



### CHAPTER cv.

An Act for Regulating the Rating of the Leeds and Liverpool Canal and for other purposes. A.D. 1892.

[20th June 1892.]

**W**HEREAS by the Act passed in the tenth year of the reign of His Majesty King George III. intituled "An Act for making and maintaining a navigable cut or canal from Leeds Bridge in the county of York to the North Lady's Walk in Liverpoole in the County Palatine of Lancaster and from thence to the river Mersey" the Leeds and Liverpool Canal Company (in this Act called "the Company") were incorporated by the name of the Company of Proprietors of the Canal Navigation from Leeds to Liverpool and were empowered to make the canal therein described: 10 Geo. III.  
c. 114.

And whereas by the Act of the twenty-third year of the reign of His said Majesty King George III. chapter 47 (in this Act called "the Act of 1783") certain of the shares in the undertaking of the navigation of the river Douglas alias Asland (in this Act called "the Douglas Navigation") authorised by the Act passed in the sixth year of the reign of His Majesty King George I. chapter 28 for making the river Douglas alias Asland navigable from the river Ribble to Wigan in the County Palatine of Lancaster (in this Act called "the Douglas Navigation Act") and in the messuages lands tenements and hereditaments belonging thereto or held therewith which had been purchased by the Company were vested in them and they were empowered to purchase the remainder of the said shares which power the Company have exercised and the Douglas Navigation is now vested in them as part of their undertaking but under and subject to the provisions of the Douglas Navigation Act and the Act of 1783: 23 Geo. III.  
c. 47.

And whereas by the Act of the thirtieth year of the reign of His said Majesty King George III. chapter 65 and by the Act of the thirty-fourth year of the reign of His said Majesty chapter 94 the Company were authorised to deviate part of their authorised 30 Geo. III.  
c. 65.  
34 Geo. III.  
c. 94.



[Ch. cv.] *Leeds and Liverpool Canal Act, 1892.* [55 & 56 Vict.]

A.D. 1892. canal and further powers were conferred upon the Company and other provisions made with respect to their undertaking :

59 Geo. III. And whereas by the Act of the fifty-ninth year of the reign of  
c. cv. His said Majesty King George III. chapter cv. (in this Act called "the Act of 1819") the Company were authorised to construct a canal (the Leigh Branch) from Wigan to join the Duke of Bridgewater's canal at Leigh and further powers were conferred upon the Company and other provisions made with respect to their undertaking :

27 & 28 Vict. And whereas under the provisions of the Lancaster Canal Transfer  
c. cclxxxviii. Act 1864 the Company are lessees for 999 years of a portion of the Lancaster Canal :

And whereas by the Leeds and Liverpool Canal Act 1891 (in this Act called "the Act of 1891") the Acts relating to the Company were amended in various respects and the name of the Company was changed to that of "the Leeds and Liverpool Canal Company" :

And whereas some of the Acts above recited and some of the Acts relating to the Lancaster Canal contain provisions still in force and unrepealed (copies of which are set forth in the schedule to this Act) with respect to the rating of the Company's undertaking and property which in effect confer upon the Company a partial exemption from rating or fix and define a special method or basis according to or on which the property of the Company is to be rateable and chargeable to the maintenance of the poor and to all parochial rates and taxes and it is expedient that such provisions be repealed subject nevertheless to the provision in this Act contained for the rating of the canal and certain other works and property of the Company for a limited period upon one-half of their rateable value :

And whereas by section 31 of the Liverpool Sanitary Amendment Act 1854 special provision is made as to the mode of assessment of the occupier of any land used as a railway constructed under the power of any Act of Parliament for public conveyance to certain rates within the borough of Liverpool and it is expedient that such section should be extended so as to apply to and include the canal and towing-path of the Company within that borough :

And whereas the purposes of this Act cannot be effected without the authority 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 (that is to say) :—

Short title. 1. This Act may be cited for all purposes as the Leeds and Liverpool Canal Act 1892.



2. In this Act the expression "the canal" means and includes the Company's canals including the Leigh Branch and the Douglas Navigation and that part of the Lancaster Canal of which the Company are lessees and the towing paths and reservoirs thereof respectively and the works connected therewith but does not include the Bradford Canal of which the Company are joint owners with the Undertakers of the Navigation of the rivers Aire and Calder.

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Interpreta-  
tion.

3. Section 31 of the Act of 1783 and section 17 of the Act of 1819 (copies of which sections are set forth in the first part of the schedule to this Act) are hereby repealed on and from the first day of March one thousand eight hundred and ninety-three and section 118 of the Act of the thirty-second year of the reign of His Majesty King George III. chapter 101 in the schedule called the Act of 1792 and section 7 of the Act of the thirty-third year of the reign of His said Majesty King George III. chapter 107 in the schedule called the Act of 1793 (copies of which last-mentioned sections are set forth in the second part of the schedule to this Act) are hereby repealed on and from the said first day of March one thousand eight hundred and ninety-three so far as they relate to that part of the Lancaster Canal of which the Company are lessees Provided that except with regard to that portion of the canal and towing-path which is within the city of Liverpool the Company shall for the period of seven years from the said first day of March one thousand eight hundred and ninety-three be rated to poor parochial county borough general district and all other rates whatsoever in respect of the canal towing-path and reservoirs of the Company (including such part of the Lancaster Canal as aforesaid) and in respect of the aqueduct conduit or line of pipes being Work Number 3 authorised by the Act of 1891 (section 36) when constructed and rateable upon such amounts only as from time to time represent one-half of their net annual value which amounts shall be the sums to be inserted as the "rateable value" in the valuation lists rate books and rates for the time being in force in the respective areas of the several rating authorities in respect thereof and the Company shall pay poor parochial county borough general district and other rates made in such respective areas within such period of seven years in accordance with such limited rating as if the same were the net annual value thereof and the said amounts shall be deemed and taken to be the net annual value thereof for the purposes of all rates whatsoever made in the said areas within such period of seven years but this proviso shall not extend to any dwelling-houses wharves quays warehouses lock-houses and other buildings belonging to or occupied by the Company Provided always that nothing herein contained shall be

Repeal of  
rating  
exemption.

A.D. 1892. — deemed to deprive the Company of any partial exemption from or reduction of rating or assessment to which the Company may be or become entitled under the provisions of sections 211 and 230 of the Public Health Act 1875 or of any general or special Act or Acts passed or hereafter to be passed. Provided further that upon the expiration or other sooner determination of the term for which the Company are lessees of part of the Lancaster Canal as aforesaid the provisions of this section with respect to the partial repeal of sections of the Acts of the thirty-second and thirty-third years of the reign of King George III. shall cease to have effect and the last-mentioned sections shall be revived and have effect.

Extending section 31 of Liverpool Sanitary Amendment Act 1854 to canal.

4. From and after the thirty-first day of December one thousand eight hundred and ninety-two for the purposes of section 31 of the Liverpool Sanitary Amendment Act 1854 the canal and every or any part thereof (including every or any towing-path or paths) shall be deemed to be included in the expression "a railway constructed under the powers of any Act of Parliament for public conveyance."

Payment of costs of rating authorities.

5. All costs charges and expenses respectively incurred by—

- The guardians of the poor of the Burnley Union;
- The guardians of the poor of the Blackburn Union;
- The guardians of the poor of the Chorley Union;
- The guardians of the poor of the Keighley Union;
- The guardians of the poor of the North Bierley Union;
- The guardians of the poor of the Ormskirk Union;
- The guardians of the poor of the Skipton Union;
- The guardians of the poor of the West Derby Union;
- The guardians of the poor of the Wigan Union;

(in this section referred to as "the said guardians") of and in relation to the negotiations for the repeal of the enactments specified in the schedule hereto and of and incidental to the agreement set out in the Third Schedule to the Act of 1891 and of their opposition to the Bill for that Act and the Bill for this Act shall be paid by the said guardians respectively out of moneys in or coming into their hands and arising from rates which they may lawfully levy.

Costs of Act.

6. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.



The SCHEDULE referred to in the foregoing Act.

A.D. 1892.

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THE FIRST PART.

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ACT OF 1783 SECTION 31.

And be it further enacted and declared that the said several navigations cuts or canals and every part thereof and the said tolls rates and duties to be taken upon the same or any part thereof under the authority of this or either of the aforesaid Acts shall at all times be exempt from the payment of any taxes rates assessments or impositions whatsoever other than and except such taxes rates and assessments as the land which hath or shall be used for the purpose of such navigations cuts or canals were or would have been subject to if this Act had not been made and that such navigations cuts or canals shall not be subject or liable to the payment of any taxes rates or assessments (save and except such taxes rates and assessments as have been and now are usually charged and assessed thereon) any law or statute to the contrary notwithstanding but nothing in this clause shall be construed to exempt any quay wharf warehouse or other house from the payment of any rates taxes or assessments.

ACT OF 1819 SECTION 17.

And be it further enacted that all and every the lands dwelling-houses wharfs quays warehouses lockhouses and other houses of and belonging to the said Company of Proprietors shall be rateable and chargeable to the maintenance of the poor and to all parochial rates and taxes in the several parishes townships or places where they are respectively situate the lands according to the quantity and quality and the dwelling-houses wharfs quays warehouses lockhouses and other houses according to the nature and respective uses dimensions and descriptions thereof and shall be charged and assessed in like manner as lands of a like quality and as dwelling-houses warehouses lockhouses and other houses of a like and similar size nature dimension or description in the respective parishes townships or places where the same shall be situate are or shall be assessed and charged and that as well the rates duties and other personal property of the said Company liable to be rated to the poor or other parochial taxes in any such parishes townships or places as also the tolls rates and duties hereby granted to the said devisees shall be rated and assessed in like manner and in the same proportion as other personal property rateable in the said parishes townships or places respectively shall be rated and assessed and according to the length of the line of the said canals and navigations in such respective parishes townships and places and not otherwise or in any other manner Provided that before any such personal property shall be rated thirty days' notice shall be given in writing to the respective clerks of the said Company of Proprietors and of the said devisees by the respective overseers of the poor of such parishes townships or places of their intention so to do.

A.D. 1892.

THE SECOND PART.

ACT OF 1792 SECTION 118.

And be it further enacted and declared that the said Company of Proprietors of the said Canal Navigation shall not at any time be rated to any parliamentary or parochial taxes rates or assessments for and in respect of any land or ground to be purchased or taken or any warehouses or other buildings to be erected by them in pursuance of this Act at an higher value or more improved rent than the same land or ground or the land or ground whereon such warehouses or other buildings shall be erected was rated respectively at the time of such purchase or taking thereof or according and in proportion to the general value of other lands in the vicinity of the same and that the said Company of Proprietors shall not be rateable or liable in any parish or place for the general profits of the said navigation nor shall be subject or liable to the payment of any corporation passage tolls or other tolls or demands in respect of the said canal or branches or in respect of any vessels boats goods wares or merchandises being or passing along or upon the same or for and in respect of any horses used for the purposes of the said navigation and that the said rates tolls and duties shall at all times hereafter be exempted from the payment of all and every parliamentary and other taxes rates assessments or impositions whatsoever.

ACT OF 1793 SECTION 7.

And be it further enacted and declared that the said Company of Proprietors shall from time to time be rated to all parliamentary and parochial taxes and assessments for and in respect of the lands to be purchased or taken by the said Company of Proprietors in pursuance of this Act in the same proportion as other lands lying near the same are and shall be rated and as the same lands so to be purchased or taken would be rateable in case the same were the property of individuals in their natural capacity.

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