



ANNO TRICESIMO & TRICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## Cap. cxxvi.

An Act for authorizing the Local Board for the District of *Widnes* in the County Palatine of *Lancaster* to supply with Gas and with Water their District and Places near thereto, and to purchase and to acquire the Undertaking, Gasworks, Waterworks, and Property of the *Widnes* Gas and Water Company, and to improve their District, and to raise Monies; and for other Purposes; and of which the Short Title is "*Widnes* Improvement Act, 1867." [15th July 1867.]

**W**HEREAS the Population of *Widnes* (which is a Township in the Parish of *Prescot* in the County Palatine of *Lancaster*, and is the District of a Local Board constituted under "The Local Government Act, 1858,") is rapidly increasing: And whereas large and important Manufactories and Works are already established at *Widnes*, and new Works are making there: And whereas under the Authority of "The *Widnes* Gas and Water Act, 1860," the *Widnes* Gas and Water Company (in this Act called the Company) supply Gas and Water within the District, but the Supply of Water

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by them is insufficient, and the Water which they are authorized to take and supply is not of the best Quality: And whereas an ample Supply of pure Water can be obtained from *Pex Hill* in the Township of *Cronton*, and near to the Boundary of *Widnes*, but the Company have not Authority to obtain Water from *Pex Hill*: And whereas an Agreement, subject to the Sanction of Parliament, has been entered into between the Company and the Local Board for the Sale and Purchase of the Company's Undertaking, Gasworks, Waterworks, and Property, on the Terms and Conditions which appear by the Agreement which is set forth in the Schedule to this Act annexed: And whereas it is expedient that the Agreement be confirmed and carried into effect, and the Company be wound up and dissolved, and the recited Act be repealed: And whereas the Local Board are desirous, and it is expedient that they be authorized, to supply Gas and Water within their District, and also to the Places near thereto which are in that Behalf specified in this Act, and in order thereto be authorized to obtain Water from *Pex Hill*, and to make and maintain and extend Gasworks and Waterworks, and Works and Conveniences connected therewith, and to acquire Lands for Purposes of this Act, and by Agreement with the *London and North-western Railway Company* and the *Manchester, Sheffield, and Lincolnshire, Great Northern, and Midland Joint Railway Company* respectively to make and maintain some of those Works and Conveniences in some of the Lands of those Companies respectively: And whereas the Local Board are desirous, and it is expedient that they be authorized, to provide in and for *Widnes* a Town Hall, with Approaches thereto and other Conveniences: And whereas the Local Board are desirous, and it is expedient, that Provision be made for the Abolition by Agreement of Tolls now taken by private Persons on *Snig Lane* alias *Mersey Road* in *Widnes*: And whereas the Local Board are desirous, and it is expedient that they be authorized, to raise and secure Monies for the Purposes of this Act: And whereas Plans and Sections of the Waterworks by this Act authorized showing the Lines and Levels thereof, and the Plans showing also the Lands to be taken for the Purposes of this Act, and Books of Reference to the Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands, have been deposited with the Clerk of the Peace for the County Palatine of *Lancaster*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas the Objects of this Act cannot be attained without the Sanction of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This

*Widnes Improvement Act, 1867.*

1. This Act may for all Purposes be cited as "*Widnes Improvement Act, 1867.*" Short Title.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Gasworks Clauses Act, 1847," and "The Waterworks Clauses Acts, 1847 and 1863," are (save so far as any of the Provisions of the same are expressly varied or excepted by this Act) incorporated with and form Part of this Act: Provided that the Provisions of "The Gasworks Clauses Act, 1847," and "The Waterworks Clauses Act, 1847," respectively, with respect to the Profits to be received by the Undertakers, are not incorporated with but are excepted from this Act. 8 & 9 Vict. c. 18., 10 & 11 Vict. cc. 15. & 17., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 93. incorporated.

3. The several Words and Expressions to which by the Acts incorporated in whole or in part with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or the Context; and the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or in the Acts incorporated with this Act, shall for the Purposes of this Act be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a Simple Contract Debt, and not a Debt or Demand created by Statute; and the Words and Expressions following have the Meanings following, unless excluded by the Subject or Context; (that is to say, Interpretation of Terms.

(a) "The Local Board" means the Local Board for the District of *Widnes* :

(b) "*Widnes*" means the District from Time to Time of the Local Board :

(c) "The Company" means the *Widnes Gas and Water Company* :

(d) "The Public Health Acts" means and includes "The Public Health Act, 1848," and "The Local Government Act, 1858," and the several present and future Acts supplemental to those Two Acts respectively, and which from Time to Time apply to the Local Board and are in force in *Widnes* :

(e) "Premises" means and includes Houses, Buildings, and Erections, and Parts thereof respectively, and Land with or without Houses, Buildings, or Erections thereon :

(f) "Street" means and includes Street, Highway, Turnpike or other Road, Thoroughfare, Alley, Passage, Square, Court, Footway, Bridleway, Carriageway, and other public or open Place :

(g) "Mortgage" means and includes Annuities (perpetual or terminable) and Bonds :

(h) "Mortgagees" means and includes Annuitants and Bondholders,

4. Except

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Public Health Acts and this Act to have Effect together.

4. Except so far as any of the Provisions of the Public Health Acts are excepted, varied, or otherwise provided for by this Act, and so far as the Provisions of the Public Health Acts are applicable to the Purposes of this Act, the Public Health Acts and this Act shall be read and have Effect together as if the Provisions and Purposes of this Act were Provisions and Purposes of the Public Health Acts.

Limits of Act for supplying Gas and Water.

5. The Limits of this Act with respect to the Supply of Gas and the Supply of Water respectively, and all incidental Matters, comprise the Township of *Widnes* and the several Townships of *Cuerdley* and *Bold* and *Cronton* and *Ditton*, all in the Parish of *Prescot* in the County Palatine of *Lancaster*, and the Limits of this Act with respect to the Supply of Water by Agreement but not otherwise, and all incidental Matters, comprise also all those Parts of the Township of *Rainhill* in that Parish which are within a Distance of One Mile measured on a horizontal Plane from any Part of any Pumping Station at *Pex Hill* made under this Act by the Local Board; provided that that Distance may be ascertained by Measurement on the Ordnance Map.

Limits of Act generally.

6. This Act shall for all Purposes not by this Act otherwise expressly provided for be put in force in *Widnes*.

Execution of Act by Local Board.

7. This Act shall be carried into execution by the Local Board in pursuance of such of the Powers and Provisions from Time to Time in force of the Public Health Acts, and of all other Statutes, whether general or local, and Laws as from Time to Time apply to the Local Board for the District of *Widnes*.

Agreement for Sale and Purchase of Company's Undertaking, &c. in Schedule confirmed.

8. The Agreement of the Second Day of *October* One thousand eight hundred and sixty-six between the Company and the Local Board for the Sale and Purchase of the Company's Undertaking, Works, and Property which is set forth in the Schedule to this Act annexed is by this Act confirmed and made binding on the Parties thereto and all other Parties interested, and may and shall be carried into effect, and the Company and the Local Board respectively may and shall from Time to Time do and suffer whatsoever is requisite in that Behalf, and so much, if any, of the Purchase Money as is to be secured by any Annuities or Bonds, or otherwise, may and shall be secured accordingly.

Power to Local Board to take Lands shown on deposited Plans, &c.

9. Subject to the Provisions of this Act, the Local Board from Time to Time may enter upon, take, and use for the Purposes of this Act such of the Lands shown on the deposited Plans and specified in the deposited Books of Reference as are required for the Purposes of this Act.

10. The

*Widnes Improvement Act, 1867.*

10. The Powers under this Act 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 next after the passing of this Act.

Powers for compulsory Purchases limited.

11. All Rights of Way and other Easements and Rights in, over, and affecting the Lands at *Pex Hill* from Time to Time taken by the Local Board under this Act, when and as those Lands are vested in the Local Board, are by this Act absolutely extinguished.

Rights of Way over *Pex Hill* Lands taken by Local Board extinguished.

12. Inasmuch as the Right in the Soil of *Pex Hill* is claimed by Freeholders of the Township of *Cronton* and the Overseers of that Township and other Persons, therefore, so far as relates to the Rights of the said Freeholders, and Overseers therein, the Provisions with respect to Lands being Common or Waste Lands of "The Lands Clauses Consolidation Act, 1845," extend and apply to the Lands in *Pex Hill* by this Act authorized to be taken, and all Rights in and affecting the same, as if the same were Rights of Common; provided that nothing in this Section shall affect the Right of any Person other than the said Freeholders and Overseers in the said Lands.

Application of 8 & 9 Vict. c. 18. to *Pex Hill*.

13. The Local Board shall not in the Exercise of any Powers conferred upon them by this Act, without the Consent of the *London and North-western* Railway Company, or (as the Case happens) the *Manchester, Sheffield, and Lincolnshire*, and the *Great Northern*, and the *Midland* Railway Companies, or the *Cheshire* Lines Committee, take, use, or enter upon any Lands belonging to the Company or Companies or Committee, but the Local Board with such Consent may purchase and take, and the Company or Companies or Committee may sell and grant accordingly, any Easement or Right of using any of their Lands for Purposes of this Act.

Local Board not to acquire Lands of Railway Companies without Consent.

14. The Local Board may from Time to Time by Agreement, and in addition to the Lands which by this Act they are authorized to purchase, compulsorily purchase or otherwise acquire for any of the Purposes of this Act any Lands not exceeding in the whole Seven Acres.

Power for Local Board to acquire Lands by Agreement.

15. All Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release Lands shall have full Power, if they think fit, to grant to the Local Board, subject to the Provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," respectively, in Fee and in consideration of any yearly or other Rent or otherwise, any Easement, Right, or Privilege in or over or affecting any Lands not being an Easement, Right, or

Owners may grant Easements.

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Privilege of Water required by the Local Board for any of the Purposes of this Act.

Applica-  
tion of  
23 & 24 Vict.  
c. 106. to  
Rents, &c.

16. For the Purposes of this Act the several Provisions with respect to Lands and Rentcharges of "The Lands Clauses Consolidation Acts Amendment Act, 1860," incorporated with this Act, so far as the same respectively are applicable in that Behalf, extend and apply to Easements and Rights in, over, or affecting any Lands granted under this Act, and Rentcharges reserved by the Grants of the Easements and Rights respectively.

Rents, &c.  
charged on  
Gas Rents.

17. Every such Rentcharge reserved by any Grant taken by the Local Board for any of the Purposes of this Act with respect to Gas shall be charged on the Rents and Charges payable under this Act for Gas supplied by the Local Board in preference to every other Charge thereon.

Rents, &c.  
charged on  
Water Rates.

18. Every such Rentcharge reserved by any Grant taken by the Local Board for any of the Purposes of this Act with respect to Water shall be charged on the Rates and Charges payable under this Act for Water supplied by the Local Board, and in preference to every other Charge thereon.

Rentcharges  
on Gas  
Rents and  
Water Rates.

19. Every such Rentcharge reserved by any Grant taken by the Local Board for any of the Purposes of this Act with respect both to Gas and to Water shall be charged as to One Half thereof on the Rates and Charges payable under this Act for Gas supplied by the Local Board, and as to the other Half thereof on the Rates and Charges payable under this Act for Water supplied by the Local Board, and respectively in preference to every other Charge thereupon made under this Act on the same respectively.

Rents, &c.  
charged on  
General Dis-  
trict Rate.

20. Every such Rentcharge reserved by any Grant taken by the Local Board for any of the Purposes of this Act other than the Purposes thereof with respect to Gas and Water shall be charged on the General District Rate raiseable by the Local Board, and in preference to every other Charge thereon, except Charges thereon made before the Time of the taking of the respective Grant, and from Time to Time in force.

Recovery of  
Rents, &c.  
so charged.

21. If and whenever any such Rentcharge is not paid within Thirty Days next after the Day on which it becomes payable, and after Demand thereof in Writing, the Person to whom it is payable either may recover the same from the Local Board in any Court of competent

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petent Jurisdiction, or may levy the same by Distress of the Goods and Chattels of the Local Board.

**22.** On any Lease, Sale, or other Disposal by the Local Board of any Lands acquired by them under this Act they may accept or reserve to themselves any Water or Water Rights belonging to the Lands, or any Easements in, over, or affecting the Lands, and may make the respective Disposal subject to Exceptions and Reservations accordingly, and also subject to such other Exceptions and Reservations, and such special Conditions and Provisions with respect to the User of the Lands and otherwise, as they think fit.

Reservations on Disposal of Lands by Local Board.

**23.** The Persons who claim and exercise the Right of taking Tolls on *Snig Lane* alias *Mersey Road* in *Widnes* may, within Six Months next after the passing of this Act, give Notice in Writing to the Local Board of their Desire to sell the Tolls, and if the Notice be given the Local Board may purchase the Tolls, and on and for ever after the Purchase the Tolls are by this Act abolished, and for the Purposes of this Section the Tolls shall be deemed to be Lands within the Lands Clauses Acts of 1845 and 1860, and the Purchase Money or Compensation for the Tolls may be settled by Agreement, or, failing Agreement, shall be determined as in Cases of disputed Compensation under the Lands Clauses Consolidation Act, 1845.

Abolition of private Tolls on Snig Lane.

**24.** The Compensation Money, if any, for and all Expenses connected with the Purchase of those Tolls shall be charged on and paid by the Local Board out of Monies raised by the Highway Rate, or if there be no Highway Rate then out of the General District Rate for *Widnes* made next after the Time when the Local Board receive Notice of the Desire to sell the Tolls, and the requisite Amount shall be raised by that Highway Rate or General District Rate accordingly; provided that in ascertaining the Compensation for the Tolls any Benefit conferred on the Persons beneficially interested in the Tolls by any Diversion sanctioned by the Local Board of *Mersey Road* consequent on or with a view to the Abolition of the Tolls may be taken into account in the Assessment of the Compensation for such Tolls, or may be accepted by the Owners of such Tolls in full Satisfaction for the same.

Compensation for Tolls, &c. to be paid out of Highway Rate or General District Rate.

**25.** Subject to the Provisions of this Act, the Local Board may from Time to Time make and maintain the Works and do the Things by this Act authorized, and so far as the Lines and Levels of the Works are shown on the deposited Plans and Sections respectively may from Time to Time make and maintain the Works in the Lines and in accordance with the Levels shown thereon, and in the Lands shown on the Plans and specified in the deposited Books of Reference.

Power to Local Board to make Works authorized by Act.

**26.** The

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authorized.

26. The Works by this Act authorized to be made and maintained, and the Things by this Act authorized to be done, by the Local Board, comprise the following Works and Things, with all such incidental Works and Conveniences and Things connected therewith as the Local Board from Time to Time find requisite or convenient; (that is to say,)

## GASWORKS.

(a) The erecting, extending, repairing, and maintaining on Lands now of the Company which are agreed to be transferred to the Local Board (and are bounded Eastwardly and North-eastwardly in part by an Embankment for a proposed Railway Siding of the *London and North-western* Railway Company, North-eastwardly in other Part by *Earle Street* and in other Part by Lands of the Trustees of the late *John Hutchinson*, and Southwardly by *Anne Street East*, all in *Widnes*,) of Gasworks, Gasholders, Buildings, Works, and Conveniences for the making, storing, and supplying of Gas.

## WATERWORKS.

(b) A Reservoir or Reservoirs, Well or Wells, with Engines, Tanks, Conduits, Pipes, and other Conveniences and Approaches, on *Pex Hill*, and a Quarry adjoining thereto.

(c) Conduits and Lines of Pipes with all proper Conveniences connected therewith leading from the Well or Wells and Engines (b) to the Reservoir or Reservoirs (b).

(d) Similar Conduits and Lines of Pipes from the Reservoir or Reservoirs (b) across *Pex Hill* to the Road (e) and along that Road to *Cronton Lane*.

(e) A Road commencing where the Footroad from *Cronton Lane* to *Rainhill* leaves *Cronton Lane* at the Boundary of the Townships of *Widnes* and *Cronton*, and running thence Northwardly, and terminating on *Pex Hill* near to the Dwelling House occupied by *James Knowles*.

## GAS AND WATER.

(f) The making, repairing, and maintaining in any Lands from Time to Time belonging to the Local Board, and applicable in accordance with this Act for the Purpose, of all such Buildings, Embankments, Wells, Reservoirs, Aqueducts, Conduits, Drains, Sluices, Cuts, Channels, Pipes, Engines, and other Works and Conveniences as the Local Board from Time to Time think requisite for supplying Gas and Water.

## TOWN HALL.

(g) A Town Hall, with public Offices, Rooms, Outbuildings, Yards, Approaches, and other Conveniences connected therewith.

GENERALLY.



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## GENERALLY.

(h) The fitting up, enlarging, extending, improving, maintaining, and altering from Time to Time of the Gasworks and Waterworks and Town Hall respectively, and the Works and Conveniences connected with the same.

(i) The laying down and maintaining of Mains, Pipes, Culverts, Aqueducts, and other Works in, under, over, or across any Streets, and the interfering with, so far as is requisite for the Purposes of this Act, any Works and Conveniences in any of the Lands shown on the deposited Plans and specified in the Books of Reference thereto.

All which Works are to be made, and the Lands to be taken or used therefor are situate, in the Townships of *Widnes, Cuerdley, Bold, Cronton, and Ditton*, and such Parts of the Township of *Rainhill* as are within the Limits of this Act with respect to the Supply of Water, or some or One of them.

27. In executing the Works shown on the deposited Plans and Sections the Local Board may deviate laterally from the Lines thereof shown on the deposited Plans to any Extent within the Limits of Deviation shown thereon, and vertically from the Levels thereof shown on the deposited Sections to any Extent not exceeding in any Place with respect to Reservoirs Three Feet, and in other Cases Five Feet.

Lateral and vertical Deviations.

28. The Works shown on the deposited Plans shall be completed within Seven Years after the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Local Board for making the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed; provided that the Local Board from Time to Time may renew, enlarge, extend, and add to their Waterworks, Mains, Pipes, and Apparatus whenever for any of the Purposes of this Act they find it expedient so to do.

Period for Completion of Works.

29. By Agreement with the *London and North-western Railway Company*, and the *Manchester, Sheffield, and Lincolnshire*, and the *Great Northern*, and the *Midland Railway Companies*, and the *Cheshire Lines Committee* respectively, the Local Board from Time to Time may make, lay down, repair, renew, alter, maintain, and use in any Lands of the Company or Companies or Committee any Mains, Pipes, Works, and Conveniences for the Supply of Gas and of Water.

Works in Lands of Railway Companies.

30. Notwithstanding anything in this Act contained, any Works to be constructed in carrying into execution the Purposes of this Act in any way affecting any Railway, Canal, Lands, or Property of the

As to Works affecting Railway Companies.

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*London and North-western Railway Company, or, as the Case happens, the Manchester, Sheffield, and Lincolnshire, and the Great Northern, and the Midland Railway Companies, or the Cheshire Lines Committee, or any of the Stations on any such Railway, or the Bridges or Works of any such Railway or Canal, shall be done under the Superintendence and to the reasonable Satisfaction of the principal Engineer for the Time being of the Company or Companies or Committee, and according to Drawings, Plans, and Specifications, and of such Materials and Quality as shall be reasonably approved in Writing by him under his Hand, but in all things at the Expense of the Local Board, and so as to cause no Injury to or Interference with any Railway, Canal, Stations, Bridges, Works, Lands, or Property, or the Passage or Conduct of Traffic over any such Railway or Canal, or at any such Stations; and if any such Injury or Interference shall arise to such Railway, Canals, Stations, Bridges, Works, Lands, or Property, the Local Board shall make full Compensation to the Company or Companies or Committee in respect of such Injury or Interference.*

Siding from  
Railway into  
Gasworks.

**31.** The Local Board, by Agreement with the *London and North-western Railway Company*, from Time to Time may make, renew, repair, maintain, alter, and use a Siding from the Works of that Company into the Gasworks of the Local Board.

Power to  
Local Board  
to lay down  
Pipes, &c. for  
Gas and  
Water.

**32.** Subject to the Provisions of this Act, the Local Board from Time to Time, for the Purposes of this Act with respect to Gas and Water respectively, may make, lay down, maintain, alter, and discontinue such Mains, Pipes, Apparatus, Works, and Conveniences in any Lands from Time to Time vested in them for the Purposes of this Act, and do all such other Things as they from Time to Time think proper for supplying Gas, and for collecting and storing Water, and filtering and purifying Water, and supplying Gas and Water.

Power to  
Local Board  
to lay Mains,  
&c. in High-  
ways, &c.

**33.** Subject to the Provisions of this Act, the Local Board from Time to Time may lay down and maintain Mains, Pipes, Plugs, and Apparatus in, along, under, and across, and in order thereto may break up, any Streets, Turnpike and other Roads, Bridges, Passages, and Ways.

Not neces-  
sary for  
Local Board  
to give  
Notice of  
breaking up  
Streets, &c.

**34.** It shall not be necessary for the Local Board before they open or break up any public Street, Road, Passage, or Way in *Widnes* to give any Notice of their Intention to do so.

Power to  
Local Board  
to maintain  
Gasworks,

**35.** Subject to the Provisions of this Act, the Local Board from Time to Time may maintain, alter, enlarge, and discontinue the Gasworks from Time to Time belonging to them, and the Works and Conveniences connected therewith, and may, in and upon any Lands from

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from Time to Time vested in them for the Purposes of the Gasworks, and make and supply Gas. make, maintain, alter, enlarge, and discontinue such Gasworks, Retorts, Gasometers, Gas Meters, Mains, Pipes, Apparatus, Works, and Conveniences, and such Houses, Buildings, and Approaches, and do all such Things as they think proper for making and storing Gas and for supplying Gas within the Limits in that Behalf of this Act, and for converting the Ammoniacal Liquor produced therefrom into merchantable Sulphate of Ammonia, and for making merchantable any other Products of their Gasworks, and may make, store, and supply Gas accordingly, and may sell the Gas and the Coke, Sulphate of Ammonia, and other Products and Residuum of the making of Gas as they from Time to Time think fit; provided that the Local Board shall not under this Act make or store Gas on any Lands other than the Lands vested in them by this Act for the Purposes of the Gasworks: Provided that nothing in this Act shall prevent the Local Board from being liable to an Indictment for Nuisance or to any other legal Proceeding to which they may be liable in consequence of any such Operations.

**36.** Provided that the Local Board shall not supply any Gas in or to any Place out of *Widnes* where the supplying of Gas in or to that Place would in any way prejudicially interfere with the Supply of Gas in *Widnes*.

Local Board not to supply Gas out of *Widnes* to prejudice of Supply in *Widnes*.

**37.** The Local Board from Time to Time may light with Gas such of the Streets and Public Buildings within the Limits of this Act with respect to the Supply of Gas, and at such Times and in such Manner, as they think fit, and may provide, lay, and affix for the Purpose such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works and Conveniences as they think requisite.

Power to Local Board to light Streets, &c.

**38.** The Local Board, at the Request of any Owner or Occupier of any Premises within the Limits of this Act for the Supply of Gas, and within Ten Yards of which any Main of the Local Board is then laid, shall furnish to him a Supply of Gas sufficient for the Premises at a Rate not exceeding the Price by this Act limited, and in order thereto shall provide and lay a proper and sufficient Communication, Service, and other Pipes from and communicating with the Main up to the Premises: Provided that nothing in this Act shall render it compulsory upon the Local Board to lay any Service Pipe in private Property, or to supply Gas where it would be necessary to lay the Service Pipe in private Property, unless the Owner or Occupier of the private Property consents thereto.

Local Board to supply Gas on Request of Owners or Occupiers.

**39.** The Local Board, with the Consent of the Owner and Occupier of any Building, may lay any Pipe, Branch, or other Apparatus from any

Power to Local Board to lay Pipes for lighting any Buildings.

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any Main or Branch Pipe into, through, or against the Building for the Purpose of lighting the Building, and may provide and set up any Apparatus securing to the Building a proper Supply of Gas, and for measuring and ascertaining the Extent of the Supply.

Terms for  
Supply of  
Gas out of  
Widnes.

40. The Local Board shall not be compellable to supply Gas out of *Widnes* unless a Profit of at least *Ten per Centum per Annum* on their Expenditure from Time to Time for the Purpose of the Supply be first secured to them as by this Act provided.

Penalty for  
Failure by  
Local Board  
to furnish  
the Supply.

41. If and whenever the Local Board, not being entitled to require or not having required any Security, wilfully fail for Seven Days after being thereunto required in Writing by any Person entitled to a Supply of Gas under this Act, or, where the Security agreed on or determined is given, wilfully fail for Seven Days thereafter to provide and lay all proper and sufficient Communication, Service, and other Pipes, or to furnish a Supply of Gas pursuant to this Act, the Local Board shall, on a summary Conviction before a Justice, forfeit and pay to the Person entitled not exceeding Five Pounds for every Day after the Expiration of Seven Days during which the Failure continues.

Security for  
Payment of  
Gas Rent.

42. Any Person who requests to have a Supply of Gas from the Local Board shall, if and when so required in Writing by them, and before he is entitled to have the Pipes provided and laid, or to have a Supply of Gas provided or continued, give to them such Security for the Payment of the Rent for the Gas to be supplied to him as he and the Local Board agree on, or as, in default of Agreement, is determined as by this Act provided; but, except as is by this Act otherwise provided, the Local Board shall not at any Time be entitled to discontinue the Supply of Gas to any Person then having a Supply unless and until he fail to give the Security for Seven Days after it is agreed on or determined; and the Local Board shall, on summary Conviction before a Justice, forfeit and pay to the Person aggrieved not exceeding Five Pounds for every Day during which the Supply is discontinued contrary to this Section.

Justice may  
determine  
Nature of  
Security.

43. Where the Person and the Local Board do not agree on the Security to be given it shall be determined by a Justice, and any single Justice shall, on the Application of the Person and the Local Board, or either of them, determine the Nature and Amount of the Security to be given, and the Security may, as the Justice thinks fit, be the Deposit with the Local Board, or with any Person approved by the Justice, or the Prepayment to the Local Board, of a Sum of Money or any other Security which the Justice thinks sufficient and reasonable, and the Determination of the Justice shall be binding on all Parties.

44. All

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44. All the Gas supplied by the Local Board shall be of such lighting Power at the Place of testing the Gas as to produce from an Argand Burner having Fifteen Holes and a Seven-inch Chimney, and consuming Five Cubic Feet of Gas an Hour, a Light equal in Intensity to the Light produced by Fourteen Sperm Candles of Six to the Pound burning One hundred and twenty Grains an Hour, and the Gas shall be so far free from Sulphuretted Hydrogen as not to discolour moistened Test Paper imbued with Acetate or Carbonate of Lead when the Test Paper is exposed for One Minute to a Current of the Gas issuing under a Pressure of Five Tenths of an Inch of Water, and shall not contain more than Twenty Grains of Sulphur, nor more than Five Grains of Ammonia, in One hundred Cubic Feet of the Gas.

Lighting  
Power and  
Purity of  
Gas.

45. The Local Board either shall maintain the experimental Meter provided by the Company, or before discontinuing that experimental Meter shall provide in some convenient Place an experimental Meter furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney capable of consuming Five Cubic Feet of Gas an Hour, with other necessary Apparatus and Means, for testing and so situate as to test the lighting Power and the Purity of all the Gas supplied by the Local Board, and shall at all Times keep and maintain the experimental Meter and Apparatus in good Repair and working Order.

Local Board  
to provide  
Means for  
testing light  
ing Power  
and Purity  
of Gas.

46. Any Consumers of Gas supplied by the Local Board, not being fewer than Five, from Time to Time by Order in Writing under their Hands, may appoint some competent Person to test the lighting Power or Purity of the Gas, and the Person so appointed, on giving Three Hours previous Notice in Writing to the Local Board, may at any reasonable Hour in the Daytime, on producing the Order, enter the Gasworks of the Local Board, and in the Presence of the Manager or other Gasworks Officer of the Local Board make Experiment of the lighting Power or Purity of the Gas from all or any of the Gas-holders of the Local Board by means of the experimental Meter and other Apparatus or Means, and the Local Board and their Officers shall afford all reasonable Facilities and Assistance for the making of the Experiment.

Power to  
test lighting  
Power and  
Purity of  
Gas.

47. Where it is proved to the Satisfaction of any Two Justices not being Members of the Local Board, after hearing the Parties, that the lighting Power or the Purity of the Gas supplied by the Local Board did not when so tested equal the lighting Power or the Purity by this Act prescribed, or that the Local Board or any of their Officers refused to afford the reasonable Facilities for or prevented or hindered the making of the Experiment, the Local Board shall forfeit and pay to the Consumers making the Order not exceeding Twenty Pounds.

Penalties if  
Gas not of  
due lighting  
Power or  
Purity.

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Costs of  
Experiment  
to abide  
Event.

48. The Costs of and attending the Experiment, including the Remuneration to be paid to the Persons making it and the Costs of the Proceedings before the Justices, shall be ascertained by the Justices, and in the event of any Penalty being imposed on the Local Board shall be paid with the Penalty by the Local Board; but in the event of a Penalty not being imposed, the Costs shall be awarded to be paid to the Local Board by the Consumers who appointed the Person to test the Gas, and shall be paid or levied accordingly.

Consumption  
of Gas by  
Meter.

49. Every Consumer of Gas supplied by the Local Board shall, on being thereunto required by the Local Board, consume by Meter the Gas supplied to him, and every Consumer may require the Local Board to allow him to consume the Gas by Meter, and the Local Board may require that the Size and Capacity of the Meter be proportioned to the Number and Size of the Gas Burners to be connected with the Meter, and the Meter shall be provided by the Local Board at the Expense of the Consumer, or, at the Option of the Consumer, shall be provided by him, and the Meter shall be approved by the Local Board before it is used or set up.

Power to  
Local Board  
to let Meters.

50. The Local Board may make, provide, let, and sell Gas Meters, Pipes, Burners, and Fittings for such Remuneration in Money, and on such Terms with respect to the Repair of the Meter and Fittings, and for securing where requisite the Safety and Return to the Local Board of the Meter and Fittings, as are agreed upon between the Purchaser or Hirer and the Local Board, and the Remuneration shall be recoverable in like Manner as the Gas Rents, and the Meters and Fittings belonging to the Local Board shall not be subject to Distress or to the Landlord's Claim for Rent of the Premises where the same are used, nor to be taken in Execution under any Process of a Court of Law or Equity, or any Proceedings in Bankruptcy against any Person having Possession of the same.

Repair of  
Meters.

51. Every Consumer of Gas of the Local Board shall at all Times at his own Expense keep every Gas Meter belonging to him whereby any Gas of the Local Board is registered in proper Order, and proper and sufficient in all respects for correctly registering the Gas, in default whereof the Local Board may cease to supply Gas through the Meter, and the Local Board shall at all reasonable Times have Access to and be at liberty to take off, remove, test, inspect, and replace any Meter belonging to a Consumer, and the taking off, removing, testing, inspecting, and replacing shall be done at the Expense of the Local Board if the Meter be found in proper Order and proper and sufficient in all respects, but otherwise at the Expense of the Consumer.

52. In

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52. In all Cases in which the Supply of Gas by the Local Board to any Premises is discontinued, then if the Premises be unoccupied the Local Board, their Agents, Servants, and Workmen, after giving Twenty-four Hours previous Notice to the Owner by serving the Notice on him, or leaving the same at his Dwelling House, or sending the same through the Post, or if the Owner or his Address be, after due Inquiry, not known to the Local Board, then by affixing the Notice for Three Days on some conspicuous Part of the Premises, may enter into the Premises between the Hours of Nine in the Forenoon and Four in the Afternoon, and remove and carry away all Gas Meters, Pipes, Burners, or Fittings belonging to the Local Board.

Removal  
of Meters,  
&c. from  
unoccupied  
Premises.

53. Before any Person connects or disconnects any Gas Meter by which any of the Gas of the Local Board has been or is intended to be registered he shall give not less than Twenty-four Hours Notice in Writing to the Local Board of his Intention so to do.

Notice to  
Local Board  
of putting up  
Meters.

54. Every Person who wilfully, fraudulently, or by culpable Negligence injures or suffers to be injured any Gas Meter, Lamp, Pipe, Burner, or Fitting belonging to the Local Board, or fraudulently alters the Index to any Meter, or prevents any Meter from duly registering the Quantity of Gas supplied, or fraudulently connects with a Meter any Gas Burner of a Number or Size greater than the Number or Size proportioned to the Size and Capacity of the Meter, or effaces or alters any Mark applied under any Act of Parliament to any Meter, shall, without Prejudice to any other Right or Remedy for the Protection of the Local Board or the Punishment of the Offender, forfeit and pay to the Local Board for every such Offence not exceeding Five Pounds, and the Local Board may in addition thereto recover the Amount of any Damages by them sustained, and, notwithstanding any Contract with respect to the Supply of Gas to the Person so offending, the Local Board may discontinue the Supply of Gas to him until the Damage or Injury is remedied, and the Amount of the Damages are paid; and the Existence of artificial Means for the Alteration or Prevention when the Meter is in the Custody or Control of the Consumer shall be *prima facie* Evidence that the same has been fraudulently, knowingly, and wilfully caused by the Consumer using the Meter.

Penalty for  
fraudulently  
injuring  
Meters, &c.

55. Every Person who knowingly or wilfully destroys or effaces any Mark from Time to Time used under any Act of Parliament for the marking of any Meter employed for registering Gas supplied by the Local Board shall for every such Offence forfeit and pay to the Local Board not exceeding Five Pounds, and every such Destruction or effacing, where the Meter is under his Custody or Control, shall be

For prevent-  
ing fraudu-  
lent Con-  
sumption of  
Gas.

*prima*

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*prima facie* Evidence of such Knowledge on the Part of the Consumer using the Meter.

Register of  
Meter to be  
*prima facie*  
Evidence  
of Gas con-  
sumed.

**56.** The Register of the Gas Meter shall be *prima facie* Evidence of the Quantity of Gas consumed by any Customer of the Local Board, and in respect of which any Rent is charged and sought to be recovered by the Local Board.

Limiting  
Price of Gas.

**57.** The Local Board shall not demand or receive for the Supply of Gas by Meter during the First Two Years after they begin to supply Gas any Sum exceeding a Sum after the Rate of Five Shillings and Tenpence for One thousand Cubic Feet of Gas, or after those Two Years any Sum exceeding a Sum after the Rate of Five Shillings for One thousand Cubic Feet of Gas.

Power to  
Local Board  
to manage  
Waterworks.

**58.** Subject to the Provisions of this Act, and within the Limits in that Behalf of this Act, the Local Board from Time to Time may maintain, manage, regulate, work, and use the Waterworks from Time to Time vested in them under this Act, and may enlarge, extend, alter, add to, and discontinue their Waterworks, and the Buildings, Mains, Pipes, Works, and Conveniences connected therewith, when and as they find it expedient so to do.

Power to  
Local Board  
to supply  
Water.

**59.** Subject to the Provisions of this Act, the Local Board from Time to Time may, within the Limits in that Behalf of this Act, supply Water for domestic Purposes, and for Purposes other than domestic Purposes, and may supply Water by Measure; provided that the Local Board shall not be compellable to supply Water out of *Widnes* unless a Profit of at least Ten Pounds *per Centum per Annum* on their Expenditure from Time to Time for the Purpose of the Supply be first secured to them to their reasonable Satisfaction.

Limit of  
Pressure.

**60.** The Water supplied by the Local Board need not be constantly laid on under Pressure greater than can be supplied by Gravitation from the Reservoir of the Local Board.

Local Board  
not to supply  
Water out of  
*Widnes* to  
prejudice of  
Supply in  
*Widnes*.

**61.** Provided that the Local Board shall not supply any Water in or to any Place out of *Widnes* where the supplying of Water in or to that Place would in any way prejudicially interfere with the Supply of Water in *Widnes*.

Power to  
Local Board  
to agree for  
Supplies of  
Water.

**62.** Subject to the Provisions of this Act, the Local Board from Time to Time may enter into and carry into effect such Agreements with any Railway Companies and other Companies and Persons with respect to the Supply of Water for other than domestic Purposes, and  
all



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all Matters incidental and accessory thereto, as the Local Board think fit, and every such Agreement may be for such Period and on such Terms, pecuniary or otherwise, and Conditions as the Local Board think fit.

**63.** A Supply of Water for domestic Purposes does not include a Supply of Water for more than One Watercloset, or for Cattle, or for Horses, or for washing Carriages, where the Horses and Carriages are kept for Hire or are the Property of a Dealer, or for Steam Engines, or for Railway Purposes, or for warming or ventilating Purposes in Public Buildings, or for working any Machine or Apparatus, or for any Trade, Manufacture, or Business whatsoever, or for watering Gardens by means of any Tap, Tube, Pipe, or other such like Apparatus, or for Fountains, or for flushing Sewers or Drains, or for public or private Baths, or for any ornamental Purpose whatsoever.

What are domestic Purposes.

**64.** No Person shall be entitled to have under this Act a Supply of Water for any Purpose other than domestic Purposes when the Supply would interfere with the proper Supply under this Act of Water for domestic Purposes.

Restriction on Supply for other than domestic Purposes.

**65.** The Service Pipes to communicate with the Mains and Pipes of the Local Board and the Fittings connected therewith shall be laid, placed, and removed under the Superintendence of the Local Board, and at the Expense of the Persons requiring or having the Supply, and at their Option either by themselves or by the Local Board.

Service Pipes.

**66.** If any Person connects any Service Pipe or other Fitting with any of the Mains or Pipes of the Local Board otherwise than under the Superintendence and in accordance with the reasonable Requirements of the proper Officer of the Local Board, every Person so offending shall for every such Offence forfeit and pay to the Local Board not exceeding Five Pounds, and shall pay for all Water taken by means of the Service Pipe or other Fitting so improperly connected Water Rates fourfold the Amount of the Water Rates which would otherwise be payable in respect of the Supply.

Penalty for improperly fitting Service Pipes.

**67.** Subject to the Provisions of this Act, the Local Board from Time to Time may make and enforce such reasonable Regulations as they find expedient for preventing the Waste or Misuse of Water supplied by them, and among other things may prescribe the Size, Nature, Materials, Make, Strength, and Arrangement of the Pipes, Cocks, Cisterns, and other Apparatus used for Purposes of the Supply.

Power to Local Board to make Regulations for preventing Waste of Water.

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Power to  
Local Board  
to refuse to  
supply where  
Regulations  
not complied  
with.

68. In the event of any of the Regulations of the Local Board with respect to Water not being observed by any Person having or requiring a Supply of Water, the Local Board may refuse to supply Water or cut off the Water supplied by them to him unless and until the Regulations be complied with, and if and whenever any Difference arises as to whether the Regulations are reasonable, or have been complied with by any Person whose Supply of Water is so cut off, the Difference may be referred by either Party to and shall be determined by any Two Justices.

For prevent-  
ing fouling  
Water.

69. The Local Board shall not be compellable to supply any Person with Water unless the Apparatus provided or to be provided by him be made of such Material and so used as to prevent the Waste or undue Consumption of the Water of the Local Board, and the Return of foul Air and other noisome or impure Matter into the Mains or Pipes belonging to or connected with the Mains or Pipes of the Local Board, or with respect to a private Bath if it contain when filled for Use more than Eighty Gallons of Water.

Penalty for  
suffering  
Pipes to be  
out of repair.

70. Every Person supplied by the Local Board with Water who wilfully suffers any Pipe, Cock, Cistern, or other Apparatus used for Purposes of the Supply to be out of repair so that the Water supplied to him by the Local Board is wasted, shall for every such Offence forfeit and pay to the Local Board not exceeding Five Pounds over and above the Loss which the Local Board sustain by reason of the Waste.

Pipes, &c.  
out of repair  
to be re-  
paired.

71. In every such Case the Local Board, by Notice in Writing under the Hand of their Clerk or Surveyor delivered to the Person allowing the Pipe, Cock, Cistern, or other Apparatus to be out of repair, or left for him at the House where the Apparatus is, may require him to repair the Apparatus so as to prevent the Waste of Water, and if he fail to do so within Three Days after the Service of the Notice the Local Board may repair the Apparatus, and the Expense thereof shall be repaid to them by the Person so in default, and may be recovered as Penalties under this Act are recoverable.

Public  
Drinking  
Fountains.

72. The Local Board may from Time to Time, when and as they think it expedient so to do, put up and continue, and from Time to Time improve, alter, remove, or discontinue, any Drinking Fountains with proper Conveniences for the gratis Supply of Water to the Public (but for personal Consumption only) in such Places within the Limits of this Act with respect to supplying Water as the Local Board think fit, but not against any private Dwelling House, Warehouse, Counting-house, or Shop, except with the Consent of the Owner or Occupier thereof, or against any Public Building unless the Building be the Property of the Local Board; and the Supply in

*Widnes*

*Widnes Improvement Act, 1867.*

*Widnes* shall be gratis, and any Supply beyond *Widnes* may be either gratis or for such Payment or Consideration as the Local Board think fit.

73. Every Person using for other than domestic Purposes any Water supplied by the Local Board, and not having previously agreed with the Local Board for a Supply for the other Purposes, and every Person having agreed with the Local Board for a Supply of Water for any other than domestic Purposes, and using for any Purposes other than the Purposes so agreed on the Water so supplied by the Local Board, shall respectively for every such Offence forfeit and pay to the Local Board any Sum not exceeding Five Pounds.

Penalty for using Water for other than domestic Purposes without Agreement.

74. The Local Board may make, provide, and sell Water Meters and Fittings, and may let for Hire Meters for ascertaining the Quantity of Water consumed or supplied, and any Fittings thereto.

Power to Local Board to provide Water Meters, &c.

75. Before any Person connects or disconnects any Water Meter by which any of the Water of the Local Board has been or is intended to be registered, he shall give not less than Twenty-four Hours Notice in Writing to the Local Board of his Intention so to do.

Notice to Local Board of putting up Water Meters.

76. Every Person who wilfully, fraudulently, or by culpable Negligence injures or suffers to be injured any Water Meter or Fitting belonging to the Local Board, or fraudulently alters the Index to any Water Meter, or prevents any Water Meter from duly registering the Quantity of Water supplied, or fraudulently connects with a Water Meter any Water Pipe calculated to interfere to the Prejudice of the Local Board with the due Action of the Water Meter, or effaces or alters any Mark applied to a Water Meter, shall, without Prejudice to any other Right or Remedy for the Protection of the Local Board or the Punishment of the Offender, forfeit and pay to the Local Board for every such Offence not exceeding Five Pounds, and the Local Board may in addition thereto recover the Amount of any Damages by them sustained, and, notwithstanding any Contract with respect to the Supply of Water to the Person so offending, the Local Board may discontinue the Supply of Water to him until the Damage or Injury is remedied and the Amount of the Damages are paid; and the Existence of artificial Means for the Alteration or Prevention when the Water Meter is in the Custody or Control of the Consumer shall be *prima facie* Evidence that the same has been fraudulently, knowingly, and wilfully caused by the Consumer using the Water Meter.

Penalty for fraudulently injuring Water Meter.

77. The Register of the Water Meter shall be *prima facie* Evidence of the Quantity of Water consumed by any Customer of the Local Board,

Register of Water Meter to be *prima facie* Evi-

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dence of Water consumed.

Board, and in respect of which any Rate is charged and sought to be recovered by the Local Board.

Rates for Supply of Water for domestic Purposes.

78. The Local Board shall, at the Request of the Owner or Occupier of any Premises in any Street within the Limits of this Act with respect to the Supply of Water in which any Supply Main of the Local Board is from Time to Time laid, or on the Application of any Person who under this Act is entitled to demand a Supply of Water for domestic Purposes, furnish to the Owner or Occupier or other Person so requiring it a sufficient Supply of Water for domestic Purposes at Rates in accordance with the yearly Value of the Premises not exceeding the Rates following; (that is to say,)

Where the yearly Value does not exceed Twenty-five Pounds, at a Rate not exceeding Seven Pounds Ten Shillings per Centum of the yearly Value :

Where the yearly Value exceeds Twenty-five Pounds, at a Rate not exceeding Seven Pounds Ten Shillings per Centum of the First Twenty-five Pounds, and Seven Pounds per Centum of the Second Twenty-five Pounds or any Fraction thereof, and Six Pounds Ten Shillings per Centum of the Third Twenty-five Pounds or any Fraction thereof, and Six Pounds per Centum of the Fourth Twenty-five Pounds or any Fraction thereof, and Five Pounds Ten Shillings per Centum of the next Fifty Pounds or any Fraction thereof, and Five Pounds per Centum of all above One hundred and fifty Pounds :

Provided that the Local Board shall not be compelled to furnish a Supply of Water for domestic Purposes to any Premises at a Rate less than Twopence a Week.

Yearly Value to be ascertained by Poor's Rate.

79. The yearly Value shall be ascertained by reference to the Assessment from Time to Time in force of the respective Premises to the Poor's Rate.

Rates for Waterclosets and Baths.

80. In addition to the Rates for a Supply of Water for domestic Purposes the Local Board may demand and take,—

(A.) For every Watercloset beyond One in or belonging to any Dwelling House, any Sum not exceeding the Rate of Five Shillings a Year :

(B.) For every private Bath in or belonging to any Dwelling House, any Sum not exceeding the Rate of Five Shillings a Year.

Water Rates where several Houses supplied together.

81. Where several Houses are supplied by Water by means of One common Service Pipe, the Water Rates shall be paid for every House so supplied as if the Local Board furnished to the House a separate

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separate Supply of Water by means of a separate and distinct Service Pipe.

82. The Provisions of Section 55 of the Public Health Act of the Session of the Twenty-first and Twenty-second Years of Her present Majesty, Chapter 98, apply, *mutatis mutandis*, to the Payments by Owners and Occupiers of Water Rates under this Act.

Provisions of 21 & 22 Vict. c. 98. as to Payments by Owners, &c. to apply.

83. Provided that where the yearly Value of any Premises exceeds One hundred and fifty Pounds the Local Board may agree with the Owner or Occupier of the Premises for the Supply to the Premises of Water for domestic Purposes at a Rate agreed on between the Local Board and the Owner or Occupier; but in no such Case shall the Rate be less than the Rate for Premises of the yearly Value of One hundred and fifty Pounds.

Composition for Water Rates for large Premises.

84. The Local Board may supply Water for Purposes other than domestic Purposes on such Terms, pecuniary or otherwise, and Conditions as are agreed on between the Local Board and the Person requiring the Supply.

Charges for Supply of Water for other than domestic Purposes.

85. Where any Consumer of the Gas or Water of the Local Board leaves the Premises where the Gas or Water has been supplied to him without paying to the Local Board the Gas Rent or Meter Rent or Water Rate due from him, the Local Board shall not be entitled to require from the next Tenant of the Premises the Payment of the Arrears left unpaid by the former Tenant unless the incoming Tenant agreed with the former Tenant to pay or exonerate him from the Payment of the Arrears.

Incoming Tenant not liable to pay Arrears of Gas Rent, Meter Rent, or Water Rate.

86. The Local Board from Time to Time may permit the Town Hall or any Part thereof, or any of the Conveniences connected therewith, to be used for such Purposes, whether public or private, and for such Times, and on such Terms, pecuniary or otherwise, and Conditions, as they think fit.

User of Town Hall.

87. Where the Local Board think it requisite, they may require the Owner or Occupier of any licensed Victualling House, Beerhouse, or Refreshment House at his Expense to provide and maintain in a proper and convenient Situation near to the House, and to keep duly cleansed, a proper and convenient Urinal; and every such Owner or Occupier who, after being thereunto required by the Local Board, wilfully fails to provide to the Satisfaction of the Local Board and within such Time as they in that Behalf appoint, or to maintain to their Satisfaction, such a Urinal as they require, shall for every such Offence forfeit not exceeding Forty Shillings for every Day during

Owners of licensed Victualling Houses, &c. to provide Urinals.

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which the Offence continues ; and every such Owner or Occupier who does not once in every Day to the Satisfaction of the Local Board cleanse the Urinal shall for every such Offence forfeit not exceeding Forty Shillings.

Gasworks Account and Gasworks Fund.

**88.** The Local Board shall keep a separate and distinct Account, to be called "the Gasworks Account," of their Receipts, Credits, Payments, and Liabilities in relation to the Execution of this Act with respect to Gas, and for or on account of the Charges for Gas supplied under this Act, and those Receipts and Credits shall form their Gasworks Fund.

Waterworks Account and Waterworks Fund.

**89.** The Local Board shall keep a separate and distinct Account, to be called "the Waterworks Account," of their Receipts, Credits, Payments, and Liabilities in relation to the Execution of this Act with respect to Water, and for or on account of the Rates and Charges for Water supplied under this Act, and those Receipts and Credits shall form their Waterworks Fund.

Audit, &c. of the Accounts.

**90.** The Accounts respectively shall be subject to the like Provisions as to Audit, Examination, Report, Inspection, Copies and Extracts, and Production of Vouchers, as other Accounts of the Local Board, except that any additional Remuneration made to the Auditors in respect of the Audit of the respective Account shall be paid out of the Gasworks Fund, or, as the Case happens, the Waterworks Fund.

Power to Local Board to borrow on Mortgage of Gasworks and Gasworks Fund, Waterworks and Waterworks Fund, and General District Rate.

**91.** In addition to any other Monies which under the Public Health Acts and this Act they may borrow, the Local Board from Time to Time, under the Authority and for Purposes of this Act, may borrow at Interest on Mortgage or Bond, but not by way of Annuity, such Monies as they think fit, not exceeding the Sums following ; (that is to say,)

	£
(a) For Purposes of this Act with respect to Gas, and on Mortgage of the Gasworks and the Gasworks Fund and the General District Rate	} 15,000
(b) For Purposes of this Act with respect to Water, and on Mortgage of the Waterworks Fund and the General District Rate	} 25,000
(c) For other Purposes of this Act, and on Mortgage of the Town Hall and the General District Rate	} 5,000

Power to borrow on Gasworks

**92.** In addition to the other Monies which the Local Board are by this Act authorized to borrow on Mortgage or Bonds, they from Time

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Time to Time may borrow and reborrow as to One Half thereof on Gasworks Mortgages or Bonds or Annuities, and as to the other Half thereof on Waterworks Mortgages or Bonds or Annuities, all Monies which in pursuance of the Agreement set forth in the Schedule to this Act annexed it is awarded that they shall pay to the Company, and all Costs, Charges, and Expenses of and incident to the Agreement with the Company, and the preparing and applying for and the obtaining and passing of this Act, and the Arbitration to be had in pursuance thereof; provided that the Local Board shall not create any Annuity other than Annuities created for the Purposes of that Agreement.

Mortgages and Waterworks Mortgages Money awarded to be paid to Company.

**93.** The Mortgagees and Annuitants under this Act may enforce Payment of Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages, or the Arrears of their Annuities, by the Appointment of a Receiver; and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, or of Arrears of Annuities, the Amount owing to the Mortgagees or Annuitants by whom the Application for a Receiver is made shall not be less than One Fourth of the respective total Mortgage Debt or Annuities of Two hundred and fifty Pounds a Year in the whole.

Arrears may be enforced by Appointment of a Receiver.

**94.** All Mortgages granted by the Local Board in pursuance of any Act of Parliament before the passing of this Act, and subsisting at the passing thereof, shall, during their respective Continuance and with respect to the Property comprised in the same respectively, have Priority over all Mortgages granted under this Act.

Priority of existing Mortgages.

**95.** Any Mortgage or Bond or Security for an Annuity under this Act, and any Transfer of the Mortgage or Bond or Annuity, may be made in accordance with the Forms of Mortgage and Transfer by the "Public Health Acts" authorized, with such Modifications thereof as render them applicable to the Purposes of this Act; provided that every Mortgage or Bond or Security for an Annuity granted by the Local Board under this Act shall, in accordance with the Purposes of this Act for which the Money thereby secured is borrowed, be distinguished on the Face thereof as being either "a Gasworks Mortgage or Bond or Annuity Security," or "a Waterworks Mortgage or Bond or Annuity Security," or "a Town Hall Mortgage or Bond."

Form of Gasworks Mortgages, and Waterworks Mortgages, and Town Hall Mortgages.

**96.** The Mortgages from Time to Time granted by the Local Board under this Act shall be granted under the Authority of this Act, subject to the Provisions of this Act, in accordance with the Provisions of the Public Health Acts with respect to Mortgages of the General District Rate; and all the Powers and Provisions of the Public Health Acts applicable with respect to Mortgages of the General District

Mortgages under Act to be in accordance with Public Health Acts.

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District Rate, and Transfers of the Mortgages and otherwise, shall, except as is by this Act otherwise provided, apply and have Effect with respect to the Mortgages granted under this Act by the Local Board as if those Mortgages respectively were Mortgages of the General District Rate.

Restrictions  
of Public  
Health Acts  
as to borrow-  
ing Monies.

**97.** The Powers of the Local Board of borrowing under this Act shall not be in any way restricted by any of the Provisions of the Public Health Acts, and in calculating the Amounts which the Local Board may borrow under this Act the Amounts which they may borrow under the Public Health Acts shall not be reckoned.

Sinking  
Funds.

**98.** A Sinking Fund, in accordance with the Public Health Acts, for paying off Monies borrowed on Mortgage for Purposes of this Act with respect to Water, or, as the Case happens, with respect to Gas, shall be formed by setting aside yearly for the respective Sinking Fund such Sum as with the Interest and Accumulations is reasonably estimated to be sufficient for the Redemption of the respective Debt in Thirty Years, and the Sinking Fund shall be kept up until the whole of the respective Monies so borrowed under this Act by the Local Board be paid off; and the Monies carried to the respective Sinking Fund, so soon and so far as conveniently can be, may from Time to Time be applied in or towards the Discharge of the respective Monies so borrowed, and until so applied shall be invested in Government Securities in the Name of the Local Board.

Power to  
Local Board  
to reborrow.

**99.** The Local Board from Time to Time may, under the Authority of this Act, reborrow any Amount from Time to Time paid off by them of the Monies borrowed by them under this Act, unless it be paid off by means of the respective Sinking Fund, in which Case, and to the Extent of the Amount paid off by means of the Sinking Fund, their Powers under this Act of borrowing and reborrowing shall cease.

Gasworks  
Fund to be  
primarily  
liable for  
Gasworks  
Expenditure.

**100.** As between the Gasworks Fund and the General District Rate, the Gasworks Fund shall be primarily liable to be applied in satisfaction of all the Monies from Time to Time payable by the Local Board under the Authority of this Act and for Purposes of this Act with respect to Gas, and all Monies from Time to Time paid out of the General District Rate for Purposes of this Act with respect to Gas shall be reimbursed and repaid out of the Balance from Time to Time of the Gasworks Fund remaining after the Satisfaction of the Purposes for which Monies carried to that Fund are under the Act to be applied; but nothing in this Section shall prejudice the Security of any Person having under this Act any Gasworks Mortgage, and his Rights and Remedies as against the General District Rate shall be the same as if this Section were not enacted.

**101.** As



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**101.** As between the Waterworks Fund and the General District Rate, the Waterworks Fund shall be primarily liable to be applied in satisfaction of all the Monies from Time to Time payable by the Local Board under the Authority of this Act and for Purposes of this Act with respect to Water, and all Monies from Time to Time paid out of the General District Rate for Purposes of this Act with respect to Water shall be reimbursed and repaid out of the Balance from Time to Time of the Waterworks Fund remaining after Satisfaction of the Purposes for which Monies carried to that Fund are under this Act to be applied; but nothing in this Section shall prejudice the Security of any Person having under this Act any Waterworks Mortgage, and his Rights and Remedies as against the General District Rate shall be the same as if this Section were not enacted.

Waterworks  
Fund to be  
primarily  
liable for  
Waterworks  
Expenditure.

**102.** The Gasworks Fund shall be applied as follows; (that is to say,) (A.) All Monies forming Part of that Fund, not being Monies received from the General District Rate or Monies borrowed on Mortgage:

Application  
of Gasworks  
Fund.

First, for paying the Interest from Time to Time payable on Monies secured by Gasworks Mortgages; and subject thereto,

Secondly, for setting apart the Sinking Fund for paying off the Gasworks Mortgages; and subject thereto,

Thirdly, for maintaining the Gasworks, and in other respects carrying this Act into execution with respect to Gas (except Enlargements and Extensions); and subject thereto,

Fourthly, for making the Enlargements and Extensions of the Gasworks; and subject thereto,

Fifthly, for repaying Monies advanced for Purposes of this Act with respect to Gas out of General District Rate, and not repaid; and subject thereto,

Sixthly, for paying off the Principal Monies secured by Gasworks Mortgages; and subject thereto,

Seventhly, the Surplus from Time to Time shall be carried to the General District Fund of the Local Board, and be applicable accordingly.

(B.) All Monies forming Part of that Fund, being Monies received from the General District Rate:

For all or any of the First, Second, Third, and Seventh Purposes.

(C.) All Monies borrowed on Gasworks Mortgages:

In the first place for paying One Half of the Costs, Charges, and Expenses of and incident to the preparing and applying for and the obtaining and passing of this Act, and One Half of the Costs, Charges, and Expenses of and incident to the preparing and carrying into execution of the Agreement set forth in the Schedule to this Act annexed; and subject thereto,

For both or either of the Fourth and Sixth Purposes.

[Local.]

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**103.** The

*Widnes Improvement Act, 1867.*

Application  
of Water-  
works Fund.

**103.** The Waterworks Fund shall be applied as follows; (that is to say,)

(A.) All Monies forming Part of that Fund, not being Monies received from the General District Rate or Monies borrowed on Mortgage:

First, for paying the Interest from Time to Time payable on Monies secured by Waterworks Mortgages; and subject thereto,

Secondly, for setting apart the Sinking Fund for paying off the Waterworks Mortgages; and subject thereto,

Thirdly, for maintaining the Waterworks, and in other respects carrying this Act into execution with respect to Water (except Extensions); and subject thereto,

Fourthly, for making the Extensions of the Waterworks; and subject thereto,

Fifthly, for repaying Monies advanced for Purposes of this Act with respect to Water out of the General District Rate, and not repaid; and subject thereto,

Sixthly, for paying off the Principal Monies secured by Waterworks Mortgages; and subject thereto,

Seventhly, the Surplus from Time to Time shall be carried to the General District Fund of the Local Board, and be applicable accordingly.

(B.) All Monies forming Part of that Fund, being Monies received from the General District Rate:

For all or any of the First, Second, Third, and Seventh Purposes.

(C.) All Monies borrowed on Waterworks Mortgages:

In the first place for paying One Half of the Costs, Charges, and Expenses of and incident to the preparing and applying for and the obtaining and passing of this Act, and One Half of the Costs, Charges, and Expenses of and incident to the preparing and carrying into effect of the Agreement set forth in the Schedule to this Act annexed; and subject thereto,

For making the Waterworks, and for both or either of the Fourth and Sixth Purposes.

As to Pay-  
ment of  
Wages under  
this Act.

**104.** The Salaries, Wages, and Allowances of all Officers and Servants employed by the Local Board solely for the Purposes of this Act, and any additional Salaries, Wages, and Allowances allowed by the Local Board for Services under this Act to any Officers or Servants employed by them for other Purposes, and the Rent of and other Outgoings for Offices used by the Local Board for the Purposes of this Act with respect to both Gas and Water, shall be payable out of the Income of the Local Board arising under this Act, and the Local Board from Time to Time as they think fit shall apportion the same between the Gasworks Fund and the Waterworks Fund.

**105.** The

*Widnes Improvement Act, 1867.*

**105.** The Local Board from Time to Time, if and when they think fit, may appoint, regulate, alter, and remove a Committee of themselves, to be called the Gasworks Committee, for carrying into effect such of the Powers and Provisions of this Act with respect to Gas as the Local Board think can be better carried into effect by means of the Committee, and may delegate to them such of the Powers and Discretions in that Behalf of the Local Board as the Local Board think fit, and may determine the Number, Quorum, and Procedure, and the Duties and Authorities, of the Committee, and the Allowances to be made to them in respect of Expenses incurred in the Performance of their Duties; provided that all the Proceedings of the Committee shall be subject to the Control of the Local Board, but not so as to render invalid any lawful Proceedings of the Committee.

Power to  
Local Board  
to appoint  
Gasworks  
Committee.

**106.** The Local Board from Time to Time, if and when they think fit, may appoint, regulate, alter, and remove a Committee of themselves, to be called the Waterworks Committee, for carrying into effect such of the Powers and Provisions of this Act with respect to Water as the Local Board think can be better carried into effect by means of the Committee, and may delegate to them such of the Powers and Discretions in that Behalf of the Local Board as the Local Board think fit, and may determine the Number, Quorum, and Procedure, and the Duties and Authorities, of the Committee, and the Allowances to be made to them in respect of Expenses incurred in the Performance of their Duties; provided that all the Proceedings of the Committee shall be subject to the Control of the Local Board, but not so as to render invalid any lawful Proceedings of the Committee.

Power for  
Local Board  
to appoint  
Waterworks  
Committee.

**107.** The respective Committee at their First Meeting in every Year may appoint a Chairman for that Year, and on the happening of any Vacancy in the Chairmanship during a current Year may supply the Vacancy for the rest of the Year, and may meet from Time to Time, and may adjourn from Place to Place, as they think fit, and at all Meetings of the respective Committee at which the Chairman is not present One of the Committee-men present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Votes of the Committee-men present, every Committee-man present having One Vote, and the Chairman in case of an Equality of Votes having a Second or Casting Vote, but no Business shall be transacted at any Meeting of the respective Committee except when the Quorum, if any, fixed by the Local Board, or if no Quorum be fixed by them then Two Committee-men, be present.

Meetings,  
&c. of Com-  
mittees.

**108.** The respective Committee shall keep proper Minutes of all their Proceedings, and their Minute Books and other Books, Accounts,

Minutes of  
Proceedings  
of Com-  
mittees.

*Widnes Improvement Act, 1867.*

Accounts, Documents, and Writings shall at all Times be open to the Inspection and Transcription of every Member of the Local Board.

Byelaws.

**109.** The Local Board from Time to Time, in accordance with the Powers and Provisions in that Behalf of the Public Health Acts, and if and when they think fit, may make, alter, and repeal such Byelaws as they think fit for all or any of the Purposes following; (that is to say,)

(a) The regulating of the Business of the Local Board with respect to the Supply of Gas and the Supply of Water respectively:

(b) The regulating of the Duties and Procedure of the Officers and Servants of the Local Board employed for any of the Purposes of this Act:

(c) The regulating of any other Matters connected with the carrying into execution of this Act.

Contracts for Supply of Water, &c. not to disqualify.

**110.** No Person shall be disqualified for being, continuing, or acting as a Member of the Local Board by reason of his being concerned in any Contract entered into by the Local Board for a Supply of Water or of Gas, or for the Sale or Purchase of any Land for Purposes of this Act, or of his being a Proprietor of or interested in any Newspaper in which Advertisements are inserted for the Local Board, but he shall not act or vote as a Member of the Local Board on any Question touching any Matter in which he is so interested.

Liability to Rates, &c. not to disqualify Justices.

**111.** No Person shall be incapable of acting as a Justice in the Execution in any respect of this Act or of any other Act from Time to Time in force in *Widnes* by reason of his being interested in any Contract under this Act for a Supply of Water or of Gas, or his being liable under this Act to the Payment of any Rate or other Money, or his being a Member of the Local Board.

Forms provided by Public Health Acts may be used.

**112.** The Forms provided by any of the Public Health Acts may be used for Purposes of this Act, with such Modifications thereof respectively as are expedient for referring to this Act, and for rendering them applicable to those Purposes.

Authentication of Notices, &c.

**113.** Any Summons, Demand, Notice, or other such Document under or for the Purposes of this Act or the Public Health Acts, or any of them, may be in Writing or Print, or partly in Writing and partly in Print, and if the same require Authentication by the Local Board the Signature thereof by the Clerk to the Local Board shall be a sufficient Authentication thereof.

**114.** The

*Widnes Improvement Act, 1867.*

114. The General District Rates and Special District Rates, and other Rates which the Local Board from Time to Time make and levy, may be made and levied prospectively in order to raise Money for Liabilities and Expenditure, or retrospectively in order to raise Money for past Liabilities and Expenditure, or both retrospectively and prospectively; provided that any past Liabilities and Expenditure for which Money is so raised shall be only those past Liabilities and Expenditure the Amount of which is ascertained and admitted as a Claim against the Local Board within Twelve Months before the making of the Rate out of which the same or any Part thereof is to be defrayed.

Rates made by Local Board may be prospective or retrospective, or both.

115. The Rents for a Supply of Gas and for Gas Meters and Fittings, and the Rates for a Supply of Water for domestic Purposes, and for Waterclosets, and for Baths, and for Water Meters and Fittings, shall respectively be payable in advance by equal quarterly Payments on *Lady Day, Midsummer Day, Michaelmas Day, and Christmas Eve* in every Year, but all such Payments shall be considered as Payments only on account; provided that where any Difference arises between the Local Board and a Consumer of Gas or Water supplied by the Local Board with respect to the Amount of any quarterly Payment to be made of Rent or Rate for the Supply, the Difference may be referred by either Party to and shall be determined by a Justice.

Gas and Meter Rents and Water Rates payable in advance.

116. Where any Person fails to pay any Gas or Meter Rent, Water Rate, or other Sum due to the Local Board, and the Sum due does not exceed Fifty Pounds, the Local Board may recover the same, with Costs of Suit, in any Court of competent Jurisdiction, and the Remedies of the Local Board under this Section shall be in addition to their other Remedies in that Behalf.

Recovery of Sums not exceeding 50l.

117. All Rents, Rates, and Sums of Money due and payable under this Act to the Local Board on any account whatever, and all Penalties, Costs, Damages, and Expenses by this Act directed to be paid, may be levied by Distress, and any Justice, on Application by the Local Board, shall issue his Warrant accordingly, the Party against whom the Warrant is issued being first duly summoned.

Recovery of Money by Distress.

118. Any Warrant of Distress under this Act may order that the Costs of the Proceedings for the Recovery of the Money be paid by the Person liable to pay the Money, and the Costs shall be ascertained by the Justice or Justices issuing the Warrant, and shall be included in the Warrant of Distress for the Recovery of the Money.

Costs of Distress.

*Widnes Improvement Act, 1867.*

Several  
Names in  
One Warrant,  
&c.

**119.** Any Number of Names or Sums may be included in any Information, Summons, Warrant of Distress, or Notice obtained or given by the Local Board for any of the Purposes of this Act, and may be given either in the Body of the Instrument or in a Schedule thereto.

Penalties on  
Local Board  
not cumu-  
lative.

**120.** Penalties imposed on the Local Board by several Acts for one and the same Offence shall not be cumulative, and for this Purpose this Act and the Acts incorporated with this Act shall be deemed several Acts.

Application  
of Penalties.

**121.** The Justices by whom any Penalty is imposed under this Act shall, where the Penalty is payable by any Person other than the Local Board, and the Application thereof is not otherwise provided for, award the Penalty to the Local Board.

Company to  
wind up their  
Affairs and  
be dissolved.

**122.** So soon as can be after the passing of this Act the Agreement which is set forth in the Schedule to this Act annexed shall be carried into effect, and the Company shall realize their Assets, and discharge their Debts and Liabilities, and wind up their Affairs, and in order thereto may avail themselves of any Act from Time to Time in force with respect to the winding up, either voluntarily or otherwise, of any Joint Stock Companies, and when and so soon as the Company's Affairs are finally wound up the Company shall be by this Act dissolved and shall wholly cease to exist,

Distribution  
of net Assets  
of Company  
among  
Share-  
holders.

**123.** The net Assets of the Company shall be distributed by the Company among the several Shareholders of the Company in proportion to their respective Shares of the Capital of the Company.

Payments  
into Court  
by Company  
where Share-  
holders not  
known.

**124.** In every Case in which the Company are for Twelve Months after the Time for the Distribution of their Assets unable after diligent Inquiry to ascertain the Person to whom any of the Assets ought to be paid, or who is competent to give an effectual Discharge for the same, the Company may, under the Authority of any Act from Time to Time in force for the Relief of Trustees, pay the same into the Court of Chancery, and every such Payment shall conclusively discharge the Company from all further Liability with respect to the Money so paid, and for the Purposes of this Act shall be deemed Payment thereof to a Person absolutely entitled thereto, and any Person afterwards showing to the Satisfaction of the Court that he is entitled thereto may obtain Payment out of Court thereof accordingly.

On Disso-  
lution of  
Company  
first-recited  
Act repealed.

**125.** On the Dissolution of the Company, but subject to the Provisions of this Act, the recited Act shall be by this Act repealed; provided

*Widnes Improvement Act, 1867.*

provided that in the meantime, from and after the Time when the Local Board have the Possession and Enjoyment of the Gasworks and Waterworks of the Company, the recited Act shall be put in force only for the Purposes of the carrying into effect of the Agreement which is set forth in the Schedule to this Act annexed, and the realizing of the Assets, and the discharging of the Debts and Liabilities, and the winding up of the Affairs of the Company, and all Matters incidental or accessory to any of those Purposes.

**126.** Notwithstanding the Dissolution of the Company and the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done, suffered, and confirmed respectively under or by the recited Act relating to the Undertaking, Works, and Property of the Company shall be as valid as if the Dissolution and Repeal had not happened, and the Dissolution and Repeal and the Operation of this Act respectively shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the Dissolution had not happened, would be incident to or consequent on everything so done, suffered, and confirmed; and with respect to everything so done, suffered, and confirmed, and all those Rights, Liabilities, Claims, and Demands, the Local Board, with respect to the Undertaking, Works, and Property of the Company purchased by the Local Board, shall to all Intents be substituted for and represent the Company.

General  
Saving of  
Rights under  
recited Act.

**127.** Notwithstanding the Dissolution and the Repeal, all the Provisions of any Acts, other than the repealed Act, which at the Time of the Transfer of the Property of the Company to the Local Board are in force and apply to or affect the Company or their Property, or their Directors, Officers, and Servants in respect of the same, shall, subject to the Provisions of this Act, continue in force and apply to the Property so transferred, and the Local Board and their Officers and Servants in respect of the same, and may be enforced, exercised, and enjoyed accordingly as if the same had originally so applied to the Local Board and their Officers and Servants.

Provisions of  
other Acts  
continued.

**128.** Notwithstanding the Dissolution and the Repeal, all Purchases, Sales, Conveyances, Grants, Assurances, Leases, Contracts, Agreements, Securities, and other Acts and Things before the Transfer of the Property of the Company to the Local Board made, done, entered into, or executed by, to, with, or for the Local Board with respect to the Property so transferred shall be as valid and

Convey-  
ances, &c. to  
remain in  
force.

*Widnes Improvement Act, 1867.*

and effectual to all Intents whatsoever for, against, and with respect to the Local Board as (if the Transfer had not been made and the Dissolution and Repeal had not happened) the same respectively would be for, against, and with respect to the Local Board, and may be proceeded on and enforced accordingly.

Saving  
Rights of  
Local Board,  
&c.

**129.** Except only as is by this Act otherwise expressly provided, nothing in this Act shall take away, lessen, prejudice, or alter any of the Jurisdictions, Estates, Rights, Interests, Powers, Authorities, and Privileges of the Local Board, or of the *London and North-western Railway Company*, or of the *Manchester, Sheffield, and Lincolnshire Railway Company*, or of the *Great Northern Railway Company*, or of the *Midland Railway Company*, or of the *Cheshire Lines Committee*.

Gasworks,  
&c. not  
exempt from  
General  
Acts.

**130.** Nothing in this Act shall exempt the Gasworks, or the Waterworks, or the Local Board from the Provisions of any General Act hereafter passed with respect to the Public Health or Local Government, or with respect to Gasworks or Waterworks, or for any future Revision and Alteration, under the Authority of Parliament, of the Charges for Gas and Water by this Act authorized.



*Widnes Improvement Act, 1867.*

The SCHEDULE referred to in the foregoing Act.

AN AGREEMENT made the Second Day of October One thousand eight hundred and sixty-six between the Widnes Gas and Water Company (herein-after called the Company) of the one Part, and the Local Board for the District of Widnes (herein-after called the Local Board) of the other Part.

WHEREAS the Township of Widnes in the Parish of Prescot in the County of Lancaster is supplied with Gas and Water by the Company by virtue of the Powers and Provisions of "The Widnes Gas and Water Act, 1860:" And whereas in pursuance of such Act the Company have established Works for the Manufacture of Gas and the Supply of Water at Widnes aforesaid, and for those Purposes have purchased, taken on Lease, or otherwise acquired certain Tenements, Hereditaments, Powers, and Privileges, and also certain Springs and Sources of Water, and have laid down Mains and Pipes within the Limits of their said Act: And whereas the Local Board is established under and by virtue of the Provisions of "The Local Government Act, 1858," and the District of the Local Board is the Township of Widnes aforesaid (herein-after designated "the District") :

And whereas it has been proposed and agreed between the Company and the Local Board that (subject to the Approbation of Parliament) the Company shall sell, and the Local Board shall purchase, on the Terms herein-after mentioned, the whole of the Company's Undertaking :

And that the Company and Local Board shall make a joint Application to Parliament in the ensuing Session to authorize the Local Board to make such Purchase, and to raise the Funds for that Purpose :

Therefore it is mutually agreed between the Company and the Local Board that the said Purchase shall be made on the following Terms; (that is to say,)

1. That such Purchase shall be conditional on the passing of the joint Bill intended to be promoted in the ensuing Session of Parliament by the Company and Local Board for the Purpose and with the Objects aforesaid.

2. That such Purchase shall comprise all the Company's Gasworks and Waterworks, Lands, Buildings, Wells, Tanks, Mains, Pipes, Waters, Machinery, Engines, Apparatus, Plant, and Implements, Deeds, Books, Accounts, and all Erections, Additions, and Improvements to be made by the Company after the First of September last, and all other the Property and Effects, Powers, Rights, and Privileges of the Company (except only the Rents, Rates, Sums of Money, Debts, and Credits due and owing to the Company prior to the First September One thousand eight hundred and sixty-six), free from all Mortgages, Charges, Incumbrances, Debts, and Liabilities whatsoever created by the Company.

3. That the Price to be paid by the Local Board for the Purchase of the Company's Undertaking shall be determined by Arbitration in the Manner herein-after mentioned.

4. That the Valuation of the Company's Undertaking shall be made as at First September One thousand eight hundred and sixty-six, but shall include the Cost of all subsequent Erections, Additions, and Improvements which may be

[Local.]

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made

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*Widnes Improvement Act, 1867.*

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made by the Company prior to the Completion of the Purchase, with Interest on such Cost at such Rate as the Arbitrators shall determine.

5. That the Arbitration shall be constituted and conducted under the several Sections of "The Public Health Act, 1848," numbered 123 to 128, both inclusive, so far as they are applicable to this Arrangement, except only the Provision in Section 127 with reference to the Costs of the Arbitration which shall be paid and borne by the Local Board.

6. That the Company shall accept Payment of the Purchase Money in Cash, or in such Form of Securities (whether Annuities, Mortgages, Bonds, or otherwise) as the Local Board may be authorized to create, and that the Mode of Payment shall be taken into consideration in making the Valuation.

7. That the Company shall retain Possession of and continue to work their said Undertaking until the Completion of the Purchase, but that the Local Board shall be entitled to the Benefit of the Rents and Profits to accrue therefrom after the First September One thousand eight hundred and sixty-six, less the Expenses of and Outgoings to be incurred by the Company in working and maintaining the same, and that the Balance (if any) of such Rents and Profits in excess of the Interest payable under Articles 8 and 9 shall be deducted by the Arbitrators from the Amount of their Valuation of the Company's Undertaking.

8. That the Price to be awarded for the Purchase Money for the Company's Undertaking, after the Deduction mentioned in the Article 7, shall be paid at such Time or Times and in such Manner, and (until Payment) shall bear Interest from the First September One thousand eight hundred and sixty-six at such Rate, as shall be agreed upon between the Company and the Local Board, and be sanctioned by Parliament, or, in case of Dispute, shall be determined by Arbitration in manner aforesaid.

9. That on Payment of the Purchase Money (in the Manner mentioned in Article 6), and of all Interest subsequent to the Date of the Award in Cash, the Company and all other necessary Parties shall execute all proper Conveyances and Assignments of all Lands now belonging to the Company, or occupied by any of their Works, subject to the Rents, Terms, and Conditions on which the Company hold the same, and shall do all other Acts requisite for transferring to and vesting in the Local Board the Company's Undertaking.

10. That the Bill to be laid before Parliament shall contain Clauses authorizing the Purchase of the Company's Undertaking by the Local Board, and also all such Provisions as the Company may reasonably think proper and sufficient for enabling the Company after the Sale of their Undertaking to dissolve, liquidate, and wind up the same.

11. That the Local Board shall be at liberty to introduce into the said joint Bill such Clauses as they may deem desirable for extending the Supply of Gas and Water in such Manner as shall be most beneficial to the Inhabitants of the District of Widnes, and at their own Risk and Cost for such other Purposes as they shall think fit.

12. That in the event of the Purchase being approved by Parliament, the Costs of the Application and of preparing and executing these Presents, and also of the Arbitration and Award herein-before provided for, shall be paid by the Local Board out of the Funds to be authorized by the Act, but if such Purchase shall not be so approved the Costs of the Application to Parliament shall be paid and borne by the Company solely, and in the last-named Event these Presents and every Clause, Matter, and Thing herein contained shall be absolutely void, and the Local Board or the individual Members thereof, notwithstanding their Execution of these Presents, shall incur no Liability or Responsibility whatsoever to the Company.

13. That if at any Time any Question shall arise between the Company and the Local Board as to the true Intent, Construction, Effect, and Meaning of this Agreement,

Widnes Improvement Act, 1867.

Agreement, every such Question shall be decided by Arbitration in manner aforesaid.

14. That the Expression "Arbitrators" herein used shall be taken to include a single Arbitrator or an Umpire.

In witness whereof the Widnes Gas and Water Company have to one Part of this Agreement affixed their Seal, and the undersigned Members of the Widnes Local Board have to another Part of this Agreement set their Hands, and the said Local Board have affixed their Seal, the Day and Year first before written.

Signed by William Gossage, John M'Clellan, Edward Young, Richard Kent, Charles Neil, and Henry Deacon, Six of the Members of the said Local Board, in the Presence of

- WILLIAM GOSSAGE,  
Chairman.
- JOHN M'CLELLAN.
- EDWARD YOUNG.
- RICHARD KENT.
- CHARLES NEIL.
- HENRY DEACON.

THOMAS BEASLEY,  
Solicitor, St. Helen's, Clerk to the Board.

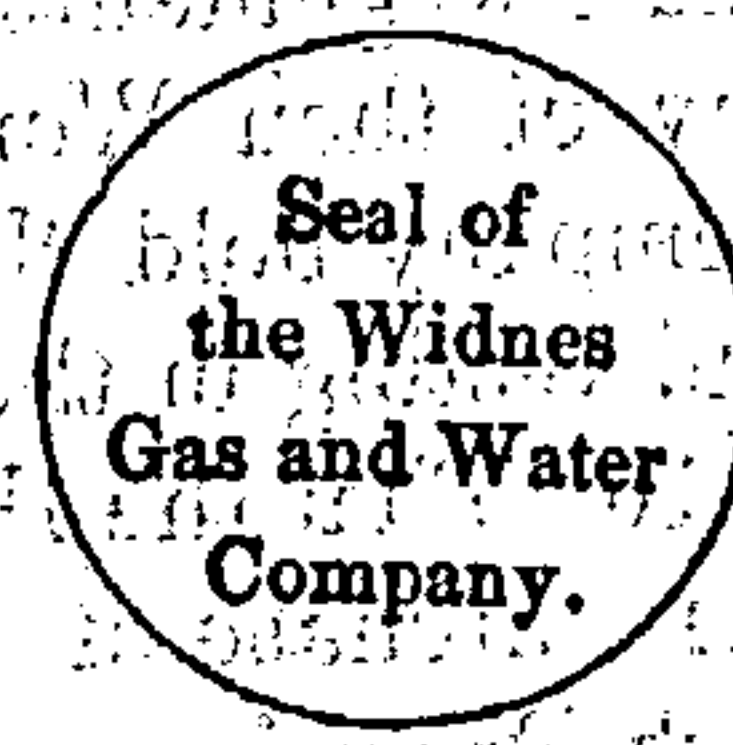
The Seal of the said Local Board was hereunto affixed at a Meeting of the said Board on the Second Day of October 1866, the Date hereof, by the said William Gossage in the Presence of

THOMAS BEASLEY.



The Seal was affixed by a Resolution of the Board of Directors in the Presence of

WALTER HALL,  
Secretary to the Company.



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