



ANNO DECIMO SEXTO.

# VICTORIÆ REGINÆ.

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## Cap. xlviii.

An Act for better supplying with Water the Borough of *Preston* in the County of *Lancaster*, and for authorizing the Local Board of Health for the Borough of *Preston* aforesaid to purchase the *Preston* Waterworks.

[14th June 1853.]

WHEREAS by an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled *An Act for better supplying with Water the Borough of Preston, and Part of the Township of Fishwick adjoining thereto, in the Parish of Preston in the County Palatine of Lancaster*, a Company was incorporated by the Name of the Company of Proprietors of the *Preston* Waterworks, for supplying the said Borough and Part of the said Township of *Fishwick* with Water, and for enabling the said Company to erect Waterworks for that Purpose; and by an Act passed in the Sixth Year of the Reign of Her present Majesty, Local and Personal, Chapter Thirty-two, the said Company were authorized to raise further Sums of Money, and the Powers of the said Company were extended and enlarged: And whereas the said Company have erected Waterworks for the Purposes in the said Acts mentioned:

2 & 3 W. 4.  
c. xxvii.

6 & 7 Vict  
c. xxxii

[Local.]

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And

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And whereas the Borough of *Preston* aforesaid now includes the whole of the said Township of *Fishwick*: And whereas by force of the Public Health Act, 1848, and the Public Health Supplemental Act, 1850 (No. 2.), the Local Board of Health for the Borough of *Preston* has been constituted for the District comprising the said Borough exclusively: And whereas the Population of the said Borough of *Preston* is rapidly increasing, and the Supply of Water from the Works established under the said Act of the Second Year of the Reign of King *William* the Fourth is inadequate for the Wants of the Inhabitants of the said Borough: And whereas it is expedient that further and better Provision should be made for the Supply of Water to the said Borough, and that the necessary Powers for that Purpose should be vested in the said Local Board: And whereas the said Local Board, in contemplation of the Extension of such Supply of Water, have entered into a Provisional Agreement with the said Company of Proprietors of the said *Preston* Waterworks, bearing Date the Sixteenth Day of *September* One thousand eight hundred and fifty-two, for the Purchase of the Undertaking and Works of the said Company, in the Words and Figures following; that is to say, The Local Board of Health for the Borough of *Preston* in the County of *Lancaster* agree to purchase from the Company of Proprietors of the *Preston* Waterworks, and the said Waterworks Company agree to sell to the said Local Board, all the Undertaking of the said Company: The Amount of Purchase Money to be fixed by Reference: *Robert Stephenson* of *Great George Street, Westminster*, Civil Engineer, is hereby elected and appointed to be the Referee: In case, for any Cause, the said *Robert Stephenson* cannot or decline to act as Referee, the Amount of Purchase Money to be fixed by a Person to be appointed by *J. Wilson Patten* Esquire, Member of Parliament, or the senior Member for the Time being for the Northern Division of *Lancashire*: The Purchase to include all Lands, Reservoirs, Works, Implements, and Utensils, and the Benefits and Liabilities of all Contracts made or subsisting or belonging to the said Company, except Cash, and Debts and Water Rates belonging to, due, or accruing due to or from the said Company anterior to the Delivery of Possession of the said Works: An Act of Parliament to be applied for by the said Local Board to confirm and carry into effect this Agreement, and the said Waterworks Company to give their Assent to and all necessary Aid in promoting the Success of the said Application to Parliament: The Reference to be entered upon with all convenient Speed after the passing of such Act of Parliament, and the same Act to contain all necessary Provisions for the Production of Papers, Documents, and Evidence preparatory to the said Reference, and before the said Referee: The Waterworks Company to deliver to the said Local Board, with all convenient Speed, and not later than the

Twenty-fifth



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Twenty-fifth Day of *September* instant, Plans and Sections of all the Lands, Reservoirs, and Works of the said Company, and also to deliver forthwith all the Plans, Sections, Surveys, and Books of Reference prepared by the said Company for the Purpose of their intended Application to Parliament for enlarging Powers, upon such Terms as to the Expense incurred thereby as the said Referee shall hereafter determine: The said Company to deliver, on or before the First Day of *November* next, to the said Local Board, full Particulars of all their Works and Property for or in respect of which they will claim to be paid Compensation by the said Local Board, and also an Account of all Contracts and Liabilities which they will require the said Local Board to take upon themselves: The Amount of Purchase and Compensation Money to be a Sum in gross, and the Referee to appoint the Time of Payment, the Time for delivering up of Possession of the Works, and the Apportionment of Rates paid or accruing due for any the current Period of Time: Each Party to pay and bear their own Costs and Expenses in anywise incident to the carrying out this Contract: The said Company of Proprietors of the said *Preston Waterworks* hereby covenant with the said Local Board of Health to abide by and carry into effect the Terms above specified on their Part to be performed; and the said Local Board of Health hereby covenant with the said Company to abide by and carry into effect the Terms above specified on their Part to be performed: The Company to maintain the Works until the Agreement is sanctioned or disapproved of by Parliament within Twelve Months, but not to extend, alter, or enlarge the Works, excepting the Pipes and other Things necessary for the Extension of Supply to new Customers, and any extended Demand that may arise, and excepting by the Sanction of the Local Board of Health: Given under the Common Seal of the said Local Board, and under the Common Seal of the said Company, this Sixteenth Day of *September* in the Year of our Lord One thousand eight hundred and fifty-two.

*John Winstanley,*

Deputy Chairman of the Waterworks Company. (L. s.)

*Thomas Monk,* Mayor. (L. s.)

And whereas it is expedient that the said Agreement should be carried into effect, and that the Supply of Water to the said Borough should be placed under the Control, Regulation, and Management of the said Local Board, and that the said Local Board should be authorized to alter, extend, and enlarge the said Waterworks; but for those Purposes the Authority of Parliament is necessary: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

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Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

I. That this Act may be cited for all Purposes as “The *Preston Waterworks Act, 1853.*”

Interpretation of Terms.

II. That in this Act the following Expressions shall have the Meanings hereby assigned to them; (that is to say,)

“The Company” shall mean “The Company of Proprietors of the *Preston Waterworks:*”

“The Local Board” shall mean “The Local Board of Health for the Borough of *Preston:*”

The Word “Owner” shall have the Meaning assigned to it by the Public Health Act, 1848:

The “Borough” shall mean the Parliamentary Borough of *Preston:*

“The Directors” shall mean the Directors of the Company of Proprietors of the *Preston Waterworks.*

And with respect to the Construction of Works, and the Supply of Water to the said Borough, be it enacted as follows; (that is to say,)

8 & 9 Vict. c. 18. and 10 & 11 Vict. c. 17. incorporated with this Act.

III. That “The Lands Clauses Consolidation Act, 1845,” and “The Waterworks Clauses Consolidation Act, 1847,” so far as the same are not repugnant to the Provisions herein contained, shall be and the same are incorporated with this Act.

Power to construct Works according to deposited Plans.

IV. And whereas Plans and Sections showing the Line and Levels of the Reservoirs and Waterworks proposed to be constructed for the Purposes of this Act, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands and Streams in or through which the same are intended to be made or to pass, have been deposited with the Clerk of the Peace for the County of *Lancaster:* Be it enacted, That it shall be lawful for the said Local Board, subject to the Provisions and Restrictions in this Act and the Acts incorporated therewith contained, to make and maintain the said Waterworks, together with all proper Reservoirs, Conduit Pipes, and other Works connected therewith, save and except as herein-after provided, in the Line and on the Levels and upon the Lands delineated on the said Plans and Sections and described in the said Book of Reference, and to purchase, enter upon, take, and use such of the Lands, Streams, and Waters delineated on the said Plan and referred to in the said Book of Reference as shall be necessary for that Purpose, and to take therefrom such Water as the said Local Board may require for the Purposes of this Act; but the said Local Board shall not take or purchase



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purchase any Lands or Hereditaments, or make any Reservoirs, Tanks, Works, or Drains, or take any Streams, in any other Lands or Grounds than in those therein described, or within the Limits of Deviation, without the Consent in Writing of the Owner and Occupier of the said Lands or Grounds for that Purpose first had and obtained: Provided always, that nothing in this Act or in the Acts incorporated herewith shall enable the Local Board to take any Lands or to execute any Works more than Twenty Yards to the Eastward of *Cowley Brook*, or to take or use any Waters or Streams Eastward of *Cowley Brook*, except such as now flow into the said Brook, or to execute any of the Works shown upon the said Plan from the *Alston Arms* in the Township of *Ditworth* to *Kemple End* in the Townships of *Aighton*, *Bailey*, and *Chaigley*.

V. That the Local Board of Health shall take and appropriate for the Purposes of this Act the Waters flowing in the *Cowley Brook*, and shall pay Compensation in Money to all Persons interested in the said Waters for the Abstraction of the same, the Amount of such Compensation, in case of Difference, to be ascertained within Six Months after the passing of this Act, in the Manner provided by the "Lands Clauses Consolidation Act, 1845," with reference to the Settlement of Disputes by Arbitration, and according to the Provisions of the "Waterworks Clauses Act, 1847."

For compensating Persons interested in the Waters of *Cowley Brook*.

VI. It shall be lawful for the Local Board in making the Reservoirs and Works to deviate from the Levels shown on the said Sections to the Extent of Ten Feet.

Power to deviate from Sections.

VII. That it shall be lawful for the said Local Board from Time to Time to take and store up in the said Reservoirs and Works constructed or so to be constructed as aforesaid the Waters of any Springs, Brooks, Rivulets, Streams, or Drains (excepting as hereinbefore mentioned) shown on the Plans deposited as aforesaid, which may be intercepted or collected by any of the intended Works, and from Time to Time to draw off and use the Waters so stored up for the Purposes of this Act, and for the Purposes aforesaid to alter and divert the Course of the said Springs, Brooks, Rivulets, Streams, and Drains, and their Tributaries, to the Extent and in manner shown on the said Plans, and also from and after the Transfer of the said Waterworks of the Company to make, maintain, use, occupy, and enjoy all and every the Works of the Company, and to exercise all and every the Privileges and Authorities at the Time of the passing of this Act vested in the Company relative to making, maintaining, and protecting the said Works, and the collecting, storing, and supplying of Water to the said Borough of *Preston*, subject to the Provisions of this Act and the Acts incorporated therewith.

Power to take or divert Waters of Springs, &c. shown on deposited Plans.

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VIII. That

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Time for compulsory Purchase of Lands limited.

VIII. That the Powers of the Local Board for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Works.

IX. That the Period for Completion of Works shall be Seven Years from the passing of this Act.

Owners may grant Leases.

X. That the Persons empowered by the said "Lands Clauses Consolidation Act" to convey Lands, shall have full Power to grant any Easement in or over any Lands or Streams required for the Purposes of this Act.

Supply to extend to Borough of Preston.

XI. That, subject to the Provisions of this Act and the Acts incorporated herewith, it shall be lawful for the said Board to supply with Water the said Borough of *Preston*.

Houses to be supplied under certain Regulations.

XII. That the Local Board shall, when the Undertaking and Works of the Company shall come into their Possession, and at all Times thereafter, supply to every Dwelling House within the said Borough entitled to demand a Supply as herein-after mentioned, at the Request of the Owner or Occupier thereof, Water for domestic Purposes, upon the Rents, Rates, and Assessments and in manner herein provided; but they shall not be bound to supply any Water-closet, or the Apparatus, Cisterns, or Pipes connected therewith, or Water for domestic Purposes, unless the Cisterns, Pipes, and Cocks necessary for such Supply shall be constructed in manner approved by the Local Board; nor shall the Local Board be bound to supply Water to any Dwelling House or Building at any Level which shall be above the Level at which Water can be supplied from the Reservoir supplying the District where such Dwelling House or Building may be situate; and the Water to be supplied by the Local Board need not be constantly laid on under Pressure.

As to Supply for domestic Purposes.

XIII. That a Supply of Water for domestic Purposes shall not include a Supply for Cattle or for Horses, or for washing Carriages kept for Hire, or for any Trade, Manufacture, or Business, or for watering Gardens, or for Fountains, or for any ornamental Purposes whatsoever.

As to Supply to Ships and Vessels.

XIV. That it shall be lawful for the said Local Board to supply with Water Ships or Vessels resorting to the Port of *Preston*, and to supply any Person with Water for trading or manufacturing Purposes, or for any Purposes other than domestic Purposes, at such Rent or Price and upon such Terms and Conditions as shall be agreed upon between the Local Board and the Persons desirous of having such Supply of Water; and the Clauses in the "Waterworks Clauses Consolidation



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solidation Act, 1847," with respect to the Recovery of the Water Rates, shall be applicable to and incorporated with this Act, so far as relates to the Rents or Price payable to the said Board under any such Agreement.

And with respect to the Purchase of the Undertaking and Works of the Company, be it enacted as follows:

XV. That the said Agreement of the Sixteenth Day of *September* One thousand eight hundred and fifty-two be and the same is hereby confirmed; but nevertheless it shall be lawful for the said Local Board and the Directors respectively to make and enter into all such further and other Agreements as to the Sale, Purchase, and Management of the Undertaking and Works of the said Company as they shall think proper, for more effectually or conveniently carrying into execution the Provisions of this Act, or in relation thereto; and such Agreements shall be binding upon the said Local Board and upon the Company, after they have been submitted to and approved of by a Majority of the Shareholders of the Company at a Special Meeting convened for the Purpose.

Agreement  
of 16th Sept.  
1852 con-  
firmed.

XVI. That on a Day to be appointed by the said Referee (such Day not being later than the Twenty-fourth of *July* One thousand eight hundred and fifty-four, unless otherwise agreed to by the Company,) the Local Board shall and they are hereby required to pay to the Company the Amount of the Price or Consideration awarded or agreed to be paid for the said Undertaking, Works, Rights, and Privileges of the Company; and when the said Payment is made the Company shall and are hereby required to convey and deliver Possession of their Undertaking to the said Local Board; and if the said Purchase Money is not paid to the Company by the before-mentioned Period, then the said Local Board of Health shall pay to the said Company Interest at the Rate of Five Pounds *per Centum per Annum* upon the said Purchase Money from the Day when the same was payable until the same is actually paid.

Purchase  
Money to be  
paid on the  
Day ap-  
pointed by  
Referee.

XVII. That the Receipt in Writing of Three of the Directors for the Time being for the Purchase Money agreed or awarded to be paid as aforesaid, and for any other Money which may be paid to them by the said Local Board, shall be an effectual Discharge to the said Local Board for the Sum which in any such Receipt shall be expressed or acknowledged to be received; and the said Local Board shall not be obliged or concerned to see to the Distribution of such Purchase Money, or any Money which may be paid by them to such Directors, or be otherwise answerable or accountable for any Loss, Misapplication, or Nonapplication thereof or of any Part thereof.

Directors  
Receipt to  
be a good  
Discharge.

XVIII. That

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As to Payment of Purchase Money in default of Receipt by Directors.

XVIII. That in case there shall not be Three of the Directors who shall consent to receive and to sign and deliver a Receipt for the Purchase Money which shall have been agreed to be taken or have been awarded to be paid as aforesaid, or if the Company shall refuse or neglect to execute such Conveyance as aforesaid, then it shall be lawful for the said Local Board and they are hereby authorized and required to pay the same Purchase Money into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there "*Ex parte* the Company of Proprietors of the *Preston Waterworks*," pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of His Majesty King *George* the First, Chapter Thirty-two, and pursuant to the General Rules and Orders of the said Court, without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King *George* the Second, Chapter Twenty-four, and such Money shall remain so deposited until the same shall be applied and disposed of in manner by this Act provided.

Certificate of Accountant General to be a sufficient Discharge for Purchase Money.

XIX. That, upon Payment into the Bank of *England* by the said Local Board of the Purchase Money so agreed or awarded to be paid by them as aforesaid, a Certificate of the Accountant General of the said Court of Chancery, together with a Receipt of One of the Cashiers of the Bank of *England* for the same Sum, to be filed with such Certificate in the Office of the Registrar of the said Court, of the Payment by the Local Board into the Bank of *England* of such Purchase Money; shall be a good and sufficient Discharge to the said Local Board for the same, and that the said Local Board shall not afterwards be liable to see to the Application of such Purchase Money or any Part thereof, or be answerable or accountable for any Loss, Misapplication, or Nonapplication of the same or any Part thereof.

Application of Purchase Money paid into the Court of Chancery.

XX. That, upon Application by Petition of any Three of the Persons for the Time being acting as the Directors, the said Court of Chancery may, in a summary Way, as to such Court shall seem fit, order the Money which shall be so deposited as aforesaid to be paid to the Directors or to any Three of them, to be applied and disposed of by them in the Manner by this Act directed.

Estate and Effects of Waterworks Company vested in the Local Board of Health.

XXI. That immediately on the Payment in manner aforesaid of the Price or Consideration for the Undertaking and Works of the Company by the said Local Board to the Directors, or to any Three of the Persons for the Time being acting as Directors, and on the Execution by the said Company of a Conveyance under their Common Seal (duly stamped) of all their said Undertaking, and the Property intended to be thereby conveyed to the said  
Local



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Local Board, or immediately on the Payment in manner aforesaid of such Price or Consideration into the Bank of *England*, *ex parte* the Company of Proprietors of the *Preston Waterworks*, and upon the Execution by the Local Board of a Deed Poll under their Common Seal, containing a general Description of the Property of the said Company intended to be vested in the said Local Board, which Deed Poll shall be duly stamped with the Stamp Duty which would be payable upon a Conveyance thereof by the Company, all the Messuages, Lands, Tenements, and Hereditaments, of whatsoever Tenure, and all Engines, Wells, Springs, Streams, Waters, Works, Mains, Pipes, and other Property which shall then belong to or be vested in the Company, or which shall have been acquired by them under the Powers and Provisions of the said several herein-before recited Acts relating to the Company, or any of them, and shall be then held by them, and also all the Mortgages, Bonds, Covenants, Debts, Arrears of Debts, Arrears of Rates or Rents, Liabilities, Deeds, Books, Writings, Plans, Maps, Monies and Securities for Money, and Personal Estate (excepting Cash, and the Debts and Water Rates due or accruing due, which shall in the Award of the said Referee or by Agreement be excepted), Powers, Rights, and Privileges of every Description, belonging or due and owing to or vested in the Company, shall be and become transferred to and vested in the said Local Board for the Purposes of this Act, for all such and the like Estate and Interest as the Company were seised or possessed of or entitled to therein at the Date of such Conveyance or Deed Poll, and in the same Manner as the same respectively would have remained or been vested in or have belonged to the Company if this Act had not been passed: Provided nevertheless, that the Directors shall and may retain such of the Books and other Documents as may be necessary to enable them to distribute the Assets of the Company amongst the Proprietors thereof.

XXII. That from and immediately after such Transfer and Conveyance as aforesaid all Conveyances, Contracts, Agreements, Obligations, Mortgages, Liabilities, Bonds, Covenants, and Securities theretofore made or entered into with, by, or on behalf of or in reference to the Company, shall, subject to the Provisions in this Act contained, be and remain as good, binding, valid, and effectual in favour of, upon, against, or with reference to the said Local Board, and may be enforced, sued, and recovered upon, by, or against the said Local Board, as fully and effectually, to all Intents and Purposes, as if the said Local Board had originally been a Party to and executed the same, or had been named or referred to therein instead of the Company, except only Contracts relating to such of the Debts and Water Rates due or accruing due to or from the Company, as in the Award of the said Referee, or by Agreement, shall

Conveyances, Contracts, &c. of Company transferred to Local Board of Health.



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be excepted; and the Company shall be entitled to receive and retain all their present Powers for enforcing Payment of all such Debts and Water Rates due or accruing due to them as shall be so excepted as aforesaid, and shall discharge all such Debts due or accruing due from them as shall be so excepted as aforesaid.

Actions not  
to abate.

XXIII. That no Action, Suit, Prosecution, Indictment, or other Proceeding whatsoever commenced or instituted by, in favour of, or against the Company, previously to the Execution of such Transfer and Conveyance as aforesaid, shall abate or be discontinued or prejudicially affected by such Sale or by the Execution of such Deed, but all such Actions, Suits, Prosecutions, Indictments, and other Proceedings shall continue and take effect, and may be prosecuted and carried on by, in favour of, or against the said Local Board, as fully and effectually and in the same Manner in all respects as if the same had been originally instituted or commenced by or against the said Local Board, and as if the said Local Board had been named or referred to therein instead of the Company.

Officers of  
Company to  
account to  
Local  
Board.

XXIV. That all Officers and Persons acting for or employed by the Company who at the Time of the Transfer to the said Local Board under the Provisions of this Act of the Undertaking of the Company shall have in their Possession or under their Control any Money or Effects of the said Company to which the said Local Board of Health may be entitled under the said Award, shall account for and deliver up all such Money or Effects to the said Local Board, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had been appointed and had become possessed of such Money or Effects under the Provisions of the said recited Acts or of this Act.

Books of  
Company  
to be Evi-  
dence.

XXV. That all Books and other Documents whatsoever by the recited Acts relating to the Company authorized or directed to be kept, and thereby made Evidence, shall, after and notwithstanding the Dissolution of the Company, be admitted as Evidence in all Courts of Law and Equity or elsewhere.

Declaring  
Parts of  
Purchase  
Monies in  
Hands of  
Directors.

XXVI. That the Directors shall stand possessed of the Purchase Money arising from the Sale of the said Undertaking, and of all other Sums of Money which at the Time of the Payment of such Purchase Money shall be in their Hands or Power or under their Control, and also of all other Monies which shall thereafter come to their Hands on account of or for the Benefit of the Shareholders in the Company, upon trust, after paying or providing for all the Debts, Liabilities, and Engagements of the Company then outstanding, and not trans-  
ferred



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ferred to the Local Board, to divide all such Monies between or among the several Persons who at the Time of the Payment of such Purchase Money or other Money as aforesaid shall be Proprietors of Shares in the Capital of the Company, and their respective Executors, Administrators, and Assigns, in proportion to the Number of their respective Shares therein.

XXVII. That the several Persons whose Names shall appear in the Books of the Company as the Proprietors of Shares therein at the Time of such Sale, shall, until the contrary be proved to the Satisfaction of the Directors, or until such Directors shall have received Notice to the contrary, be considered to be the Persons entitled to participate in the Distribution of the Purchase Money hereby directed to be divided among the Proprietors of Shares in the Capital of the Company.

Registered Proprietors to be entitled to Money hereby directed to be divided.

XXVIII. That the Directors shall not be bound to see to the Execution of any Trusts, whether express, implied, or constructive, to which any of the Shares in the Company may be subject; and the Receipt of the Person or Persons in whose Name or Names any Share shall stand in the Books of the Company shall be a sufficient Discharge to the Directors of the Company for all Monies which shall be paid in respect of such Shares, notwithstanding any Trust to which such Shares may be subject, and whether the Company or the Directors shall or shall not have had Notice of such Trusts; and the Company or Directors shall not be bound to see to the Application of the Money paid upon such Receipt.

Directors of Company not to be bound by Trusts.

XXIX. That the Receipt of any Executor, Administrator, Trustee, Committee, or Guardian of any Proprietor of Shares in the Company, or of any Person or Persons entitled to any Share or Shares therein, shall be a good and effectual Discharge to the Directors for so much Money as shall be paid by them or by their Order to such Executor or Administrator, Trustee, Committee, or Guardian, for or on behalf of such Proprietor or Person, and as shall be expressed in any such Receipt to have been received, and shall exonerate and discharge such Directors from seeing to the Application thereof, and from being answerable for any Misapplication or Nonapplication of the same or any Part thereof, or being liable to any other Duty or Obligation by reason of any Trust affecting the Person to whom or the Share in respect to which such Payment shall be made; and that the Assets of the Company or of the Directors shall not after such Payment be in anywise liable to the Performance of such Trusts, or to any Action or Suit at Law or in Equity in respect thereof.

Trustees Receipts to be good Discharges.

XXX. That



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Provision as  
to unclaimed  
Purchase  
Money.

XXX. That at the Expiration of Six Months next after the Day on which such Purchase Money as aforesaid shall have been paid to the Directors by the Local Board, the Directors shall, in case the whole of the Monies to be distributed under the Authority of this Act shall not have been called for by the Proprietors of Shares, cause Notices to be inserted Three Times in the "*London Gazette*," and in some Newspaper usually printed or circulated in the Town of *Preston* aforesaid, containing the Names in alphabetical Order of the Persons appearing in the Books of the Company to be Proprietors of Shares therein who may not have called for or claimed their Share or Proportion of the Money by this Act ordered to be distributed amongst the Proprietors of Shares in the Company, and stating that if such Persons shall not make and substantiate their Claim to such Monies within the Time to be limited in such Notice, being not less than Twelve Months from the Day on which such Purchase Monies as aforesaid shall have been so paid as aforesaid, the Amount of such Monies will be paid into the Bank of *England*, in pursuance of the Provisions of this Act: Provided always, that a Copy of such Notice as last aforesaid shall be given or sent by the Post, addressed unto or be left at the last known Place of Abode in *England* of the last Proprietor appearing in the Books of the Company to have been possessed of such unclaimed Shares, and in case the last or usual Place of Abode in *England* of any such Proprietor cannot be ascertained upon Inquiry, then the Insertion as aforesaid of such Notice in the "*London Gazette*" and such Newspaper as aforesaid shall be deemed to be sufficient Notice to such Proprietor of the Matters contained in such Notice; and after such Notice, and in default of any such Proprietor making or establishing his Claim in respect of such Shares, it shall be lawful for the Directors to pay such Monies into the Bank of *England*.

Unclaimed  
Purchase  
Money to be  
paid into the  
Bank of  
*England*.

XXXI. That at or at any Time after the Expiration of Twelve Months from the Day on which such Purchase Monies as aforesaid shall be so paid to the Directors by the Local Board as aforesaid, it shall be lawful for the Directors to cause all such Sum and Sums of Money as shall not have been distributed amongst the Proprietors of the Company, and shall then remain in their Hands, either from the same not having been called for by the Proprietors entitled thereto, or from the Persons claiming the same not having shown a sufficient Title thereto to the Satisfaction of the Directors, or from any other Cause, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Persons appearing to be entitled thereto (describing him as he may be described in the Books of the Company of which he may be a Proprietor), pursuant to the Method prescribed by the said Act of the Twelfth Year of the Reign  
of



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of King *George* the First, Chapter Thirty-two, and pursuant to the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter Twenty-four.

XXXII. That if in the course of winding up the Affairs of the Company Two or more Persons shall claim to be entitled to the same Share or Shares, or to the Money which may be payable in respect thereof, or to any Part of such Money, and such Persons cannot agree as to which of them shall receive such Money, or as to the Manner in which the same shall be disposed of, it shall be lawful for the Directors, at the Expiration of Twelve Months from the Day on which such Purchase Monies shall have been so paid as aforesaid, to pay the Money which shall be payable in respect of the Share or Shares the Title to which shall be so in dispute into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* "The Proprietors of the Shares numbered One or (as the Case may be) in the Company of Proprietors of the *Preston Waterworks*," describing such Shares by their Numbers in the Books of the Company,) pursuant to the Method and General Orders lastly hereinbefore referred to, and subject to the Control and Disposition of the said Court.

As to Payment of Money in disputed Cases.

XXXIII. That in every Case in which any Money shall be paid into the Bank of *England* by the Directors in the Name and with the Privity of the Accountant General of the Court of Chancery, under the Authority of this Act, the Certificate of the Accountant General, together with the Receipt of One of the Cashiers of the Bank of *England*, to be thereunto annexed and therewith filed in the Registrar's Office of the said Court of Chancery, of the Payment into the Bank of *England* by the said Directors of any such Money as aforesaid, or any Office Copy thereof, shall be a good and sufficient Discharge to such Directors, and to their respective Heirs, Executors, Administrators, and Assigns, for the same, or so much thereof as therein respectively shall be expressed to have been paid, and that such Directors, their Heirs, Executors, Administrators, or Assigns, shall not afterwards be liable to see to the Application of such Money, or be answerable or accountable for any Loss or Misapplication or Nonapplication of the same.

Certificate of Accountant General to be a sufficient Discharge to Directors..

XXXIV. That all Money which shall be paid by the Directors into the Bank of *England* in the Name of the Accountant General, under the Authority of this Act, shall there remain until the Person entitled thereto shall, upon Petition to be presented to the Court of Chancery in a summary Way, obtain an Order for the Transfer thereof

Application of Monies paid into Court, and for Investment of Dividends.

[Local.]

9 M

thereof

*The Preston Waterworks Act, 1853.*

thereof into his own Name or otherwise; and that the said Accountant General shall and may from Time to Time invest the Dividends thereof, when the same shall amount to a competent Sum, in the Purchase of Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, for the Benefit of the Persons entitled thereto, subject to the Orders and Directions of the said Court, which Court, on the Application of any Person making claim to such Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates or Interest of the Persons making claim thereto, and to make such other Order or Orders in the said Premises as to the said Court shall seem just and reasonable.

For Invest-  
ment of  
Purchase  
Monies in  
Hands of  
Directors.

XXXV. That in the meantime and until the Purchase and other Monies herein-before directed to be paid to the Directors respectively can be distributed amongst the Proprietors of Shares in the Company, in pursuance of the Provisions of this Act, the same, or so much thereof as the Directors in their Discretion may think expedient, may be invested by them in the Purchase of Exchequer Bills, and the Money so invested, and the Interest which shall arise therefrom, shall be subject to the Directions and Provisions of this Act in regard to the said Purchase Money.

Directors of  
Company  
may accept  
a Mortgage  
in lieu of  
Payment of  
the Purchase  
Money.

XXXVI. That it shall be lawful for the Directors, with the Consent of a Majority of the Proprietors of the Company at an Extraordinary Meeting, to accept, and for the Local Board to grant to the Company, a Mortgage, pursuant to the Provisions of this Act, for the whole or any Part of the Purchase Money; and for the Purpose last aforesaid the Clauses and Provisions of the "Companies Clauses Consolidation Act, 1845," with respect to the General Meetings of the Company, and the Exercise of the Right of voting by the Shareholders, shall be and the same are hereby incorporated with this Act; and it shall be lawful for any Proprietor or Shareholder of the said Company, with the Consent of the Directors, to accept, and for the said Local Board to grant, a Mortgage, pursuant to this Act, to such Shareholder, for the Amount or Value of his Share in the said Purchase Money, in lieu of paying the same to the Directors.

Dissolution  
of Company  
on Com-  
pletion of  
Purchase  
and Distri-  
bution of  
Money.

XXXVII. That upon the Completion of the Sale and Transfer by the Company of the whole of their Undertaking in manner aforesaid, and when and so soon as the Purchase Money paid in respect of such Sale shall have been appropriated and divided in manner herein directed, the Company shall cease and determine.

XXXVIII. Provided



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XXXVIII. Provided always, That the Directors or any of them, or any of their respective Executors or Administrators, shall not be charged or chargeable with or for any more or other Monies than they respectively shall actually receive, or than shall come to their respective Hands under and by virtue of this Act; and that no One or more of the Directors shall be answerable or accountable for the others or other of them, or for the Acts, Receipts, Neglects, or Defaults of the other or others of them; and that they or any of them shall not be answerable or accountable for any Officer or Agent, Banker, Broker, or other Person with whom or in whose Hands any Part of the said Purchase Monies or the Assets of the Company shall or may be placed or lodged for safe Custody, Remittance, Sale, Investment, Payment, or otherwise, in execution of the Trusts hereby in them reposed; and that they or any of them shall not be answerable or accountable for any other Misfortune, Loss, or Damage which may happen to the said Monies or Assets of such Company in the Execution of the said Trusts, or in relation thereto, unless the same shall happen by or through their own wilful Default respectively, and then and in that Case each Person respectively shall singly and alone be answerable for such Loss or Damage as shall arise from his own wilful Neglect or Default; and also that it shall be lawful for the Directors, by and out of the Money which shall come to their respective Hands by virtue of the Provisions of this Act, to deduct, retain, and reimburse to and for themselves respectively, and also to allow to their Colleagues, and to the Executors and Administrators of any Director, all Costs, Charges, Damages, and Expenses, and Fees to Counsel for Advice, which they or any of them shall or may suffer, sustain, or expend, disburse, lay out, or incur in or about the Execution of the Provisions and Trusts hereby reposed in them, or in relation thereto, and also to settle, adjust, and allow the Accounts of any Directors who shall depart this Life; and also to receive and give Discharges for the Money which shall appear to be the Balance of the same Accounts, without any Responsibility in the Person or Persons paying the same Money to see to the Application thereof, or being answerable for any Misapplication or Nonapplication of the same or any Part thereof; and that it shall be lawful for the Directors, before paying into the Bank of *England* the Monies hereby authorized to be deposited and paid therein, to deduct and retain thereout the Charges and Expenses incurred relative thereto.

Directors of Company to be liable to their own Receipts and Payments only.

And with respect to the Rates to be levied for the Supply of Water to the said Borough, be it enacted,

XXXIX. That the Local Board shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street

Rates for Supply of Water.

or



*The Preston Waterworks Act, 1853.*

or Place in which any Pipe of the Local Board shall be laid, or of any Person who, under the Provisions of this Act, or of any Act incorporated therewith, shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Uses, at the Rates hereafter specified; (that is to say,)

If there be no Watercloset in the Dwelling House or Part of the Dwelling House to be supplied with Water, at the following Rates:

Where the annual rateable Value of such House shall not exceed Twenty Pounds, at a Rate *per Centum per Annum* not exceeding Six Pounds:

Where the annual rateable Value of such House shall exceed Twenty Pounds but shall not exceed Forty Pounds, at a Rate *per Centum per Annum* not exceeding Five Pounds Ten Shillings:

Where the annual rateable Value shall exceed Forty Pounds but shall not exceed Eighty Pounds, at a Rate *per Centum per Annum* not exceeding Five Pounds:

Where the annual rateable Value shall exceed Eighty Pounds but shall not exceed One hundred and sixty Pounds, at a Rate *per Centum per Annum* not exceeding Four Pounds Ten Shillings:

Where the annual rateable Value shall exceed One hundred and sixty Pounds, at a Rate *per Centum per Annum* not exceeding Four Pounds:

If there be a Watercloset or Bath in such Dwelling House, then, in addition to the Rates above specified, the following Rates shall be payable; (that is to say,)

Where the annual rateable Value of such House does not exceed Ten Pounds, the Sum of Three Shillings *per Annum* for each such Bath and Watercloset:

Where the annual rateable Value of such House exceeds Ten Pounds but does not exceed Twenty Pounds, the Sum of Four Shillings *per Annum* for each such Bath and Watercloset:

Where the annual rateable Value of such House exceeds Twenty Pounds but does not exceed Forty Pounds, the Sum of Six Shillings *per Annum* for each such Bath and Watercloset:

Where the annual rateable Value of such House exceeds Forty Pounds but does not exceed Eighty Pounds, the Sum of Eight Shillings *per Annum* for each such Bath and Watercloset:

Where the annual rateable Value of such House exceeds Eighty Pounds but does not exceed One hundred and sixty Pounds, the Sum of Ten Shillings *per Annum* for each such Bath and Watercloset:

Where



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Where the annual rateable Value of such House exceeds One hundred and sixty Pounds, the Sum of Twelve Shillings *per Annum* for each such Bath or Watercloset.

XL. Provided always, That, notwithstanding anything herein contained, it shall and may be lawful for the said Local Board from Time to Time to lessen or altogether remit the said Rates and Charges for supplying Waterclosets with Water.

Power to remit Charges for Water-closets.

XLI. The said Rents and Rates shall be paid in advance by yearly Payments, and the First Payment shall be made at the Time when the Transfer and Conveyance of the Undertaking and Works of the Company shall be made to the said Local Board in respect of all Persons then supplied with Water for domestic Purposes, and in respect of all said Premises when the Pipe by which the Water is supplied is made to communicate with the Pipes of the Local Board, or at the Time when the Agreement to take Water from the Local Board is made.

Rates to be paid in advance.

XLII. That the Books of the said Local Board, and all Entries duly made therein, shall be received as Evidence of the Rents and Rates charged and imposed by virtue of this Act.

Books to be Evidence.

XLIII. That it shall and may be lawful for the Local Board to make any Rate for the Purposes of this Act or any Act incorporated therewith, prospectively to raise Money to pay Interest, Charges, and Expenses to be incurred thereafter, or retrospectively to raise Money to pay Interest, Charges, and Expenses which may have been incurred at any Time within Six Months before the making of the Rate.

Rates may be made prospectively.

XLIV. Provided, That the Occupiers of any Land used as Arable, Meadow, or Pasture Ground only, or as Woodlands, Market Gardens, or Nursery Grounds, and the Occupiers of any Land covered with Water, or used only as a Canal or Towing Path for the same, or as a Railway, constructed under the Powers of any Act of Parliament for public Conveyance, shall be assessed in respect of the same in the Proportion of One Fourth Part only of such net annual Value.

Arable, &c. Lands to be rated only to One Fourth of annual Value.

XLV. That the said Local Board shall yearly and every Year raise on the General District Rate or Rates of the said Borough such a Sum of Money as will be sufficient to pay a reasonable Price for the Water to be supplied for flushing Sewers, watering Streets, for supplying public Baths and Washhouses, extinguishing Fires, and for other sanitary Purposes within the said Borough, and pay over the same to the "Water Account."

Charges for Water for flushing Sewers, &c. to be included in General District Rate.

[Local.]

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XLVI. That,

*The Preston Waterworks Act, 1853.*

Rates for domestic Supply not to be reduced more than One Sixth on certain Contingencies.

XLVI. That, notwithstanding anything herein contained to the contrary, if in any Year the Income of the said Undertaking, including the Sum carried to the Credit of the Water Account from the General District Rate for the Water necessary for flushing Sewers, watering Streets, supplying public Baths and Washhouses, extinguishing Fires, and other sanitary Purposes in the said Borough, shall be insufficient to pay the annual Sum hereby required to be set apart as a Sinking Fund, and the current Interest, Costs, Charges, and Expenses incurred during such Year, and authorized by this Act, then and thenceforward it shall not be lawful for the Local Board to reduce the several maximum Rates hereby authorized to be charged for the Supply of Water for domestic Purposes more than One Sixth Part thereof respectively, without the Consent of Two Thirds of the Members of the Local Board present at a Meeting to be called for that Purpose, and of which Notice shall be given in the Summons convening such Meeting, until the ordinary Income of the said Undertaking, and the Sum to be carried to the Credit of the Water Account, as herein-before mentioned, shall for Two consecutive Years immediately preceding have been sufficient to satisfy and pay such annual Sums, and the current Interest, Charges, and Expenses as aforesaid.

Party aggrieved may appeal to Local Board.

XLVII. That if any Person shall think himself aggrieved by any Charge, Rate, or Assessment, on the Ground of Inequality, Unfairness, or Incorrectness in the Valuation of any Property charged, he may appeal to the said Local Board at their First Meeting which shall be holden after the Expiration of Seven Days from the Time of demanding such Charge, Rate, or Assessment; and the said Board at their First Meeting or any Adjournment thereof are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them the Local Board shall seem reasonable.

Members of Local Board not disqualified as Jurors, &c.

XLVIII. That no Person, though a Member of the said Local Board, or liable to the Payment of Money towards the Charges, Rates, and Assessments authorized to be raised under this Act, shall by reason thereof be disabled to act as a Justice of the Peace, or as Coroner, Juror, or otherwise, in any Manner relating to the carrying of this Act into execution.

Apportionment of Rates on Party ceasing to be Owner or Occupier.

XLIX. That when any Water Rent or Rate shall be due and payable to the said Local Board of Health for a particular Period, and the Owner or Occupier who shall be charged, rated, or assessed to such Rent or Rate shall cease to be the Owner or Occupier of the Property in respect whereof he shall be charged, rated, or assessed before the End of such Period, such Owner or Occupier shall be liable to pay a Portion of such Charge, Rate, or Assessment only payable



*The Preston Waterworks Act, 1853.*

payable for the whole of such Period proportionable to the Time during which he continued to be the Owner or Occupier; and in every such Case, if any Person shall become the Owner and Occupier of any Property so charged, rated, or assessed as aforesaid during any Part of any Period for which any such Charge, Rate, or Assessment shall have been made, such Person shall pay a Portion of such Charge, Rate, or Assessment proportioned to the Time during which he shall have held or occupied the Property so charged, rated, or assessed, and the same shall be recovered from him in the same Manner as if he had been originally charged, rated, or assessed in respect of such Property.

L. And for the more convenient and economical Collection of the several Charges, Rates, and Assessments which may from Time to Time be charged, made, and levied within the Borough, or within any District therein, as well under this Act as under any other Act or otherwise, be it enacted, That it shall be lawful for the Local Board from Time to Time to agree and determine with any Officers having the Charge and Application of any Charge, Rates, and Assessments for the Purpose of collecting the same in such Manner and Form as the Local Board and such Officers respectively shall mutually determine with the Object of facilitating the Collection thereof in the most satisfactory and economical Manner.

As to Mode  
of Collection  
of Rates, &c.

LI. That it shall be lawful for the Local Board to borrow for the Purposes of this Act, upon the Security of the Rents, Rates, and Works authorized by this Act to be charged, levied, purchased, and made, or on Security of the General District Rates authorized to be made by this Act, or by "The Public Health Act, 1848," or on all or any of the said Securities, such Sum as shall be necessary for paying to the said Company the Purchase Money for their Undertaking, and any further Sum or Sums of Money not exceeding the Sum of Eighty thousand Pounds, over and above or exclusive of such Sum as shall be necessary for paying to the said Company the Purchase Money for their said Undertaking; and all the Provisions of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, shall be applicable to the borrowing of such Sum or Sums of Money by the Board, and shall be read and construed as if the Words "The Local Board of Health for the District and Borough of *Preston*" had been in every Case inserted therein instead of the Word "Commissioners."

Power to  
borrow  
Money on  
Security of  
Rents, &c.

LII. That if, after having borrowed the whole or any Part of the Monies which they are by this Act authorized to borrow, the Local Board shall pay off the same or any Part thereof, it shall be lawful for them again to borrow, in manner aforesaid, the said Sum, or the Part thereof so paid off, and so from Time to Time.

For re-  
borrowing  
Money paid  
off.

LIII. That

*The Preston Waterworks Act, 1853.*

Rate under  
this Act to  
be included  
in General  
District  
Rate.

LIII. That it shall be lawful for the said Local Board and they are hereby required, in estimating the Amount required to be raised by means of General District Rates for the Purposes of the said Borough, under the Provisions of "The Public Health Act, 1848," and in making such Rates, to include the Money required for the Purposes of this Act in One and the same Rate or Assessment, as the Money authorized to be levied by "The Public Health Act, 1848," by means of a Rate or Rates called "General District Rates," therein mentioned, and to collect the same as Part thereof, in like Manner as if the same were expressly charged by the said Act upon such Rate or Rates.

Local Board  
to keep a  
distinct  
"Water  
Account."

LIV. That the Local Board shall cause a separate and distinct Account to be kept, to be called "The Water Account," of all Monies received and paid under the Powers and Provisions of this Act, and such Account shall be open to the Inspection of all Persons interested, and shall be audited in such and the like Manner as the Accounts kept under the Provisions of "The Public Health Act, 1848," and all Sums of Money received by virtue of the Water Rents or Rates to be received and levied pursuant to this Act, and all Rents and Sums of Money to be recovered under the Provisions of this Act, shall be carried to the Credit of the said Account called "The Water Account," and shall be applied to the Purposes of this Act exclusively.

Monies bor-  
rowed to be  
charged on  
Water Ac-  
count.

LV. That the Payment of any Principal Money borrowed by the said Local Board under the Authority of this Act, and the Interest thereof, and all Expenses incurred by the said Local Board in carrying this Act into execution, shall be charged upon the Monies hereby directed to be carried to the Credit of the Water Account, and the Interest of all such Principal Sums shall be the First Charge upon the Funds.

Provision  
for Sinking  
Fund.

LVI. That in order to pay off any Monies borrowed under the Authority of this Act the said Local Board of Health shall, in every Year after the Period of Five Years from the passing of this Act, set apart not less than One thousand six hundred Pounds as a Sinking Fund, to be applied in paying off such Monies, and shall from Time to Time invest such Sinking Fund in the Purchase of any of the Parliamentary Stocks or Funds, or of Exchequer Bills or other Government Securities, or at Interest on Real Securities, or on the Security under any Act of Parliament of any Tolls or Rates or other Property, and increase the same by Accumulation in the way of Compound Interest, or otherwise, and shall, when Opportunity offers, apply the same or Part thereof in paying off the said Money borrowed, or any Part thereof.

LVII. Pro.



*The Preston Waterworks Act, 1853.*

LVII. Provided always, That nothing herein contained shall enable the said Local Board to reborrow any Portion of the Sums paid off by means of the said Sinking Fund.

Local Board not to re-borrow Monies paid off.

LVIII. That it shall be lawful for the Local Board to appoint all such Officers and Servants as they shall think fit for the Purposes of this Act, and from Time to Time to remove such Officers and Servants, and appoint others in their Stead, or in the Room of such of them as may die, resign, or discontinue their Office or Services; and all the Provisions contained in "The Public Health Act, 1848," with respect to the Payment of Officers by the Local Board, and the Regulation of the Conduct of such Officers, and the Penalties or other Punishments to be imposed on such Officers, and the Means of recovering such Penalties or inflicting such Punishments, shall extend to this Act, and be applicable in respect of the Officers to be appointed by virtue thereof.

Local Board may appoint Officers and Servants.

LIX. That the Justices by whom any Penalty or Forfeiture shall be imposed shall, where the Application thereof is not otherwise provided for, award the same to the Local Board, to be by them used and applied to the Purposes of this Act as to the Local Board shall appear fit.

Application of Penalties.

LX. That the Books of the Local Board, and all Entries made therein in manner by this Act directed, shall be received as Evidence by virtue of this Act.

Books to be Evidence.

LXI. That every Summons, Notice, or other such Document requiring Authentication by the Local Board may be signed by their Clerk, and the same may be in Writing or in Print, or partly in Writing and partly in Print.

Summonses, &c., may be signed by Clerk of Local Board.

LXII. That the Costs, Charges, and Expenses attending or incident to the obtaining and passing of this Act shall be paid by the Local Board.

Expenses of Act.

LXIII. That nothing in this Act contained shall prejudice or affect any of the Powers, Rights, Privileges, or Authorities vested in the Local Board by "The Public Health Act, 1848," and the "Public Health Supplemental Act, 1850, Number 2," but all such Powers, Rights, Privileges, and Authorities may be exercised and enjoyed by the said Board in as full and ample a Manner as if this Act had not been passed.

Saving Rights of Local Board.

LXIV. That nothing in this Act contained shall extend to authorize the Local Board to take or enter upon any of the Lands or  
[Local.] 90 Grounds

Not to interfere with certain Rail-roads.

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*The Preston Waterworks Act, 1853.*

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way Com-  
panies,  
without  
Consent.

Grounds now belonging to the *North Union*, the *London and North-western*, and the *Lancashire and Yorkshire Railway Companies*, or either of them, or to alter, vary, use, or interfere with their Railway or any of the Works thereof, without the Consent in Writing of the said *North Union*, *London and North-western*, and *Lancashire and Yorkshire Railway Companies* respectively for that Purpose first had and obtained.

Saving  
Rights of  
certain  
Railway  
Companies.

LXV. That this Act, or anything herein contained, shall not take away, lessen, alter, or prejudice any of the Rights, Privileges, and Authorities now vested in or exercised by the *North Union*, the *London and North-western*, and the *Lancashire and Yorkshire Railway Companies* respectively, but all such Rights, Privileges, and Authorities may be had, exercised, and enjoyed as if this Act had not been made.

Saving  
Rights of  
Her Majesty,  
&c.

LXVI. Provided always, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, as well in right of Her Crown as in right of Her Duchy of *Lancaster*.

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