease to be in force at the expiration of fourteen days after it is passed or any earlier date fixed by the said Minister :
- (4) A warrant granted under this section may authorise the medical officer to exercise the powers of examination hereinbefore conferred during such period not exceeding the period during which the provisions aforesaid shall be in force as may be specified in such warrant.

To prevent spread of infectious disease amongst children in Sunday schools &c.

144.—(1) No person being the parent or having the care or charge of a child who is or has been attending any school which has been closed by order of the Corporation with the view of preventing the spread of infectious disease shall permit such child to attend any Sunday school or place of public entertainment or assembly in the borough without having procured from the medical officer a certificate (which if granted shall be granted free of charge upon application) that in his opinion such child may attend Sunday school or any such place as aforesaid without undue risk of communicating disease to others.

(2) Any person who shall offend against this section shall for every such offence be liable to a penalty not exceeding forty shillings.

Power to close Sunday schools in certain events.

145.—(1) If the Corporation or a committee of the Corporation acting on the advice of the medical officer with a view of preventing the spread of infectious disease in the borough require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time such requirement shall be at once complied with.

(2) Any person responsible for the conduct or management of any Sunday school wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding twenty shillings.

Special provisions to prevent spread of infectious disease.

146. Any parent or guardian having personal charge of a child in attendance at a school who is aware of or has reason to suspect the occurrence of any infectious disease in any member of the family and who fails forthwith to notify such occurrence to the head teacher

of the school shall be liable to a penalty not exceeding twenty shillings. A.D. 1922.

147. For the purposes of the foregoing provisions of this Part of this Act the expression "infectious disease" includes measles German measles whooping cough chicken-pox and influenza. Extended meaning of "infectious disease" for certain purposes.

PART XVI.

PUBLIC BATHS.

148. The Corporation may from the first day of October to the first day of May close and cover over any swimming bath belonging to them and utilise or from time to time let the same for meetings or entertainments of any description or for any other purposes free from any restriction contained in the Baths and Washhouses Acts 1846 to 1899 or any Act amending the same. Use of swimming baths in winter.

149. The Corporation may close to the public and may reserve the exclusive use of any swimming bath or open bathing place belonging to them and may grant the use thereof either gratuitously or for payment for swimming contests practices aquatic exercises or for any other entertainment or exhibition or for meetings and may demand and take or authorise to be demanded and taken at the door or entrance of such swimming bath or open bathing place such sums for the exclusive use of such bath or place or for admission of persons thereto as they may think fit. Use of swimming baths for exhibitions and entertainments.

150.—(1) Any swimming bath of the Corporation when closed under the provisions of section 5 (Powers to close swimming baths for a limited period) of the Baths and Washhouses Act 1878 and any portion thereof may although a licence is granted in respect thereof for music or dancing be let otherwise than occasionally and money for admission thereto may be taken at the doors. Use of baths for music and dancing.

(2) The proviso (b) to section 2 of the Baths and Washhouses Act 1899 shall cease to apply to any bath of the Corporation.

A.D. 1922.

Byelaws as
to family
and mixed
bathing.

151. Notwithstanding anything to the contrary contained in the Baths and Washhouses Acts 1846 to 1899 the following provisions shall have effect:—

- (1) The power of the Corporation to make byelaws for the management use and regulation of the public baths shall extend to enable them to permit any swimming bath to be used for the purpose of family bathing (that is to say by any male and female members of families bathing together at the same time) or of mixed bathing (that is to say by males and females bathing together at the same time) during such hours and subject to such regulations as shall be prescribed in such byelaws. Provided that by such byelaws provision shall be made for ensuring that separate dressing accommodation shall be provided and used by males above eight years old and females respectively and proper costumes worn:
- (2) The provisions of sections 10 and 11 of the Baths and Washhouses Act 1878 shall apply in reference to such byelaws as if the same were made under that Act and the Corporation may accordingly exercise all the powers conferred upon them by the said sections in reference to the enforcement of such byelaws.

PART XVII.

MARKETS AND SLAUGHTER-HOUSES.

Power to
take
possession
of stalls for
non-pay-
ment of
rent.

152. If any tenant stallholder or occupier shall not after any market rent has become due and payable to the Corporation in respect of any stall standing or other convenience or place in any market market-house market place or fair belonging to the Corporation and after demand has subsequently been made therefor pay the same within three days of the demand the Corporation may enter upon and take possession of such stall standing or other convenience or place and re-let the same without prejudice to any other remedy for the recovery of such toll rent stallage or charge.

153. As from the passing of this Act the following enactments are hereby repealed (that is to say)—

A.D. 1922.

Section 103 (Tolls for market &c. as in Schedule (B)) of the Act of 1854 and the Schedule (B) to that Act;

Increase of
market tolls
&c.

Section 105 (Weighing and measuring tolls) of the Act of 1872 and the Tenth Schedule to that Act; and

Article I. of the Bolton Order (No. 2) 1894 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1894:

And the corporation may demand and take—

- (a) in respect of any market or market place for the time being belonging to them any stallages rents or charges not exceeding the stallages rents and charges set forth in Part I. of the Fourth Schedule to this Act;
- (b) in respect of fairs any tolls or charges not exceeding the tolls and charges set forth in Part II. of the said Fourth Schedule;
- (c) for weighing or measuring articles any charges not exceeding the charges set forth in Part III. of the said Fourth Schedule;
- (d) for the use of weighing machines any charges not exceeding the charges set forth in Part IV. of the said Fourth Schedule; and
- (e) for the use of slaughter-houses any tolls not exceeding the tolls set forth in Part V. of the said Fourth Schedule.

154.—(1) The Corporation may continue take on lease or provide and maintain and use ice-making machinery refrigerators and cold air stores together with all necessary buildings plant machinery appliances works and conveniences in connection therewith and may from time to time let the whole or part thereof or permit the use thereof for such periods and subject to such terms and conditions as they may think fit.

Provision
of cold air
stores.

(2) The purposes of this section shall be deemed to be purposes of the market undertaking.

A.D. 1922.

PART XVIII.

PARKS AND PUBLIC BUILDINGS.

Power to
let recrea-
tion grounds
&c. to
cricket
clubs &c.

155. The Corporation may from time to time let for terms not exceeding twelve months to any club company body or persons any portion of any park or place of public resort or recreation set apart by them under the provisions of section 76 (Powers as to parks and pleasure gardens) of the Public Health Acts Amendment Act 1907 and may upon such portions so set apart erect construct maintain and let all proper and convenient houses pavilions dressing-rooms and other buildings works and conveniences :

Provided that nothing in this section shall empower the Corporation so to let at one and the same time more than fifty per centum of the total area of the parks or places of public resort or recreation for the time being belonging to them or under their control :

Provided also that the powers given by this section shall not be exercised in such a way as to contravene any covenant or condition subject to which any park or place of public resort or recreation or any portion thereof so set apart as aforesaid is held by the Corporation.

Charge for
use of parts
of recrea-
tion
grounds &c.
set apart
for certain
purposes.

156. When any portion of a public park or pleasure or recreation ground is set apart by the Corporation for any purpose under paragraph (b) of subsection (1) of section 76 of the Public Health Acts Amendment Act 1907 and specially laid out and maintained for any such purpose the Corporation may charge reasonable sums for the use thereof for that purpose.

Power to
charge for
admission.

157. The Corporation may make such reasonable charges as they may think fit for admission to and for the use of any public building belonging to them or for the use of any buildings or enclosures in any of their parks recreation grounds or lands used for the purposes mentioned in this Part of this Act and they may also make such charge for the use of chairs and for admission to the public halls concert halls pavilions conservatories winter gardens assembly rooms reading rooms and conveniences in connection therewith as they may deem fit.

158.—(1) The Corporation may pay or contribute towards the payment of bands of music or vocal choirs and may provide or arrange for the provision or carrying on of suitable concerts entertainments athletic meetings exhibitions and amusements and for the sale of refreshments in any public buildings halls or rooms belonging to them or in any park or recreation ground for the time being vested in them or under their control or upon any land belonging or leased to them and may make such charges as they may think fit for admission thereto and the Corporation may let any such building belonging to them or any park or recreation ground for the purpose of such concerts entertainments athletic meetings exhibitions or amusements or for the sale of refreshments for such periods or occasions and upon such terms and conditions as the Corporation may think fit Provided that any letting other than for a period of less than one month under this section of any building for the purpose of an entertainment shall be by tender and the Corporation shall secure the best rent reasonably obtainable.

A.D. 1922.
—
Provision of
concerts
entertain-
ments &c.

(2) The Corporation may in any park or recreation ground vested in them enclose an area for the purpose of any such concert or other entertainment as aforesaid or for any performance by such bands and choirs.

(3) The Corporation may provide and sell or authorise any person or persons to provide and sell programmes of any concert entertainment or performance given in pursuance of this section.

(4) All sums received in respect of any public building hall or room under this section shall be paid into the fund out of which the expenses incurred by the Corporation for the purpose of such building hall or room are defrayed.

(5) The Corporation may make byelaws for securing good and orderly conduct during any concerts entertainments exhibitions or amusements provided or carried on in pursuance of the provisions of this section.

(6) The Corporation may pay or contribute towards the cost of providing and maintaining in the borough and in newspapers published in the borough advertisements of any concerts or entertainments given in pursuance of this section.

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(7) The net amount of any payments or contributions made by the Corporation for the purposes of this section after deducting any moneys received by them in pursuance of this section may be paid out of the borough fund but the gross amount shall not in respect of any one year exceed a sum equivalent to that which would be produced by a rate of one penny in the pound levied on the property in the borough assessable in that year to the borough rate.

Power to
appoint
officers

159. The Corporation may appoint officers for securing the observance of this Part of this Act and of the provisions of all other Acts relating to parks and pleasure grounds and of the byelaws and regulations made thereunder and may procure such officers to be sworn in as constables for that purpose but any such officer shall not act as a constable unless in uniform or provided with a warrant.

PART XIX.

SEWERS AND DRAINS.

Corpora-
tion to
make com-
munications
between pri-
vate drains
and their
sewers on
payment
&c.

160. 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 with which he is entitled to have such sewer or drain made to communicate 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.

Prohibiting
entry of
petrol &c.
into sewers.

161. Every person who wilfully or negligently turns or permits to enter into any sewer of the Corporation or any drain communicating therewith any petroleum or other substances to which the Petroleum Acts apply shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds.

Notice of
intention to
repair
drains.

162.—(1) It shall not be lawful for any person to repair any drain communicating with any sewer of the Corporation without giving to the Corporation twenty-four hours' previous notice in writing of his intention to do so except in case of emergency and in that case it shall not be lawful for any person to cover over

the drain without giving the like notice of his intention to do so. A.D. 1922.

(2) Free access to such drain or work of repair shall be afforded to the surveyor or any officer of the Corporation authorised in writing by him for the purpose of inspection.

(3) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds.

(4) This section shall not apply to any drain (other than a drain connected with a dwelling-house) constructed by or belonging to or which may hereafter be constructed by or belong to the London and North Western Railway Company in the exercise of their statutory powers and used for the purposes of their undertaking with the authority of Parliament.

PART XX.

VERMINOUS HOUSES AND PERSONS.

163.—(1) If the medical officer or the sanitary inspector has reasonable cause to believe that any house is infested with vermin he may enter such house and may inspect and examine the same and any article therein for the purpose of ascertaining whether such house is infested with vermin.

Houses infested with vermin to be cleansed.

(2) Where on the certificate of the medical officer or the sanitary inspector it appears to the Corporation that any house is infested with vermin the Corporation shall give notice in writing to the occupier of such house or if the same be vacant to the owner thereof requiring him within a period to be specified in such notice to cleanse such house or the portion thereof specified in the notice and if so required in the notice to remove the wall paper from the walls of such house or the portion thereof specified in the notice and to take such other steps for the purpose of destroying and removing vermin as the case may require.

(3) If the person to whom such notice is given fails to comply therewith within the time therein specified he shall be liable on summary conviction to a fine not exceeding ten shillings for every day during which he makes default in complying with the requirements of such notice and the Corporation may if they think fit at any time after the expiration of the period specified in the

A.D. 1922. — notice themselves do any work required by the notice to be done and all reasonable costs and expenses incurred by the Corporation in so doing shall be recoverable summarily as a civil debt from the person making the default.

(4) Every person who shall wilfully obstruct any authorised officer or servant of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(5) Upon any proceedings under this section the court may inquire as to whether any requirement contained in any notice given or any work done by the Corporation was reasonable and as to whether the costs and expenses incurred by the Corporation in doing such work or any part thereof ought to be borne wholly or in part by the person to whom notice was given and the court may make such order concerning such costs and expenses or their apportionment as appears to the court to be just and equitable under the circumstances of the case.

(6) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation.

Cleansing of
verminous
persons.

164.—(1) The Corporation may from time to time provide free of charge temporary shelter or house accommodation with any necessary attendants and apparatus for cleansing and freeing from vermin the person and clothes of any person who shall be certified by the medical officer to be infested with vermin or in a foul or filthy condition or suffering from any contagious or infectious disease of the skin and may on the certificate of the medical officer cause any such person who consents to leave his house to be removed therefrom to such temporary shelter or house accommodation for the purpose of disinfecting and cleansing his person and clothing and in the like case and on the like certificate may cause any such person who does not consent to leave his house to be removed therefrom to and detained in any such temporary shelter or house accommodation where two justices on the application of the Corporation and on being satisfied of the necessity of the removal and detention make an order for the removal and detention subject to such conditions (if any) as are imposed by the order The

Corporation shall in every case cause the removal and detention to be effected and the conditions of any order satisfied without charge to the person removed. A.D. 1922.

(2) Any person who wilfully disobeys or obstructs the execution of an order under this section shall be liable to a penalty not exceeding five pounds.

(3) If any person at the request of the Corporation or under an order of such justices shall cease his employment in order to comply with such order the Corporation may and in case of an order of the justices shall make compensation to him for any loss he may suffer thereby.

(4) For the purposes of this section the word "house" includes any tent van shed or similar structure used for human habitation or any boat lying in any river dock canal or other water within the borough and used for the like purpose.

(5) This section shall not apply to any child as defined in the section of this Act of which the marginal note is "Cleansing of children and their clothing."

165—(1) The medical officer or any person provided with and if required exhibiting the authority in writing of the medical officer may within the borough examine the person and clothing of any child (other than children in boarding schools including reformatory and industrial schools) and if on examination the medical officer or any such authorised person as aforesaid shall be of opinion that the person or clothing of any such child is infested with vermin or is in a foul or filthy condition the medical officer may give notice in writing to the parent or guardian or other person who is liable to maintain or has the actual custody of such child requiring such parent guardian or other person to cleanse properly the person and clothing of such child within twenty-four hours after the receipt of such notice. Cleansing of children and their clothing.

(2) If the person to whom any such notice as aforesaid is given fails to comply therewith within the prescribed time the medical officer or some person provided with and if required exhibiting the authority in writing of the medical officer may remove the child referred to in such notice and may cause the person and clothing of such child to be properly cleansed in suitable premises and with suitable appliances and if necessary for that purpose may without any warrant other than this Act

A.D. 1922. convey to such premises and there detain such child until such cleansing is effected.

(3) Where after the person or clothing of a child has been cleansed under the provisions of this section the parent or guardian or other person liable to maintain the child allows him to get into such a condition that it is again necessary to proceed under this section the parent guardian or other person shall on summary conviction be liable to a fine not exceeding ten shillings.

(4) The examination or cleansing of females under this section shall only be effected either by a person duly qualified as a medical practitioner or by a female person being a member of the staff of the medical officer.

(5) Any notice required to be given under this section shall be deemed to be properly served by giving it to the person to whom it is addressed or leaving it for him with some inmate of his residence or by sending the same by post in a registered letter at his usual or last known residence.

In any such notice it shall be sufficient to designate the person to be served as the parent guardian or other person liable to maintain or having the actual custody of the child whose person or clothing requires to be cleansed.

(6) For the purposes of this section the expression "child" means a person under the age of fourteen years.

PART XXI.

OFFENSIVE TRADES.

Discon-
tinuance of
offensive
trade.

166.—(1) In any case where premises are being used for the carrying on of an offensive trade within the meaning of section 112 of the Public Health Act 1875 as extended by section 51 of the Public Health Acts Amendment Act 1907 and by this Act and in the opinion of the Corporation it is inexpedient in the interests of public health that such trade should be carried on in such premises the owner or occupier of the same may be required after six months' notice in writing by the Corporation under the hand of the town clerk to cease to use such premises for the carrying on of such offensive trade :

Provided that the formation or expression by the Corporation of an opinion under this subsection shall be deemed to be a determination of the Corporation within the meaning of section 100 (As to appeal) of the Act of 1905 applied by this Act and that the provisions of that section shall accordingly apply with respect to such opinion as well as to any requirement by the Corporation under this subsection.

(2) Any person who fails or neglects to comply with the provisions of subsection (1) of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) If the Corporation require any person to cease to use such premises for the carrying on of an offensive trade they shall pay to such person such compensation for any loss sustained by him in consequence of the action of the Corporation as may be agreed between the Corporation and such person or as failing such agreement shall be determined by arbitration under the provisions of the Arbitration Act 1889. Provided that this subsection shall not apply in the case of any premises with respect to which the consent of the Corporation shall have been given for a period only unless the Corporation shall have required that the user of such premises for the carrying on of an offensive trade shall cease before the expiration of such period.

(4) The powers of this section shall be in addition to and not in derogation of the existing powers of the Corporation with reference to offensive trades.

PART XXII.

RATING.

167. On and as from the first day of April one thousand nine hundred and twenty-three the following enactments namely—

Sections 7 (Connection with existing sewers in Halliwell) 106 (Separate accounts for sanitary purposes) and 107 (As to rates) of the Act of 1877 ; and

The proviso to subsection (4) of section 55 (As to Astley Bridge cemetery tramways and sewage works &c.) and sections 76 (Separate rating districts) (other than subsection (7) of that section) and 80 (Sewers in Smithills) of the Act of 1898 ;

Abolition of certain separate rating districts in borough.

A.D. 1922. shall be and are hereby repealed and in lieu thereof the following provisions shall have effect (that is to say):—

(1) On and as from the said first day of April one thousand nine hundred and twenty-three—

(a) the central district the Rumworth district the Halliwell district the Tonge district the Darcy Lever district the Brightmet district the Great Lever district the Over Hulton district the Middle Hulton district the Deane district the Lostock district the Heaton district and the Smithills district shall (subject to the provisions of the section of this Act of which the marginal note is "Differential rating in various parts of borough") cease to exist as separate rating districts and except as is by this Act expressly provided all rights benefits privileges exemptions obligations and liabilities attaching to any one or more of those districts and not to any other or others of them shall cease to exist;

(b) The Tonge district committee the Darcy Lever-cum-Brightmet district committee the Great Lever district committee the Hulton district committee the Deane-cum-Lostock district committee the Heaton district committee and the Smithills district committee shall be dissolved and cease to have any functions powers or duties and the Corporation shall cease to be under any obligation to elect any alderman nominated by the councillors of any of the wards consisting of the districts represented by those committees respectively;

(c) for the purposes of rating for sanitary purposes the borough shall be divided into two districts namely the borough (other than the Astley Bridge district) and the Astley Bridge district;

(d) the Corporation may from time to time for expenses incurred for or in relation to sanitary purposes in the borough (other than the Astley Bridge district) and in the Astley

Bridge district respectively make assess levy collect and recover— A.D. 1922.

(i) in the borough (other than the Astley Bridge district) a general district rate to be called the district rate separately from any general district rate made assessed levied collected or recovered by them in the Astley Bridge district; and

(ii) in the Astley Bridge district a general district rate to be called the Astley Bridge district rate separately from the district rate;

(e) There shall be constituted in the borough (other than the Astley Bridge district) a fund to be called the district fund and the Corporation shall keep a separate account of receipts and expenditure for sanitary purposes in respect of the borough (other than the Astley Bridge district) to be called the district fund account and in that account shall debit the borough (other than the Astley Bridge district) with the expenditure made in and for the same for or on account of sanitary purposes and shall credit the borough (other than the Astley Bridge district) with the receipts therefrom for or on account of such purposes and from the district rate;

(f) Notwithstanding the repeal of enactments effected by this section the Corporation shall continue the Astley Bridge district fund and the Astley Bridge district fund account as heretofore constituted and kept pursuant to the said section 76 of the Act of 1898 and in that account shall debit the Astley Bridge district with the expenditure made in and for the same for or on account of sanitary purposes and shall credit the said district with the receipts therefrom for or on account of such purposes and the Astley Bridge district rate;

(g) When any expenditure is incurred for sanitary purposes common to the whole of the borough the Corporation may apportion

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—

the same between the district fund account and the Astley Bridge district fund account in such manner as they deem equitable. Provided that if any question shall arise between the Corporation and any owner or ratepayer whether any such expenditure be an expenditure incurred for purposes common to the whole of the borough or be fairly apportioned between the said district fund accounts such question shall be submitted in writing by the Corporation or by such owner or ratepayer for the decision of the Minister of Health who may after inquiry thereinto make such order in the matter as he deems equitable and the order so made shall be binding and conclusive on all parties concerned and the costs of and attending the determination of such question shall be in the discretion of the Minister of Health;

(*h*) The provisions contained in the following sections of the Act of 1854 (that is to say)—

Section 150 (Amount of rate may include expenses of making and recovering same and as regards improvement rate interest on outlay);

Section 151 (Rates for more or less than a year);

Section 152 (Rates prospective and retrospective); and

Section 154 (Remedies for recovery of rates &c. cumulative)

and all other provisions now in force in the borough with respect to the making assessing levying collecting and recovery of rates shall so far as they are applicable and subject to the provisions of this Act extend and apply to and in relation to the district rate and the Astley Bridge district rate respectively.

Differential
rating in
various
parts of
borough.

168.—(1) In respect of the year commencing on the first day of April one thousand nine hundred and twenty-three and of each of the nine years next following the same (*a*) the amount in the pound of the district rate

A.D. 1922.

levied upon the hereditaments situate in the central district shall exceed by twopence the average rate as defined by this section (b) the amount in the pound of the district rate levied upon the hereditaments situate in the respective districts named in the first column of the next following table shall be less than the said average rate by the amounts respectively set forth opposite the names of the said districts in the second column of that table :—

Name of District.	Amount in the pound below the Average Rate.
Halliwell - - - - -	Sixpence.
Tonge - - - - -	Sixpence.
Great Lever - - - - -	One shilling and sixpence.
Over Hulton - - - - -	Ninepence.
Middle Hulton - - - - -	One shilling.
Deane - - - - -	Sixpence.
Lostock - - - - -	One shilling.
Heaton - - - - -	One shilling and sixpence.
Smithills - - - - -	One shilling and sixpence.

and (c) the amount in the pound of the district rate levied upon the hereditaments situate in the Rumworth district the Darcy Lever district and the Brightmet district respectively shall be an amount equal to the average rate.

(2) For the purposes of this section the expression “the average rate” means as respects each of the said ten years the amount in the pound of the rate which would be required to be levied as a general district rate over the whole of the borough (other than the Astley Bridge district) in that year in order to produce the aggregate of (a) the total sum to be raised in that year in the whole of the borough (other than the Astley Bridge district) for sanitary purposes and (b) the amount by which the aggregate proceeds of a rate levied as a general district rate upon the hereditaments respectively situate in each of the districts named in the first column of the table set forth in subsection (1) of this section of an amount in the pound equal to the sum set forth opposite the name of that district in the second column of that table would exceed the proceeds of a rate of twopence in the pound levied as a general district rate upon the hereditaments situate in the central district.

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As to refer-
ences in
former Acts
and mort-
gages to
existing
district funds
and rates.

169. On and as from the said first day of April one thousand nine hundred and twenty-three the expressions "the district funds" and "the district rates" or any like expressions wherever used in the former Acts or any mortgage granted thereunder shall be construed as references to the district funds and the district rates as defined by this Act.

Partial
exemption
from
borough
rate in
certain
cases.

170.—(1) As respects any land in the borough (other than the Astley Bridge district) used as arable meadow or pasture ground only or as woodland market garden nursery grounds or allotments or being land covered with water the amount in the pound of any borough rate levied by the Corporation shall be one-fourth of the amount in the pound of the borough rate levied on property other than any such property as is referred to in this section.

(2) As respects any land in the Astley Bridge district used as arable meadow or pasture ground only or as woodland market garden or nursery grounds cottage gardens orchards or allotments or being land covered with water the amount in the pound of any borough rate levied by the Corporation shall be one-fourth of the amount in the pound of the borough rate levied on property other than any such property as is referred to in this section.

(3) As respects any land in the borough used only as a canal or towing path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance the amount in the pound of any borough rate levied by the Corporation shall be seventy per centum of the amount in the pound of the borough rate levied on property other than any such property as is referred to in this section.

Overseers
may require
returns.

171.—(1) The overseers of the parish of Bolton may require the owner or occupier or reputed owner or occupier of any hereditament in that parish to send to them a return in writing in the form set forth in the Fifth Schedule to this Act and containing the particulars therein mentioned or referred to.

(2) Any person who wilfully refuses or neglects to make a return lawfully required under this section within fourteen days after the making of the requirement shall be liable to a penalty not exceeding five pounds

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and to a daily penalty not exceeding two pounds and any person who wilfully makes or causes to be made a false return shall be liable to a penalty not exceeding ten pounds.

(3) The overseers of the parish of Bolton shall whenever required by the assessment committee of the Bolton Poor Law Union produce from time to time to such committee the returns or any of them obtained by the overseers under the provisions of this section.

172. In addition and without prejudice to their existing powers the overseers of the parish of Bolton may amend the poor rate of that parish by inserting therein the name of any person who ought to have been rated:

Amendment
of poor rate.

Provided that—

(1) Any person who may feel himself aggrieved by any such amendment shall have the same right of appeal therefrom as he would have had if the matter of amendment had appeared on the rate originally made and with respect to him an amended rate shall be considered to have been made at the time when he first received notice of the amendment;

(2) An amended rate shall not be payable by any person whose name is thereby newly inserted until seven days after such notice has been given to him.

PART XXIII.

FINANCE.

173. All expenses incurred by the Corporation in carrying into execution the provisions of this Act (except such expenses as are to be paid out of borrowed money) shall be paid as follows (that is to say):—

Expenses o
execution of
Act.

(1) Expenses incurred for sanitary purposes (except as provided by paragraph (4) of this section) out of the district funds and district rates;

(2) Expenses incurred for purposes of the water-works undertaking out of the water revenue;

(3) Expenses incurred for purposes of the tramway undertaking out of the tramway revenue;

(4) Expenses incurred for purposes of the Widenings
Nos. 1 2 3 4 5 6 7 8 9 11 12 13 14 15 19

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20 and 21 by this Act authorised out of the tramway revenue and the borough fund and borough rate or any of them;

- (5) Expenses incurred for purposes of the omnibus undertaking out of the revenue of that undertaking or if that revenue be insufficient for the purposes to which it is applicable the deficiency shall be made up out of the tramway revenue;
- (6) Expenses incurred for purposes of the electricity undertaking or the gas undertaking of the Corporation out of the revenue of those undertakings respectively and if in any year that revenue be insufficient for the purposes to which it is applicable the deficiency shall be made up out of the district funds and district rates;
- (7) Expenses incurred for purposes of the market undertaking out of the revenue of that undertaking;
- (8) Expenses incurred for all other purposes (not otherwise provided for in this Act) out of the borough fund and borough rate:

Provided that as respects such purposes as are referred to in the foregoing paragraphs (2) (3) (5) and (7) respectively if in any year the revenue referred to in relation to those purposes be insufficient for the purposes to which it is applicable the deficiency shall be made up out of the borough fund and borough rate.

Power to borrow.

174.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the respective revenues funds and rates mentioned in the third column of the said table and they shall pay off all moneys so borrowed within the respective periods (which for the purposes of this Act and of any enactment incorporated therewith or applied thereby shall respectively be "the prescribed

period") mentioned in the fourth column thereof A.D. 1922.
 (namely):—

1. Purpose.	2. Amount.	3. Charges.	4. Period for Repayment. Years from date of borrowing.
(a) (i) For the construction of the waterworks.	£ 212,850	The water revenue and the borough fund and the borough rate.	55
(ii) For the acquisition of lands and easements for the waterworks and of the additional lands by this Act authorised to be acquired for the purposes of the water undertaking.	95,000		
(iii) For and in connection with the strengthening or reconstruction of the dam of the Belmont Reservoir and the consideration payable under the agreements set forth in the Seventh Schedule to this Act.	137,600		
(b) (i) For the construction of the tramways.	115,300	The tramway revenue and the borough fund and the borough rate.	30
(ii) For the equipment of the tramways.	31,700		
(iii) For the provision of tramcars.	44,000		
(iv) For the acquisition of lands for and for the erection of car-sheds and other buildings for the purposes of the tramway undertaking.	50,000		
(v) For the provision of omnibuses.	7,500	The tramway revenue and the borough fund and the borough rate.	8

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1. Purpose.	2. Amount.	3. Charges.	4. Period for Repayment. Years from date of borrowing.
(c) (i) For the execution of the street works and improvements (Widenings Nos. 10 16 17 and 18) authorised by this Act.	£ 2,600	The district funds and the district rates.	55
(ii) For the acquisition of lands therefor.	16,100		
(d) (i) For the execution of the street works and improvements by this Act authorised other than Widenings Nos. 10 16 17 and 18.	71,000	The tramway revenue and the borough fund and the borough rate.	55
(ii) For the acquisition of lands therefor.	353,000		
(e) (i) For the erection of baths and wash-houses.	60,000	The district funds and the district rates.	45
(ii) For the acquisition of lands therefor.	6,000		
(f) For the acquisition of lands for the general improvement of the borough.	283,850	The borough fund and the borough rate.	60
(g) For payment of the costs and expenses of obtaining this Act as hereinafter defined.	The sum requisite.		

(2)—(a) The Corporation may also with the consent of the Minister of Health borrow such money as may be necessary for any of the purposes of this Act other than the purposes of Part III. (Tramways) Part IV. (Omnibuses) Part V. (General Provisions as to Tramways and Omnibuses) and Part IX. (Electricity) and may with the consent of the Minister of Transport as respects the said Parts III. IV. and V. and of the Electricity Commissioners as respects the said Part IX. borrow such money as may be necessary for any of the purposes of those Parts respectively;

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(b) The Corporation may also borrow such further moneys as may be necessary for the purpose of providing a fund for working capital—

- (i) as respects the tramway undertaking or the omnibus undertaking with the consent of the Minister of Transport;
- (ii) as respects the electricity undertaking with the consent of the Electricity Commissioners;
- (iii) as respects any account with respect to which any deficiency is required to be defrayed out of any fund for which a rate is leviable by or under the direction of the Corporation (other than any account relating to the tramway undertaking or the omnibus undertaking or the electricity undertaking) with the consent of the Minister of Health.

(c) The Corporation may also with the consent of the Minister of Health borrow such further moneys as may be necessary for providing a working balance for the purposes of any such undertaking or account as is referred to in paragraph (b) of this subsection.

(d) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent it is borrowed and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith or applied thereby.

(e) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge such revenue fund or rate as may be prescribed by the Minister or Commissioners with whose consent the money is borrowed.

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

Section 234
of Public
Health Act
1875 not to
apply.

176. The Corporation shall pay off all moneys borrowed by them under the powers of this Act either by equal yearly or half-yearly instalments of principal or

Mode of
payment off
of money
borrowed.

A.D. 1922. — of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them and the payment of the first instalment or the first payment to the sinking fund shall be made within one year or (when the money is repaid by half-yearly instalments or by half-yearly payments to the sinking fund) within six months from the date of borrowing.

Sinking
fund.

177.—(1) If the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Act such fund shall be formed and maintained either—

(a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a “non-accumulating sinking fund”; or

(b) by payment to the fund throughout the prescribed period of such equal yearly or half-yearly sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum or such higher rate as the Minister of Health may from time to time approve will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an “accumulating sinking fund.”

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments.

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

(4) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the moneys for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would

have been produced by such sinking fund or part thereof so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based. A.D. 1922.

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

(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Corporation in addition to the payments provided for by this Act.

(7) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appear to the Minister of Health that any such increase is necessary the Corporation shall increase the payments to such extent as the Minister may direct.

(8) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be more than sufficient to repay within the prescribed period the moneys for the

A.D. 1922. repayment of which the sinking fund is formed the Corporation may reduce the payments to the sinking fund either temporarily or permanently to such amounts as will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Minister of Health be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may with the consent of that Minister discontinue the annual payments to such sinking fund until the Minister shall otherwise direct.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Minister of Health may determine.

Application
of money
borrowed.

178. All moneys borrowed by the Corporation under the powers of this Act shall be applied only to the purposes for which they are authorised to be borrowed and (except in the case of money borrowed under the powers of paragraph (b) or paragraph (c) of subsection (2) of the section of this Act of which the marginal note is "Power to borrow") to which capital is properly applicable.

Incorporating certain
sections of
Acts of
1898 and
1901.

179. Sections 85 (Power to borrow under Local Loans Act 1875) 86 (Incorporation of Commissioners Clauses Act 1847) and 90 (Corporation not to regard trusts) of the Act of 1898 and sections 69 (Certain provisions of Act of 1882 extended to this Act) and 72 (Receiver) of the Act of 1901 shall subject to the provisions of this Act extend and apply mutatis mutandis to and in relation to the like matters in this Act.

In the provisions of the Commissioners Clauses Act 1847 as hereby incorporated "the Commissioners" shall mean the Corporation and "the clerk to the Commissioners" shall mean the town clerk.

Power to
use one
form of

180.—(1) Where the Corporation have for the time being any statutory borrowing power they may (notwithstanding any other provisions of this Act) for the purpose

of exercising such power grant mortgages in pursuance of the provisions of this section.

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(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the corporate seal of the Corporation and may be made in the form contained in the Sixth Schedule to this Act or to the like effect.

mortgage
for all
purposes.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever and shall also rank equally with all other securities granted by the Corporation at any time after the date of the first grant of a mortgage under this section.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Corporation.

(5) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods by the means and out of the funds rates or revenues within by and out of which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section contained shall alter or affect the obligations of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this section and the interest upon such sums shall be paid out of the funds rates or revenues out of which such interest would have been payable respectively if this section had not been enacted.

(7) There shall be kept at the office of the Corporation a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed.

Every such register shall be open to public inspection during office hours at the said office without fee or reward

A.D. 1922. and the town clerk or other the person having the custody of the same refusing to allow such inspection shall be liable to a fine not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his rights and interests therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in the said Sixth Schedule or to the like effect.

(9) There shall be kept at the office of the Corporation a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the town clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his rights and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby.

(11) If the town clerk wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a fine not exceeding twenty pounds.

Power to
use sinking
fund
instead of
borrowing.

181.—(1) Where the Corporation are authorised by any statutory borrowing power to raise moneys 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 moneys either wholly or partially by using for such purpose so much of any moneys for the time being forming part of a sinking fund as shall be available for the repayment of—

A.D. 1922.

(a) a loan which is secured by a charge on the same rate fund or revenue as would be specifically chargeable as the security for the repayment of a loan under the statutory borrowing power if the same were raised by the issue of a fresh security and which is not shown by the deed to be raised in exercise of a particular borrowing power specified therein; or

(b) moneys borrowed and charged upon all the revenues of the Corporation in manner provided by the section of this Act whereof the marginal note is "Power to use one form of mortgage for all purposes" and not shown by the deed to be raised in exercise of a particular borrowing power specified therein.

(2) The Corporation when exercising the powers conferred on them by this section shall—

(a) withdraw from the 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 the sinking fund and thereupon the amount so credited shall be deemed to be principal moneys discharged by application of the 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 the repayment and re-borrowing of sums raised under the statutory borrowing power shall apply thereto accordingly.

(3) The provisions of this section shall not apply to any sinking fund formed under the Local Loans Act 1875.

(4) The Corporation shall furnish all such information (if any) to the Minister of Health with regard to the exer-

A.D. 1922. cise of the powers contained in this section as the Minister shall require.

Power to
re-borrow.

182.—(1) The Corporation shall have power—

- (a) to borrow for the purpose of paying off any moneys previously borrowed under any statutory borrowing power which are intended to be forthwith repaid; or
- (b) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under any statutory borrowing power and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the period prescribed for the repayment of that loan which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (a) by instalments or annual payments; or
- (b) by means of a sinking fund; or
- (c) out of moneys derived from the sale of land; or
- (d) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Power to
invest all
sinking
funds in
statutory
securities.

183. Where under the provisions of any Act of Parliament or of any Order confirmed by or having the effect of an Act of Parliament whether passed confirmed or made before or after the passing of this Act the Corporation are empowered or required to form a sinking fund for the payment off of moneys borrowed or payable by them they may (in addition to any other powers

for the time being vested in them) invest such sinking fund and the interest on the investments of such sinking fund in statutory securities. A.D. 1922.

184. A person lending any principal moneys to the Corporation shall not be bound or entitled to inquire as to the observance by the Corporation of any provisions of this Act or any other Act or Acts or of the conditions attaching to the statutory borrowing power under which the money is borrowed or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent or of any part thereof. Protection of lender from inquiry.

185. Notwithstanding anything contained in any Act or Order relating to the Corporation the accumulations of the annual sums to be paid into any accumulating sinking fund of the Corporation may be reckoned at a rate not exceeding three and a half per centum per annum or such higher rate as the Minister of Health may from time to time approve. As to accumulating sinking fund.

186.—(1) The treasurer shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to the sinking fund in respect of any of the moneys raised by the Corporation in pursuance of any statutory borrowing power and not raised by the issue of stock and at any other time when the Minister of Health may require such a return to be made transmit to the Minister a return in such form as may be prescribed by the Minister and if required by the Minister verified by a statutory declaration of the treasurer showing for the year next preceding the making of such return or for such other period as the Minister may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year together Returns as to sinking funds.

A.D. 1922. with such further information (if any) as the Minister shall require and in the event of his failing to make such return the treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(2) If it appears to the Minister by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for the sinking fund (whether such instalment or annual payment or sum is required by the Act in pursuance of which the moneys are raised or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of the sinking fund to any purposes other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

Appointed
auditors.

187.—(1) The Corporation may from time to time appoint and pay one or more members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct in lieu of the auditors appointed under the Municipal Corporations Acts Any auditor or auditors appointed by the Corporation under the provisions of this section and for the time being holding office is or are in this section referred to as “the appointed auditor.”

(2) If and while the Corporation exercise the powers of subsection (1) of this section section 25 of the Municipal Corporations Act 1882 shall not apply within the borough.

(3) Every appointment of an auditor or auditors under this section shall be in writing under the seal of the Corporation and may be for such term and subject to such conditions as the Corporation may think fit.

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(4) Subsection (1) of section 27 of the said Municipal Corporations Act 1882 shall apply and have effect as if the appointed auditor had been referred to therein instead of the borough auditors and in addition the appointed auditor shall be entitled to require from any officer of the Corporation all such papers books accounts vouchers sanctions for loans information and explanations as may be necessary for the performance of his duties.

(5) The appointed auditor shall include in or append to any certificate given by him with reference to the accounts of the Corporation such observations and recommendations (if any) as he may deem necessary or expedient with respect to the accounts and any matter arising thereout or in connection therewith.

188. From and after the passing of this Act the treasurer shall make to the Ministry of Health any return in relation to any loans fund or sinking fund or instalments which by the former Acts or any of them or by any public Act the town clerk is required to make and any provision relating to the making of such return in any such Act shall be read and have effect as if the treasurer were mentioned therein in lieu of the town clerk.

Treasurer instead of town clerk to make annual returns to Ministry of Health.

189. The Corporation may from time to time borrow under the provisions of this Part of this Act such sum or sums as they may require for the redemption of any gas annuities which they may agree with any holder of such annuities to purchase or redeem and any moneys borrowed under the powers of this section shall be borrowed on the security of the revenue of the gas undertaking of the Corporation and of the district funds and district rates and the prescribed period for the repayment of the moneys so borrowed shall for the purposes of this Part of this Act be such period not exceeding thirty years from the date of the borrowing as the Corporation may determine.

Power to borrow for redeeming gas annuities.

190. In any case where notice in accordance with the Act of 1854 as extended by Article I. of the Order of 1893 is given to the owner or occupier of any house requiring him to provide a sufficient water-closet slop-closet earth-closet privy or ashpit or any similar sanitary convenience the Corporation may if they think fit contribute such sum of money as they may determine

Power to contribute towards expenses of providing sanitary accommodation in houses.

A.D. 1922. — towards the expenses incurred by such owner or occupier in complying with the requirements of the notice.

Power to borrow for purposes in connection with provision of water-closets &c.

191.—(1) The Corporation may with the consent of the Minister of Health borrow such money as may be necessary for (a) any contributions made by them under the provisions of the section of this Act of which the marginal note is "Power to contribute towards expenses of providing sanitary accommodation in houses" and (b) the payment of any expenses incurred by the Corporation or contributions made by them under the provisions of section 43 (Privy ashpits pail closets and cesspools) of the Act of 1901.

(2) Any money borrowed under this section shall be repaid within such period as may be prescribed by the Minister of Health and that period shall be the prescribed period for the purposes of this Act and the enactments incorporated therewith.

(3) In order to secure the repayment of any money borrowed under this section and the payment of interest thereon the Corporation may mortgage or charge the district funds and district rates.

Increasing rate of interest under certain enactments.

192.—(1) From and after the passing of this Act the enactments mentioned in the first column of the following table (and any other enactment prescribing a rate of interest to be paid to the Corporation of less than six pounds per centum per annum) shall be read and have effect (in the case of the first mentioned enactments) as if the words "not exceeding six pounds per centum per annum or such other rate as may from time to time be determined by the Minister of Health" were therein respectively inserted in lieu of the words mentioned in the second column of that table and (in the case of any such other enactment) as if those words were inserted in lieu of the words prescribing such less rate as aforesaid:—

Public Health Act 1875 section 257.	Five pounds per centum per annum.
The Act of 1872 section 117.	Not exceeding five pounds per centum per annum.
The Act of 1901 section 85.	Not exceeding five per centum per annum.

(2) The provisions of this section shall not operate so as to increase the rate of interest payable to the Corporation in pursuance of any contract agreement or

obligation entered into or incurred before the date of this Act. A.D. 1922.

193. If any moneys are payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation. Receipt in case of persons not sui juris.

PART XXIV.

MISCELLANEOUS.

194. For the protection of Edward Deakin of Egerton Hall Bolton-le-Moors his heirs executors administrators and assigns (all of whom are in this section included in the expression "the owner") and of Deakins Limited and their assigns (all of whom are in this section included in the expression "the company") the following provisions shall (unless otherwise agreed in writing between the Corporation and the owner or the company as the case may be) apply and have effect (that is to say):—

For protection of Edward Deakin and Deakins Limited.

- (1) Within one year from the passing of this Act the Corporation shall serve on the owner notice to treat for all the lands of the owner (including all the mines and minerals thereunder and all sporting and other rights and interests of the owner therein or thereover) which are coloured pink on the plan signed by Sir William Middlebrook the Chairman of the Committee of the House of Commons to which the Bill for this Act was referred (hereinafter referred to as "the signed plan") of which plan one copy has been deposited at the Office of the Clerk of the Parliaments one copy has been deposited at the Private Bill Office of the House of Commons one copy has been retained by the owner and one copy has been retained by the Corporation:
- (2) If the owner (by notice in writing to the Corporation within fourteen days from the receipt by him of the notice to treat for the said lands coloured pink) shall so require the Corporation shall also purchase and the owner shall sell to them all the lands of the owner coloured blue on the signed plan and all mines and minerals and all sporting and other rights and interests

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of the owner in under over or with respect to those lands and the lands coloured brown on the signed plan and also the sporting rights of the owner on and over the lands coloured green on the signed plan and the notice to treat for the said lands coloured pink shall be deemed to include all the lands mines minerals rights and interests mentioned in this subsection :

- (3) Notwithstanding anything in this Act or on the deposited plans the Corporation shall not under the powers of this Act (except as provided by subsections (1) and (2) of this section or except by agreement with the owner or the company as the case may be) enter upon or acquire any lands or property now belonging to the owner or the company or any existing right interest or estate of the owner or the company in any lands :
- (4) The Corporation shall not sell or lease for any term exceeding twenty-one years or otherwise dispose of any part of the lands acquired by them under the provisions of subsection (1) of this section without first offering the same to the owner and the provisions of sections 129 and 130 of the Lands Clauses Consolidation Act 1845 shall apply with respect to any such offer :
- (5) Notwithstanding anything in this Act or in any existing Act relating to the Corporation no work for the abstraction of underground water shall except by agreement with the owner be constructed by the Corporation upon the lands coloured pink on the signed plan southward or eastward of the road leading from Stone's Bank Bridge in a northerly direction to the Blackburn Road :
- (6) Except in cases of emergency or in times of flood the Corporation shall not under the powers of the section of this Act of which the marginal note is "Temporary discharge of water into streams" or under the powers of any earlier Act relating to any of their reservoirs discharge water into the Delph Brook or the Eagley Brook at any point above the confluence of those brooks or into any tributary flowing into either of those brooks at any point above such confluence

unless they shall have given to the company not less than twenty-four hours previous notice in writing of their intention so to do :

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(7) Notwithstanding anything in this Act or in any existing Act the Corporation shall not (except as provided by the section of this Act of which the marginal note is "As to compensation water for Delph Brook") discharge or allow to flow directly or indirectly into the Delph Reservoir or the Delph Brook or any tributary of that brook or into the compensation water gauge basin of the Delph Reservoir any water derived from any well or other underground work :

(8) Nothing in this Act shall prejudice or interfere with any rights of the company or the Corporation under the lease granted on the tenth day of March one thousand nine hundred and twenty-two by the Corporation to the company or authorise the company or the Corporation to infringe any of the covenants agreements conditions and restrictions to which the company or the Corporation are subject under that lease.

195.—(1) Section 37 (As to agreements respecting Worsley &c.) of the Act of 1872 is hereby repealed and the agreement of which a copy is set forth in the Second Part of the Sixth Schedule to that Act is hereby cancelled.

Repeal of section 37 of Act of 1872 and confirmation of substituted agreements.

(2) The indentures of which copies are set forth in the First and Second Parts respectively of the Seventh Schedule to this Act are hereby confirmed and made binding on the respective parties thereto.

(3) Nothing in this section shall be construed as reviving or giving any force or effect to the agreements described in the First Part of the said Sixth Schedule to the Act of 1872.

196.—(1) The provisions of section 91 of the Public Health Act 1875 shall extend to and be applicable in respect of the emission from any chimney of any grit or gritty particles as if such grit or gritty particles were smoke arising from furnaces.

Preventing nuisance caused by emission of grit from chimneys.

(2) This section shall not apply to any locomotive steam engine used on the railway of the London and

A.D. 1922. — North Western Railway Company or to any mechanically propelled road vehicle.

As to offices and show-rooms.

197. The Corporation may in connection with and for the purposes of the electricity undertaking and of their gas undertaking respectively fit up show-rooms and offices and exhibit specimen installations and give demonstrations of the uses to which electrical energy or gas can be put and may appoint and pay persons for the purposes aforesaid.

Power to convert destructor refuse into slabs and other materials and to use and sell such materials.

198. The Corporation may convert any clinkers or other refuse or surplus material or product arising in connection with their refuse destructor or destructors into slabs of artificial stone bricks concrete mortar material for filtration or percolation purposes at sewage disposal works and other materials and may construct such buildings and works and may in connection therewith provide and erect such machinery plant and appliances as may be required and any such slabs bricks concrete mortar or other materials so produced may be utilised by the Corporation for making and repairing streets or for any other purposes connected with the work of the Corporation for which they may be suitable or may be sold by the Corporation who shall carry the proceeds arising from any sales thereof to the credit of the district funds.

Penalty for keeping obscene pictures &c. for sale.

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

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

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

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

(5) The provisions of this section shall cease to be in force within the borough at the expiration of five years from the date of the passing of this Act unless they shall have been continued by Act of Parliament or by Provisional Order confirmed by Parliament which Order the Secretary of State is hereby empowered to make in accordance with the provisions of the Public Health Act 1875 relating to Provisional Orders amending Local Acts and in the application of those provisions to the purposes of this section the Secretary of State shall be substituted for the Local Government Board or the Minister of Health.

200. Notwithstanding the provisions of section 75 of the Towns Improvement Clauses Act 1847 it shall not be incumbent upon the surveyor to cause a hoard or fence to be put up in the case of a dangerous chimney.

Amendment
of section 75
of Towns
Improvement
Clauses Act
1847.

201.—(1) The Corporation may appoint and remove such officers as they deem necessary to assist the overseers of the parish of Bolton in the discharge of their duties and the salaries and expenses of such officers shall be

Assistants
to over-
seers.

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determined by the Corporation and shall be paid out of the poor rate and other local rates and funds properly chargeable with salaries and expenses in such proportions as the Corporation shall determine.

(2) All officers (other than existing officers) so appointed shall give such security to the Corporation for the due performance of their duties as may be required by the Corporation and such security shall be deposited with the Corporation.

(3) Officers appointed by the Corporation under this section shall not be deemed to be assistant overseers within the meaning or for the purposes of the Poor Law Amendment Act 1844.

Assistant overseers appointed by Corporation not to give security to guardians.

202. Assistant overseers appointed by the Corporation shall not be required to give security to the guardians of the union under section 61 of the Poor Law Amendment Act 1844.

Power to Corporation to apply funds towards associations institutions &c.

203. The Corporation may pay out of the borough fund as expenses incurred by them under the Municipal Corporations Act 1882 reasonable subscriptions (whether annual or otherwise) to the funds of any association of municipal corporations or of 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 and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings.

Power to appoint deputy medical officer of health.

204.—(1) The Corporation may appoint as deputy medical officer of health and pay a person legally qualified for the practice of medicine surgery and midwifery to assist the medical officer in the proper execution of the provisions of the Public Health Acts and of this Act and any of the former Acts in force within the borough.

(2) In case of the illness or absence of the medical officer and at other times to such extent as the Corporation shall by resolution direct all things required or authorised to be done by or to the medical officer may be done by or to the deputy medical officer.

205. 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 dispensary or other institution of a similar character such sum or sums as they may from time to time think fit not exceeding in any year the amount which would be produced by the levying of a borough rate of one penny in the pound and to charge the amount of any such subscriptions to or apportion the same among all or any of their funds and revenues.

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Power to Corporation to subscribe to hospitals &c.

206. The provisions of the Town Police Clauses Act 1847 and the byelaws of the Corporation in force with respect to hackney carriages shall be as fully applicable in all respects to hackney carriages standing or plying for hire at any railway station or railway premises within the borough as if such railway station or railway premises were a stand for hackney carriages or a street :

Vehicles at railway stations.

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

Provided also that nothing in this section shall empower the Corporation to fix the site of the stand or starting place of any hackney carriage or other vehicle in any railway station or railway premises or in any yard belonging to a railway company except with the consent of the railway company owning such station or yard.

207.—(1) The Corporation may require any taximeter or other similar apparatus used or intended to be used on any hackney carriage plying for hire within the borough to be tested and inspected and they may also require any taximeter or other similar apparatus to be re-tested and re-inspected at such reasonable intervals of time as the Corporation may prescribe and no such taximeter or other similar apparatus shall be used or be continued in use unless the same be certified to register correctly and the expenses of such testing and certificate not exceeding five shillings in any one year shall be borne by the owner of the hackney carriage.

Inspection and certification of taximeters:

A.D. 1922.

(2) The Corporation shall issue a certificate in respect of any taximeter found by them to register correctly and such certificate shall be dated with the date upon which such taximeter was last tested and inspected.

(3) Any person using a taximeter or other similar apparatus which is not so certified or failing to submit the same for testing and inspection at such reasonable intervals of time as aforesaid shall be liable to a penalty not exceeding forty shillings.

Power to
grant
occasional
licences.

208. An occasional licence for a public vehicle to ply for hire may be granted by the Corporation to be in force for such day or days or other periods less than one year as may be specified in the licence.

Power of
entry.

209. The provisions of section 102 (Power of entry of local authority) and section 103 (Penalty for disobedience of order) of the Public Health Act 1875 shall so far as applicable extend and apply to the purposes of Part X (Streets and Buildings) Part XII (Means of escape in case of Fire) Part XIII (Sanitary) Part XIV (Human Food) Part XV (Infectious and Contagious Diseases) Part XIX (Sewers and Drains) Part XX (Verminous Houses and Persons) and Part XXI (Offensive Trades) of this Act as if those purposes had been mentioned in the said section 102.

Penalty on
occupier
refusing
execution
of Act.

210. If the occupier of any house or part of a house or premises shall prevent the owner thereof from carrying into effect any requirement of the Corporation under the provisions of Part X (Streets and Buildings) Part XII (Means of escape in case of Fire) or Part XIII (Sanitary) of this Act or any byelaw made under any of those provisions then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding forty shillings and during the continuance of his refusal the owner shall

be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works. A.D. 1922.

211. The provisions of sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this Act except byelaws to which the provisions of the Tramways Act 1870 are applicable. Confirmation of byelaws.

212. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the Secretaries of the Board." Inquiries by Minister of Transport.

213. Where under this Act or under any general or local Act for the time being in force in the borough the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent. As to breach of conditions of consent of Corporation.

214. Where in any legal proceedings taken by or on behalf of or against the Corporation or any officer servant solicitor or agent of the Corporation or any committee of the Corporation under this Act or under any general or local Act for the time being in force in the borough it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the Corporation or to prove any resolution or order of the Corporation or any resolution order or report of any committee of the Corporation a certificate of such appointment authority resolution order or report purporting to be authenticated by the signature of the mayor or of the town clerk shall be primâ facie evidence of Evidence of appointments authority &c.

A.D. 1922. — such appointment authority resolution order or report without further proof of the holding of any meeting or the production of any minute book or other record or document.

Informa-
tions by
whom to
be laid.

215. 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 byelaw made thereunder may be laid and made by any officer of the Corporation duly authorised in that behalf or by the town clerk or by any police officer acting for or within the borough.

Damages
and charges
to be settled
by court.

216. Where any damages expenses or charges are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act mentioned the amount of such damages expenses or charges in case of dispute respecting the same may be settled and determined by the court before whom any offender is convicted.

Recovery of
demands.

217. 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.

Compensa-
tion how to
be deter-
mined.

218. 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 Acts.

Consent of
Corporation
to be in
writing.

219. All consents given by the Corporation under the provisions of this Act or of any Local Act order byelaw or regulation for the time being in force within the borough shall be given in writing and unless otherwise prescribed shall be given under the hand of the town clerk or other duly authorised officer of the Corporation.

Incorpora-
tion of
certain
sections of
Act of 1905.

220. The provisions contained in the following sections of the Act of 1905 (that is to say):—

Section 100 (As to appeal);

Section 101 (Recovery of penalties);

Section 102 (Judges &c. not disqualified);

Section 103 (Powers of Act cumulative);

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Section 104 (Inquiries by Local Government Board);

Section 105 (Audit of accounts);

shall extend and apply mutatis mutandis to and in relation to the like matters in this Act.

221. 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.

Saving for
indictments
&c.

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

Crown
rights.

223. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation in the first instance out of the borough fund and borough rate but ultimately out of money borrowed under the authority of this Act for that purpose.

Costs of
Acts.

A.D. 1922. The SCHEDULES referred to in the foregoing
Act.

THE FIRST SCHEDULE.

- The Bolton Improvement Act 1854.
- The Bolton Improvement Act 1861.
- The Bolton Improvement Act 1864.
- Provisional Order confirmed by the Local Government Supplemental Act 1864.
- The Bolton Improvement Act 1865.
- Two Provisional Orders confirmed by the Local Government Supplemental Act 1871.
- Provisional Order confirmed by the Local Government Supplemental Act 1871 (No. 4).
- The Bolton Corporation Act 1872.
- The Bolton Improvement Act 1877.
- The Bolton and Suburban Tramways Order 1878 confirmed by the Tramways Orders Confirmation (No. 1) Act 1878.
- Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation (Abergavenny Union &c.) Act 1879.
- The Bolton Improvement Act 1882.
- Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation Act 1885.
- Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1888.
- The Bolton and Suburban Tramways Order 1888 confirmed by the Tramways Orders Confirmation (No. 2) Act 1888.
- Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1890.
- The Bolton Corporation Tramways Act 1891.
- The Bolton Electric Lighting Order 1891 confirmed by the Electric Lighting Orders Confirmation (No. 1) Act 1891.
- Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation Act 1892.
- The Bolton Corporation Tramways Act 1893.
- Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1893.
- Provisional Order (Bolton Order 1894) confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1894.

Provisional Order (Bolton Order (No. 2) 1894) confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1894. A.D. 1922.

The Bolton Tramways and Improvement Act 1897.

The Bolton Turton and Westhoughton Extension Act 1898.

The Bolton (Extension) Electric Lighting Order 1898 confirmed by the Electric Lighting Orders Confirmation (No. 14) Act 1898.

Provisional Order (Bolton Order 1899) confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1899.

The Bolton Corporation Act 1901.

Provisional Order (Bolton (Housing of Working Classes) Order 1903) confirmed by the Local Government Board's Provisional Order Confirmation (Housing of Working Classes) Act 1903.

Provisional Order (Bolton Order 1904) confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1904.

The Bolton Corporation Act 1905.

The Bolton Corporation Tramways Order 1909 confirmed by the Tramways Orders Confirmation Act 1909.

Provisional Order (Bolton Order 1910) confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1910.

THE SECOND SCHEDULE.

Section 83.

PART I.

(a) Lands in the urban district of Turton lying to the eastward of the Entwistle Reservoir of the Corporation and between the road leading from Hall Shores Croft to Entwistle Station and the road leading from Edge Fold to that station and comprising the enclosures respectively numbered 480 481 494 and 495 in the parish of Edgworth on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheets LXXIX. 5 6 9 and 10).

(b) Lands in the said urban district of Turton bounded on the south by the Entwistle Reservoir of the Corporation on the west and part of the east by lands belonging to the Corporation on the north by the enclosures respectively numbered 673 674 and 675 in the Parish of Edgworth on the $\frac{1}{2500}$ scale Ordnance map edition of 1911 (Lancashire sheet LXXIX. 1) on the east by the enclosure numbered on the said Ordnance map and on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet

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A.D. 1922. LXXIX. 5) 664 in the said parish and by the enclosures respectively numbered on the last mentioned Ordnance map 647 648 639 621 593 604 595 596 544 and 554 in the said parish.

(c) Lands in the borough of Darwen abutting on the south-eastern side of the main road from Bolton to Darwen comprising the premises known as Duckworth's Arms and the cottages adjoining thereto being the enclosure numbered 7 in the parish of Darwen on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXIX. 5) and so much (if any) of the enclosure numbered on that Ordnance map 23 in the said parish as is opposite those premises and does not form part of the public highway.

(d) Lands in the said urban district of Turton abutting on the south-eastern side of the said main road from Bolton to Darwen and on the north-eastern side of the road leading from the said main road to Chapeltown comprising the premises known as Greens Arms Inn and cottages adjoining thereto being the enclosure numbered 1520 in the said parish of Turton on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXIX. 5) and so much (if any) of the enclosure numbered on that Ordnance map 1526 in the said parish as is opposite those premises and does not form part of the public highway and so much of the enclosure numbered on the said Ordnance map 1518 in the said parish as does not belong to the Corporation.

(e) An area of land in the said urban district of Turton lying to the north of the Delph Reservoir of the Corporation bounded on the easterly or south-easterly side thereof partly by a line or imaginary line drawn in a south-westerly direction from a point in the boundary between the enclosures respectively numbered on the $\frac{1}{2500}$ scale Ordnance map edition of 1910 (Lancashire sheet LXXIX. 9) 1356 and 1389 in the said parish of Turton two hundred and fifty-three yards south-eastward of the northernmost corner of the said enclosure numbered 1356 in the said parish to the easternmost corner of the enclosure numbered on the said Ordnance map 1359 in the said parish thence along the eastern boundary of that enclosure to and in a south-easterly direction along the north-eastern boundary of the enclosure numbered on the $\frac{1}{2500}$ scale Ordnance map (Lancashire sheet LXXIX. 13) 1360 in the said parish to the north-eastern corner of the enclosure numbered on the last-mentioned Ordnance map 1342 in the said parish thence in a southerly direction along the easternmost boundary of that enclosure to the southernmost point of that boundary thence in a south-westerly direction to the easternmost corner of the enclosure numbered on the last-mentioned Ordnance Map 1343 in the said parish thence in a south-westerly direction along the south-eastern boundary of that enclosure to the southernmost point of that boundary thence in a south-westerly direction to and across the Blackburn Road to

a point in the western side thereof sixty-seven yards northward of the point of junction with that road of Cox Green Road thence in a westerly direction to a point in the western side of the roadway leading to and past the entrance gates to the Delph Reservoir forty-five yards northward of the centre of such entrance gates thence in a southerly direction to the said entrance gates and on all other sides by lands belonging to the Corporation excepting from the lands so to be acquired any interest in any public highways comprised in the said area which does not belong to the owners of the lands adjoining such highways. A.D. 1922.

(f) An area of land partly in the borough and partly in the said urban district of Turton bounded on the north-west by lands belonging to the Corporation situate on the north-westerly side of Gale Brook and by the boundary between the parishes of Belmont and Bolton on the east partly by an imaginary line drawn from a point in the northern boundary of the enclosure numbered on the $\frac{1}{2500}$ scale Ordnance map edition of 1908 (Lancashire sheet LXXXVI. 4) 13 in the said parish of Belmont $1\frac{1}{2}$ chains or thereabouts eastward of the aqueduct traversing the said enclosure where that aqueduct crosses the said Gale Brook to a point in the south-eastern boundary of the said enclosure numbered 13 $4\frac{1}{2}$ chains or thereabouts measured in a north-easterly direction from the centre of the main road from Bolton to Preston and partly by the said main road on the south-east by the enclosure numbered on the said Ordnance map 62 in the parish of Bolton and on the south by the enclosures respectively numbered on the said Ordnance map 65 66 and 68 in the said parish of Bolton excepting from the lands so to be acquired any interest in any public highways comprised in the said area which does not belong to the owners of the lands adjoining such highways.

PART II.

Lands in the borough bounded on the north-east by Greenhalgh Street on the south-west by Richmond Court on the north-west by Lune Street and on the south by Moss Street.

PART III.

(a) Lands in the borough bounded on the north partly by Deansgate and partly by Back Deansgate on the south by Great Moor Street on the east partly by Queen Street and partly by Howell Croft North Victoria Square and Howell Croft South and on the west by Blackhorse Street.

(b) Lands in the borough bounded on the north by Victoria Square on the south by Ashburner Street on the east by Old Hall Street South and on the west by Howell Croft South.

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Section 87.

THE THIRD SCHEDULE.

DESCRIPTION OF PROPERTIES OF WHICH PORTIONS ONLY
MAY BE ACQUIRED BY THE CORPORATION.

Area.	Number of Street Work.	Number on deposited Plans.
Borough of Bolton	Widening No. 1 -	27 to 39 (both numbers inclusive).
	Widening No. 3 -	51.
	Widening No. 5 -	4 5.
	Widening No. 10 -	1 3.
	Widening No. 11 -	1 3.
	Widening No. 12 -	1 2 3 12.
	Widening No. 18 -	1.

Section 153.

THE FOURTH SCHEDULE.

PART I.

TOLLS AND STALLAGES FOR MARKETS AND MARKET PLACES.

	<i>s. d.</i>
For every covered and uncovered shed stall bulk block waggon cart trestle standing place or station (not being a shop) occupying any space on the ground for every superficial square foot or fractional part of a superficial square foot per day or fractional part of a day the sum of - - - - -	0 1
For every shop per superficial square foot or fractional part of a superficial square foot per week or fractional part of a week the sum of - - - - -	0 2
For every horse or bull the sum of - - - - -	1 0
For every cow ox stirk bullock ass or mule the sum of - - - - -	0 6
For every pig calf sheep lamb or other animal not hereinbefore specified the sum of - - - - -	0 2
For every load of hay or straw green clover vetches or other green crop—	
In 4-wheeled vehicle the sum of - - - - -	1 6
In 2-wheeled vehicle the sum of - - - - -	1 0

PART II.

A.D. 1922.

TOLLS AND CHARGES FOR FAIRS.

	<i>s.</i>	<i>d.</i>
For every pig the sum of - - - - -	0	2
For every horse colt foal mule or ass bull cow ox or bullock the sum of - - - - -	0	6
For every calf sheep lamb or other animal not hereinbefore specified the sum of - - - - -	0	1
For every waggon cart gig or other vehicle the sum of -	5	0
For every whirlabout up-and-down swing-boat merry-go- round set of swing boxes or other fair amusement or article of the like nature carriage or other vehicle being an exhibition or show each day per superficial square foot the sum of - - - - -	0	2

PART III.

CHARGES FOR WEIGHING OR MEASURING ARTICLES.

	<i>s.</i>	<i>d.</i>
For every quantity of meat article or thing in weight not exceeding 112 lbs. the sum of - - - - -	0	1
Above 112 lbs. but not exceeding 224 lbs. the sum of -	0	2
Above 224 lbs. but not exceeding 336 lbs. the sum of -	0	3
Above 336 lbs. for every additional 112 lbs. or fractional part of 112 lbs. the sum of - - - - -	0	1
For every quantity of goods and things sold by measure not more than one bushel the sum of - - - - -	0	1
For every quantity more than a bushel and not more than two bushels the sum of - - - - -	0	2
For every bushel or fractional part of a bushel beyond two bushels the sum of - - - - -	0	1

PART IV.

CHARGES FOR THE USE OF WEIGHING MACHINES.

	<i>s.</i>	<i>d.</i>
For weighing any cart waggon or other vehicle laden or unladen not exceeding 5 tons the sum of - - - - -	0	6
Above 5 tons and under 10 tons the sum of - - - - -	0	8
Above 10 tons and under 15 tons the sum of - - - - -	1	6
Above 15 tons and under 20 tons the sum of - - - - -	3	0
Above 20 tons and under 25 tons the sum of - - - - -	6	0
Above 25 tons and under 30 tons the sum of - - - - -	7	6
30 tons and upwards the sum of - - - - -	15	0

A.D: 1922.

<p>5. If the occupation is in respect of part only of a house or premises state the extent and on which floor or floors - - - -</p>	
<p>6. Amount of rent - - - - £ per <i>Or</i> If ground rent only is paid state its amount - - - - £ per</p>	
<p>7. Whether the property is held under lease or agreement for a period of years - - - - <i>Or</i> by the year quarter month or week - - - -</p>	
<p>8. (a) Date of commencement of term of lease or agreement - - - (a) (b) Term of years for which granted - - - (b) (c) Whether granted for any consideration in money in addition to the rent or upon any condition as to laying out money in building rebuilding or improvements - - - (c) (If none insert "None".)</p>	<p>Amount paid for lease £</p>
<p>9. If the occupier is the owner or has purchased the lease the full annual value should be stated <i>i.e.</i> the amount at which the property is worth to be let by the year the owner keeping it in repair - - - -</p>	<p>} Annual value £</p>
<p>10. (a) Amount of land tax (if any) - (a)£ . Borne by the (b) Amount of tithe rentcharge or of any rate or assessment in lieu of tithes paid in the year 19 (b)£ . Borne by the (State in each case whether borne by the landlord or tenant.)</p>	
<p>11. Whether all usual tenant's rates and taxes are paid and borne by the occupier in addition to the rent - - - -</p>	

A.D. 1922.

12. Whether the landlord or the tenant undertakes to bear the cost of repairs insurance and other expenses necessary to maintain the property
(If each undertakes to bear part only of the costs of repairs state the particulars.)

DECLARATION.

I declare that the foregoing particulars are in every respect fully and truly stated to the best of my judgment and belief.

Section 180.

THE SIXTH SCHEDULE.

FORM OF MORTGAGE.

BOROUGH OF BOLTON.

By virtue of the Bolton Corporation Act 1922 and of other their powers in that behalf them enabling the mayor aldermen and burgesses of the borough of Bolton (hereinafter referred to as "the Corporation") in consideration of the sum of _____ pounds (hereinafter referred to as "the principal sum") paid to the treasurer of the borough by _____ (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the principal sum doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the principal sum shall be fully paid and satisfied with interest for the same at the rate of _____ per centum per annum from the day of _____ one thousand nine hundred and _____ until payment of the principal sum such interest to be paid half-yearly on the _____ day of _____ and the _____ day of _____ in each year And it is hereby agreed that the principal sum shall be repaid at the town hall in the said borough [on the _____ day of _____ one thousand nine hundred and _____] [at the expiration of _____ calendar months after demand thereof by the mortgagee or notice by the Corporation of intention to pay off the same.]

In witness whereof the Corporation have caused their corporate seal to be hereunto affixed this _____ day of _____ one thousand nine hundred and _____

A.D. 1922.

FORM OF TRANSFER OF MORTGAGE.

I [the within-named] _____ of _____ in consideration of the sum of _____ pounds paid to me by _____ of _____ (hereinafter referred to as "the transferee") do hereby transfer to the transferee [his] executors administrators and assigns [the within written security] [the mortgage number _____ of the revenues of the mayor aldermen and burgesses of the borough of Bolton bearing date the _____ day of _____] and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions.

Dated this _____ day of _____ one thousand nine hundred and _____

THE SEVENTH SCHEDULE.

PART I.

THIS INDENTURE made the twenty-ninth day of March one thousand nine hundred and twenty between the Right Honourable ORLANDO EARL OF BRADFORD (hereinafter referred to as "the present Earl") of the first part the Right Honourable ROBERT GEORGE EARL OF PLYMOUTH and the Reverend ERNEST RICHARD ORLANDO BRIDGEMAN rector of Blymhill in the county of Stafford Clerk in Holy Orders (hereinafter referred to as "the Trustees") of the second part and the MAYOR ALDERMEN AND BURGESSES OF THE COUNTY BOROUGH OF BOLTON (hereinafter referred to as "the Corporation") of the third part.

WHEREAS by an agreement dated the seventeenth day of April one thousand eight hundred and seventy-two and made between the mayor aldermen and burgesses of the borough of Bolton of the first part the Right Honourable Orlando George Charles

Section 195.
Stamp.

Ten shillings.
Duty paid thirty-eight pounds.

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Earl of Bradford of the second part and William Jackson Rideout of the third part after reciting that a Bill was then pending before Parliament intituled "A Bill for empowering the mayor
" aldermen and burgesses of the borough of Bolton to make
" street improvements and additional waterworks and for
" transferring to them gasworks and for amending the Acts
" relating to the borough and for other purposes" and reciting that the parties thereto of the second and third parts having petitioned against the said Bill and the said mayor aldermen and burgesses (thereinafter called "the Corporation") being desirous that the said parties thereto of the second and third parts should withdraw their opposition it had been arranged that all the said parties should enter into the agreement therein-after contained it was agreed between the Corporation and the parties thereto of the second and third parts (inter alia) that the Corporation should for ever pay to the Earl of Bradford or other the owner for the time being of the Great Lever Works a yearly sum of not less than fifty pounds and the agreement now in recital contained a provision that as soon as and while a gross yearly income exceeding one thousand two hundred and fifty pounds should be received by the Corporation for the supply of water to the townships of Worsley Little Hulton and Clifton or any of them the Corporation should in addition to the sum thereinbefore mentioned pay a yearly sum after the rate of four pounds for every one hundred pounds and so in proportion for any less sum than one hundred pounds of such gross income beyond one thousand two hundred and fifty pounds to the Earl of Bradford or other the owner for the time being of the Great Lever Works but so nevertheless that the total yearly sum to be payable in any one year to the Earl of Bradford or other such owner for the time being as aforesaid should not exceed two hundred pounds inclusive of the said sum of fifty pounds and it was further provided that the said agreement now in recital should only take effect in the event of the same being confirmed by Parliament during the then present Session :

And whereas the hereinbefore recited agreement of the seventeenth day of April one thousand eight hundred and seventy-two was duly confirmed and made binding on the parties thereto by the 37th section of the Bolton Corporation Act 1872 :

And whereas by an Indenture of Resettlement dated the twelfth day of August one thousand eight hundred and ninety-five and made between the Right Honourable Orlando George Charles Earl of Bradford the Honourable George Cecil Orlando Bridgeman (then Viscount Newport) and the present Earl (therein called Orlando Bridgeman) of the first part the said Right Honourable Orlando George Charles Earl of Bradford of the second part the said George Cecil Orlando Bridgeman Viscount Newport of the third part the present Earl of the fourth part the Trustees

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(the said Earl of Plymouth then being Baron Windsor) of the fifth part and Charles George Orlando Bridgeman and William Clive Bridgeman of the sixth part the hereditaments hereinbefore referred to and known as the Great Lever Works were together with other hereditaments limited and settled to uses under which the present Earl is now tenant for life in possession thereof and the Trustees were appointed trustees of the said Indenture of Resettlement for the purposes of the Settled Land Acts 1882 to 1890:

And whereas the present Earl by virtue of the powers vested in him by the Settled Land Acts 1882 to 1890 and of every other power (if any) enabling him in that behalf has agreed with the Corporation for the absolute sale to them at the price of three thousand eight hundred pounds of the yearly sum or sums of money hereinafter more particularly described and intended to be hereby assured:

Now this indenture witnesseth that in consideration of the sum of three thousand eight hundred pounds now paid by the Corporation by the direction of the present Earl to the Trustees as such Trustees as aforesaid (the receipt whereof the Trustees do hereby acknowledge and the payment whereof in manner aforesaid the present Earl doth hereby acknowledge) the present Earl as beneficial owner by virtue of the powers vested in him by the Settled Land Acts 1882 to 1890 and of every or any other power enabling him in that behalf doth hereby grant release and confirm unto the Corporation all that the right to receive for ever the yearly sum or sums of money not exceeding in any one year the sum of two hundred pounds agreed to be paid by the Corporation to the Earl of Bradford or other the owner for the time being of the Great Lever Works under and by virtue of the hereinbefore recited agreement of the seventeenth day of April one thousand eight hundred and seventy-two to hold the same unto and to the use of the Corporation their successors and assigns absolutely to the intent that all such yearly sums payable by the Corporation to the present Earl or other the owner for the time being of the Great Lever Works in accordance with the provisions of the hereinbefore recited agreement of the seventeenth day of April one thousand eight hundred and seventy-two shall henceforth absolutely determine and cease to be payable:

Provided always that as respects the remainder or reversion expectant on the life estate of the present Earl in the premises hereby assured and the title to and further assurance of the said premises after his death the covenants by the present Earl which are implied by reason of his conveying as beneficial owner shall not extend to the acts or defaults of any person or persons other than or besides himself and his heirs and persons claiming by through or in trust for him And the present Earl

A.D. 1922.

hereby covenants with the Corporation that he will not oppose so far as the same relates to the premises hereby assured any Bill which may hereafter be promoted in Parliament by the Corporation having amongst its objects the repeal of the said thirty-seventh section of the Bolton Corporation Act 1872 and the confirmation of these presents. And the present Earl hereby acknowledges the right of the Corporation to production of the said Indenture of Resettlement of the twelfth day of August one thousand eight hundred and ninety-five and to delivery of copies thereof and hereby undertakes for the safe custody thereof.

In witness whereof the present Earl and the Trustees have set their hands and seals and the Corporation have caused their common seal to be affixed hereto the day and year first before written.

Signed sealed and delivered by
the above-named Orlando
Earl of Bradford in the
presence of—

E. HORSMAN BAILEY
5 Berners St.
London
Solr.

BRADFORD. (L.S.)

Signed sealed and delivered by
the above-named Robert
George Earl of Plymouth in
the presence of—

M. R. MARGESSON
Howell Grange
Redditch
Private Secretary

PLYMOUTH. (L.S.)

Signed sealed and delivered by
the above-named Ernest
Richard Orlando Bridgeman
in the presence of—

Clara C. Pitt
Blymhill Rectory
Staffs
Housekeeper.

ERNEST R. O. BRIDGEMAN.
(L.S.)

PART II.

A.D. 1922.

THIS INDENTURE made the nineteenth day of May one thousand nine hundred and twenty between the BLEACHERS' ASSOCIATION LIMITED whose registered office is situate at 4 Norfolk Street in the city of Manchester (hereinafter referred to as "the Association") of the one part and the MAYOR ALDERMEN AND BURGESSES OF THE COUNTY BOROUGH OF BOLTON (hereinafter referred to as "the Corporation") of the other part.

Stamps.

Thirty-eight
pounds.

WHEREAS by an agreement dated the seventeenth day of April one thousand eight hundred and seventy-two and made between the mayor aldermen and burgesses of the borough of Bolton of the first part the Right Honourable Orlando George Charles Earl of Bradford of the second part and William Jackson Rideout of the third part after reciting that a Bill was then pending before Parliament intituled "A Bill for empowering " the mayor aldermen and burgesses of the borough of Bolton " to make street improvements and additional waterworks and " for transferring to them gasworks and for amending the Acts " relating to the borough and for other purposes " and reciting that the parties thereto of the second and third parts having petitioned against the said Bill and the said mayor aldermen and burgesses (thereinafter called "the Corporation") being desirous that the said parties thereto of the second and third parts should withdraw their opposition it had been arranged that all the said parties should enter into the agreement thereafter contained it was agreed between the Corporation and the parties thereto of the second and third parts (inter alia) that the Corporation should for ever pay to the said William Jackson Rideout or other the owner for the time being of the Farnworth Works a yearly sum of not less than fifty pounds and the agreement now in recital contained a provision that as soon as and while a gross yearly income exceeding one thousand two hundred and fifty pounds should be received by the Corporation for the supply of water to the townships of Worsley Little Hulton and Clifton or any of them the Corporation should in addition to the sum thereinbefore mentioned pay a yearly sum after the rate of four pounds for every one hundred pounds and so in proportion for any less sum than one hundred pounds of such gross income beyond one thousand two hundred and fifty pounds to the said William Jackson Rideout or other the owner for the time being of the Farnworth Works but so nevertheless that the total yearly sum to be payable in any one year to the said William Jackson Rideout or other such owner for the time being as aforesaid should not exceed two hundred pounds inclusive of the said sum of fifty pounds and it was further provided that the said agreement

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A.D. 1922. now in recital should only take effect in the event of the same being confirmed by Parliament during the then present session :

And whereas the hereinbefore recited agreement of the seventeenth day of April one thousand eight hundred and seventy-two was duly confirmed and made binding on the parties thereto by the 37th section of the Bolton Corporation Act 1872 :

And whereas by virtue of divers mesne assurances acts in the law and events and ultimately by an indenture dated the eighth day of October one thousand nine hundred and one and made between J. B. Champion and Company Limited of the one part and the Association of the other part the hereditaments and premises hereinbefore referred to and known as the Farnworth Works together with the benefit and advantage of the hereinbefore recited agreement of the seventeenth day of April one thousand eight hundred and seventy-two became absolutely vested in the Association :

And whereas the Association have agreed with the Corporation for the absolute sale to them at the price of three thousand eight hundred pounds of the yearly sum or sums of money hereinafter more particularly described and intended to be hereby assured :

Now this indenture witnesseth that in consideration of the sum of three thousand eight hundred pounds now paid by the Corporation to the Association (the receipt whereof the Association hereby acknowledge) the Association as beneficial owners hereby grant release and confirm unto the Corporation all that the right to receive for ever the yearly sum or sums of money not exceeding in any one year the sum of two hundred pounds agreed to be paid by the Corporation to the said William Jackson Rideout or other the owner for the time being of the Farnworth Works under and by virtue of the hereinbefore recited agreement of the seventeenth day of April one thousand eight hundred and seventy-two to hold the same unto and to the use of the Corporation their successors and assigns absolutely to the intent that all such yearly sums payable by the Corporation to the Association or other the owner for the time being of the Farnworth Works in accordance with the provisions of the hereinbefore recited agreement of the seventeenth day of April one thousand eight hundred and seventy-two shall henceforth absolutely determine and cease to be payable And the Association hereby acknowledge the right of the Corporation to production of the documents specified in the schedule hereto and to delivery of copies thereof and hereby undertake for the safe custody of the same.

In witness whereof the Association and the Corporation have caused their respective common seals to be affixed hereto the day and year first before written.

The SCHEDULE above referred to.

A.D. 1922.

26th November 1894 Indenture of Conveyance and Assignment of this date made between Francis Hargreaves John Henry Hargreaves Percy Hargreaves and Charles Stewart Pickering Robson of the first part Henry Reynolds Weetman and Charles Stewart Dean of the second part and Joseph Robert Ragdale and John Rowland Ragdale of the third part.

30th July 1898 Indenture of Conveyance and Assignment of this date made between the said Joseph Robert Ragdale and John Rowland Ragdale of the one part and J. B. Champion and Company Limited of the other part.

2nd August 1898 Trust Deed of this date made between J. B. Champion and Company Limited of the one part and Edwin Francis Sheppard and the said John Rowland Ragdale of the other part.

7th October 1901 Indenture of this date made between the said Edwin Francis Sheppard and John Rowland Ragdale of the one part and J. B. Champion and Company Limited of the other part.

8th October 1901 Indenture of this date made between J. B. Champion and Company Limited of the one part and the Association of the other part.

The common seal of Bleachers' Association Limited }
was hereunto affixed in the presence of— } (L.S.)

N. M. BARNES }
J. D. KAY } Directors.

R. H. ECCLES Secretary.

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