



CHAPTER ccxlii.

An Act to extend the Borough of Bolton and the Urban Districts of Turton and Westhoughton and for other purposes. A.D. 1898.  
[12th August 1898.]

WHEREAS the borough of Bolton in the county of Lancaster is a municipal borough subject to the Acts relating to municipal corporations and under the government of the mayor aldermen and burgesses of the said borough (herein-after called "the Corporation") acting by the council of the said borough and they as so acting are the urban sanitary authority of the district of the said borough :

And whereas the said borough as existing immediately prior to the passing of this Act and herein-after called "the existing borough" is one of the county boroughs constituted by the Local Government Act 1888 and has a separate court of quarter sessions commission of the peace police force and coroner :

And whereas the Corporation by the said council are the burial board of and have provided cemeteries for the existing borough :

And whereas the existing borough is a school district and a school board has been formed and now acts for that district under the Elementary Education Acts 1870 to 1893 :

And whereas the several Local Acts and provisional orders mentioned in the First Schedule to this Act are respectively in whole or part in force within the existing borough which Acts and orders are in this Act referred to collectively as "the former Acts" and each of them separately as an Act or order of the year in which the same was passed or made :

And whereas the Corporation are the owners of the markets gas water and electric energy undertakings of the existing borough and under powers contained in the former Acts manufacture gas and supply gas and water in the existing borough and in townships

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A.D. 1898. — and places adjacent thereto and produce and supply electric energy in the existing borough :

And whereas the Corporation have under provisions of the former Acts constructed tramways and have powers for the construction of other tramways in and adjacent to the borough and for the working of such tramways :

And whereas the townships of Astley Bridge Turton and Westhoughton all in the said county of Lancaster are respectively urban districts :

And whereas the district of the Bolton Rural District Council consists of the townships of Belmont Bradshaw Brightmet Deane Edgworth Entwistle Harwood Heaton Middle Hulton Over Hulton Darcy Lever Great Lever Longworth Lostock Quarlton Smithills and Tonge all in the said county of Lancaster :

And whereas it is expedient that the limits of the existing borough be extended so as to include the said township and urban district of Astley Bridge and also the said townships of Tonge Brightmet Darcy Lever Great Lever Middle Hulton Deane Lostock Heaton Smithills and part of the said township of Over Hulton and which said townships and part of township so to be included are in this Act referred to as "the borough added area" :

And whereas by the Act of 1877 the existing borough is divided into separate districts for rating purposes and it is expedient that the borough added area should also be so divided :

And whereas the urban district council of Astley Bridge aforesaid have provided a cemetery under the Public Health (Interments) Act 1879 and the same district council are owners of tramways within their district under and subject to provisions of the tramways orders and Acts mentioned in the First Schedule to this Act and they have contracted mortgage liabilities in respect of such cemetery and tramways which have not been fully discharged :

And whereas a school board has been formed under the said Elementary Education Acts for the said township of Heaton and such board have provided a school for their district and incurred a mortgage liability in respect thereof which has not been fully discharged :

And whereas the townships of Lostock and Westhoughton aforesaid have been formed under the said Education Acts a united school district but no mortgage liability has been contracted in respect thereof :

And whereas it is expedient that the urban district of Turton aforesaid be extended so as to include the said townships of

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Belmont Longworth Bradshaw Harwood Edgworth Entwistle and Quarlton which said townships so to be included are herein-after referred to as "the Turton added area" and it is also expedient that the said urban district of Westhoughton be extended so as to include that portion of the said township of Over Hulton which is not comprised in the Bolton added area and which is herein-after referred to as "the Westhoughton added area":

And whereas the Bolton Rural District Council have incurred mortgage liabilities for purposes of their district and the Bolton Turton and Westhoughton added areas respectively forming part of such district are charged with certain of those liabilities:

And whereas it is expedient that the urban district council of Astley Bridge and the Bolton Rural District Council and also the school board for the said township of Heaton should be dissolved:

And whereas a school board has been formed for the said township of Belmont and a joint school board has been formed for the townships of Edgworth Entwistle and Quarlton aforesaid and the urban district council of Turton have been authorised under the Elementary Education Act 1876 to appoint a school attendance committee:

And whereas it is expedient to make provision for such adjustment of the rights property and liabilities of the herein-before mentioned several authorities as may be rendered equitable by reason of the extension of the borough and the said urban districts by this Act effected:

And whereas it is expedient to make provision for the municipal representation of the extended borough and for the representation of the extended urban districts and for the division thereof respectively into wards:

And whereas it is expedient that the townships and part of township comprised within the borough added area should be united to and form part of the parish of Bolton and that the townships of Bradshaw Harwood and Longworth aforesaid comprising a portion of the Turton added area should be united to and form part of the said township of Turton that the townships of Entwistle and Quarlton aforesaid comprising other portions of the Turton added area should be united to and form part of the said township of Edgworth and that the portion of Over Hulton aforesaid comprised in the Westhoughton added area should be united to and form part of the said township of Westhoughton:

And whereas it is expedient that as soon as practicable after the passing of this Act a joint committee of the council of the county borough of Bolton and of the county council for the administrative

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A.D. 1898. county of Lancaster should be appointed to fix or alter the number of guardians to be elected for each parish or township within the poor law union of Bolton :

And whereas having regard to the special circumstances of the case and the desirability of dealing with the extension of the county borough and the urban districts and with the position of the rural district council in one and the same measure the county council have as to all matters within their jurisdiction approved of the provisions of this Act :

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

And whereas an absolute majority of the whole number of the council at a meeting held on the twenty-seventh day of October one thousand eight hundred and ninety-seven after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Bolton Daily Chronicle a newspaper published and circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate of the borough :

And whereas such resolution was published twice in the said newspaper and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the seventh day of February one thousand eight hundred and ninety-eight being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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) :—

PART I.—PRELIMINARY.

Short title. 1. This Act may be cited as the Bolton Turton and Westhoughton Extension Act 1898.

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2. This Act is divided into Parts as follows:—

Act divided  
into parts.

Part I.—Preliminary.

Part II.—Extension of borough boundaries and urban districts  
&c.

Part III.—Dissolution of local authorities &c.

Part IV.—School boards &c.

Part V.—Rates and borrowing.

Part VI.—Miscellaneous.

3. In this Act unless the context otherwise requires—

Interpreta-  
tion.

“The existing borough” means the municipal borough of Bolton as existing immediately before the passing of this Act;

“The borough added area” means the area by this Act added to the existing borough;

“The borough” means the borough of Bolton as extended by this Act;

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

“The mayor” means the mayor of the borough;

“The council” means the council of the borough;

“The recorder” “the town clerk” “the clerk of the peace” “the treasurer” and “the coroner” mean respectively the recorder the town clerk the clerk of the peace the treasurer and the coroner of the borough;

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

“The burial board” means the burial board for the borough;

“The Bolton School Board” means the school board of the borough and “Bolton School Fund” means the school fund of the Bolton School Board;

“The Heaton school board” means the school board formed for the said township of Heaton;

“The added areas” means the areas by this Act added to the existing borough and the existing urban districts of Turton and Westhoughton respectively;

“The Astley Bridge District” means the urban district of Astley Bridge and “Astley Bridge Council” means the urban district council of Astley Bridge;

“The rural district” means the district of the Bolton Rural District Council and “rural council” means the Bolton Rural District Council;

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- “The Turton added area” means the area by this Act added to the existing urban district of Turton and “the Turton District” means the urban district of Turton as extended by this Act and “Turton Council” means the urban district council of Turton ;
- “The Westhoughton added area” means the area by this Act added to the existing urban district of Westhoughton “the Westhoughton District” means the urban district of Westhoughton as extended by this Act and “the Westhoughton Council” means the urban district council of Westhoughton ;
- “Parish councils” means and includes the parish councils of those townships within the rural district which have parish councils and in such of those townships as have not parish councils the parish meetings ;
- “The county council” means the county council for the administrative county of Lancaster ;
- “The Bolton Guardians” means the board of guardians of the Bolton Union ;
- “The Public Health Acts” means the Public Health Act 1875 and any Act amending the same ;
- “The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and any Act amending the same ;
- “The Local Government Acts” means the Local Government Act 1888 and the Local Government Act 1894 and any Act amending the same respectively ;
- “The Education Acts” means the Elementary Education Acts 1870 to 1893 and any Act amending the same respectively ;
- “School authorities” means and includes the school boards school attendance committees and local committees having respectively jurisdiction in the added areas under the Education Acts ;
- “The borough plan” “the borough ward plan” “the Turton plan” “the Turton ward plan” and “the Westhoughton plan” mean respectively the plans of the borough and the wards thereof and the Turton District and the wards thereof and the Westhoughton District signed in duplicate by Alfred Baldwin Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred ;
- “The plans” means and includes all the said plans.

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4. This Act shall come into operation for the following purposes at the following dates respectively (that is to say):—

Commence-  
ment of Act.

For the purposes of the division of the borough into wards and for all proceedings connected with the preparation revision and completion of lists and registers of electors or of lists of burgesses and for all proceedings preliminary to the municipal elections to be held on the first day of November one thousand eight hundred and ninety-eight on the passing of this Act;

For the purposes of the division of the Turton and Westhoughton Districts into wards and for all proceedings in relation to the preparation revision and completion of lists and registers of electors and for all proceedings preliminary to and for the first election of councillors for those districts under the provisions of this Act on the passing of this Act;

For the purposes of sections 20 to 24 and section 26 of the Local Government Act 1888 and of the Local Taxation (Customs and Excise) Act 1890 on the first day of April one thousand eight hundred and ninety-nine;

For all other purposes (save as expressly provided) on the thirtieth day of September one thousand eight hundred and ninety-eight;

The last-mentioned date is herein-after referred to as "the commencement of this Act."

5. Subject to the provisions of this Act this Act so far as it relates to the Corporation shall be carried into execution by the Corporation acting by the council and so far as it relates to the urban districts of Turton and Westhoughton respectively shall be carried into execution by the Turton and Westhoughton Councils respectively.

Act to be  
executed by  
Councils.

6. Nothing in this Act shall alter or affect any ecclesiastical purposes status jurisdiction rights or privileges of any description whatsoever.

Act not to  
affect  
ecclesiastical  
purposes &c.

#### PART II.—EXTENSION OF BOROUGH BOUNDARIES AND URBAN DISTRICTS &c.

7. The boundaries of the existing borough are hereby extended so as to comprise and the borough shall accordingly comprise in addition to the existing borough the following areas viz.:—

Extension  
of borough  
boundaries.

The township and urban district of Astley Bridge coloured green on the borough plan;

The township of Tonge coloured dark blue on the borough plan;

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The township of Brightmet coloured pink on the borough plan ;  
The township of Darcy Lever coloured grey on the borough plan ;  
The township of Great Lever coloured brown on the borough plan ;  
The township of Middle Hulton coloured light green on the borough plan ;  
That portion of the township of Over Hulton which is situate east of the west side of Hulton Lane together with that part of Saint Helens Road which abuts on the said township of Middle Hulton The said portion and part are coloured vermilion on the borough plan ;  
The township of Deane coloured purple on the borough plan ;  
The township of Lostock coloured light blue on the borough plan ;  
The township of Heaton coloured sepia on the borough plan ; and  
The township of Smithills coloured red on the borough plan.

The borough as extended by this Act is delineated on the borough plan the boundary thereof being shown by a blue line on such plan and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the borough and shall be the county borough for the purposes of the Local Government Acts.

Corporation property vested for benefit of borough.

8. Subject to the provisions of this Act all the real and personal property at the commencement of this Act vested in the Corporation in any capacity for the benefit of the existing borough is hereby as from that commencement vested in the Corporation for the benefit of the borough and all rights privileges benefits and advantages (except the parliamentary franchise) possessed or enjoyed by the burgesses and inhabitants of the existing borough shall be and the same are hereby extended to the burgesses and inhabitants of the borough but subject to all debts liabilities interests and obligations affecting the same or any part thereof or the Corporation in respect thereof.

This section shall not be deemed to vary or affect the rights privileges benefits or advantages of the inhabitants of any parish township district or other area within the borough with reference to charities for the benefit of any such parish township district or other area.

Exemption from liability to county and other rates.

9. Subject to the provisions of this Act no lands or other property in the borough shall be liable to contribute to any county or other rates or contribution made or ordered after the commencement of this Act in or for the county of Lancaster or



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any hundred or division thereof or to any highway rate in respect of any township parish or place or to any rate made after the commencement of this Act by or in accordance with the precept of any board authority or person other than the Bolton Guardians the Corporation the Bolton School Board and any joint committee of county councils on which the Corporation are represented but orders and precepts respecting such rates and matters connected therewith made before the commencement of this Act and all arrears of any such rates existing at the commencement of this Act may be enforced collected and recovered as if this Act had not been passed Provided that nothing in this section contained shall exempt the lands in the added area from being rated under and for the purposes of the Manchester Assize Courts Act 1858.

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10.—(1.) Except as by this Act otherwise expressly provided all the jurisdiction powers rights privileges authorities immunities and duties of the Corporation as a municipal body and of the council of the existing borough and any committee thereof acting in the execution of such enactments as are at the commencement of this Act in force within the existing borough and of the Corporation as the urban sanitary authority for the district of the existing borough or any committee thereof and of the council of the existing borough as a burial board and of the mayor and of all officers and servants of the existing Corporation shall extend to and throughout the borough and all charters and enactments and all byelaws orders and regulations lists of tolls tables of fees and payments and scales of charges at the commencement of this Act in force within and applicable to the existing borough or to the burgesses or inhabitants thereof shall subject to the provisions of this Act extend and apply to the borough and the inhabitants and burgesses thereof until or except in so far as any of such byelaws orders regulations tolls fees payments or charges may be repealed or altered.

Authority  
of Cor-  
poration  
extended.

(2.) Notwithstanding anything contained in the Highways and Locomotives (Amendment) Act 1878 no byelaw of the Corporation under that Act shall have effect so as to render unlawful the passing of any locomotive over any highway within the borough added area during the hours between which the passing of locomotives may for the time being lawfully pass over highways situate within the jurisdiction of the county council.

11. For the protection of William Wilbraham Blethyn Hulton of Hulton Park in the county of Lancaster in respect of lands now belonging to him situate within the borough added area and of his successors in title the following provisions shall have effect (that is to say):—

For pro-  
tection of  
William  
Wilbraham  
Blethyn  
Hulton.

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Nothing in this Act contained shall operate to prevent hinder or affect any right of William Wilbraham Blethyn Hulton or his successors in title to work coal and sink shafts in or upon any of such lands or to render him or them or any of them liable for damages by subsidence or otherwise arising from the working of mines under or adjacent to any road situate within the borough added area in the usual and ordinary course.

For protection of Thomas Cross and Company Limited.

12. For the protection of Thomas Cross and Company Limited or other the person or persons or company or companies for the time being owner or owners of Mortfield Bleachworks in Bolton in the county of Lancaster their successors and assigns (all of whom are herein-after included in the expression of "Thomas Cross and Company") the following provisions shall notwithstanding anything in this or any other Act affecting the Corporation contained have effect (that is to say) :—

Subject and without prejudice to the rights of any other person or persons Thomas Cross and Company shall have full power to take and impound for their own use all the front street and surface water now or hereafter draining from all lands and houses on lands situate within the water-shed shown on a plan signed by Thomas Edward Smith on behalf of Thomas Cross and Company and William Henry Brockbank on behalf of the Corporation and thereon coloured red the flow of which naturally drains towards the reservoirs of Thomas Cross and Company And the Corporation before they commence to execute any sewerage works within that water-shed shall give notice thereof to Thomas Cross and Company and shall if required by them within fourteen days after such notice so to do so lay the front street drains and so connect the same that they shall drain into any main or other drain now made or any main or other drain hereafter to be made by Thomas Cross and Company to carry such water into their reservoirs or if no such main or other drain shall be made then into the natural channels and streams into which such surface water now drains and the Corporation shall not at any time connect such drains with the common sewers or permit any sewage to pass into such drains channels or streams Provided always that the cost incurred by the Corporation in carrying into effect the provisions of this section shall be paid by Thomas Cross and Company on demand to the Corporation.

Saving clause for William Heaton.

13. Nothing in this Act contained shall prejudice abridge lessen or affect the rights powers and privileges of William Heaton his heirs executors administrators and assigns in the waters of the

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Middle Brook and the tributaries thereof or in the waters of the  
 Rumworth compensation reservoir. A.D. 1898.

14. The jurisdiction powers authorities rights privileges and  
 duties of the quarter sessions the recorder the town clerk the clerk  
 of the peace coroner and the justices of the peace appointed for the  
 existing borough and of all constables officers and servants of the  
 existing borough shall extend to and throughout the borough. Jurisdiction  
of recorder  
justices &c.

15. Every person committing an offence in any part of the  
 borough added area before the commencement of this Act shall be  
 tried adjudicated on and dealt with as if this Act had not been  
 passed. Trial of  
offences  
before com-  
mencement  
of Act.

16. All notices given and summonses and other process issued  
 before the commencement of this Act for or in relation to any  
 proceeding before any justice or justices of the peace for the  
 County of Lancaster shall have the same force and effect and any  
 proceedings to be taken in pursuance thereof and any proceedings  
 in which the justices of the said county have jurisdiction com-  
 menced or adjourned before such justice or justices prior to the  
 commencement of this Act may be taken continued prosecuted  
 adjudicated on and dealt with as if this Act had not been passed. As to  
notices &c.  
given and  
proceedings  
commenced  
before com-  
mencement  
of Act.

17.—(1.) On the commencement of this Act such of the members  
 of the police force of the county of Lancaster as shall be selected  
 by agreement to be made as soon as possible after the passing of  
 this Act between the standing joint committee for that county and  
 the watch committee of the existing borough or in default of such  
 agreement as shall be determined by a Secretary of State shall be  
 transferred to and become part of the police force of the borough  
 and any member of the county police so transferred to the police  
 force of the borough shall hold his office upon the same tenure and  
 upon the same terms and conditions as if this Act had not been  
 passed and while performing the same duties shall receive not less  
 remuneration and be entitled to not less pension (if any) than if  
 this Act had not been passed. County  
police.

(2.) The provisions of section 15 (2) of the Police Act 1890 shall  
 extend and apply to and in relation to any member of the Police  
 Force transferred under the powers of this section to the same  
 extent as if such member had removed with the written sanction of  
 the chief constable of Lancashire.

18. All the estate right and interest of the county council in and  
 to the police stations situate in the borough added area and vested  
 in them and the lands and buildings connected therewith or As to police  
stations in  
borough  
added area.

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A.D. 1898. — appurtenant thereto and the fittings and furniture therein shall on the commencement and by virtue of this Act vest in the Corporation. The sum to be paid in respect of and the terms and conditions of such vesting shall be such as may be agreed on between the Corporation and the county council or as failing agreement may be settled by an arbitrator to be appointed by the Local Government Board.

Expenses of main roads in borough added area. **19.** The whole of the expense of repairing maintaining improving (other than widening) and scavenging the existing main roads in the borough added area shall be a charge on the borough fund in perpetuity.

Number of councillors and aldermen. **20.** The number of councillors of the borough shall be increased from forty-eight to seventy-two and the number of aldermen of the borough shall be increased from sixteen to twenty-four.

Formation of borough added area into wards. **21.—(1.)** The existing borough shall (subject to the provisions of this section) continue to be divided into nine wards having the same boundaries and names and the same number of councillors as they respectively have at the passing of this Act.

(2.) The borough added area shall be and is hereby divided into eight wards (in this Act called "new wards") the names and areas of which are set forth in Part I. of the Third Schedule to this Act.

(3.) There shall be three councillors elected in and for each of the new wards.

First election of councillors for new wards. (4.) The first election of councillors for each of the new wards shall be held on the first day of November one thousand eight hundred and ninety-eight and the mayor of the existing borough or such other person as he shall appoint shall be the returning officer at such election.

(5.) Notwithstanding anything in this section the provisions of section 30 (Proceedings for division of borough into wards or alteration of wards) of the Municipal Corporations Act 1882 and of any enactment substituted for or amending the same shall continue to apply to the borough.

First election of additional aldermen. **22.—(1.)** Eight additional aldermen shall be elected for the borough and the first election of such aldermen shall take place on the ninth day of November one thousand eight hundred and ninety-eight.

Retirement of additional aldermen. (2.) The additional aldermen elected in the year one thousand eight hundred and ninety-eight shall retire as follows:—

One half on the ninth day of November one thousand nine hundred and one;

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The other half on the ninth day of November one thousand nine hundred and four. A.D. 1898.

The aldermen so first to go out of office shall be those who were elected by the smallest number of votes.

**23.** The councillors elected in the year one thousand eight hundred and ninety-eight for each of the new wards shall retire as follows:— Retirement of additional councillors.

The one elected by the smallest number of votes on the first day of November one thousand eight hundred and ninety-nine;

The one elected by the next smallest number of votes on the first day of November one thousand nine hundred;

The remaining one on the first day of November one thousand nine hundred and one.

**24.** If at the election of the additional aldermen or of councillors for the new wards to be held in the month of November one thousand eight hundred and ninety-eight there be an equality of votes between any two or more aldermen or between any two or more councillors in respect of the same ward or in case of such councillors being elected without a poll the council shall at their meeting on the ninth day of November one thousand eight hundred and ninety-eight or at some adjournment thereof determine the order of retirement of such persons. Provision in case of equality of votes.

**25.** Until the election of councillors for the new wards and the election of the additional aldermen the members of the council for the time being shall be deemed to be the council of the borough. Until new election existing council to be council of borough.

**26.** Subject to the provisions of this Act all elections vacations of office and rotations of aldermen and councillors of the borough shall be governed by the Municipal Corporations Acts. Provisions of Municipal Corporations Acts to apply to elections.

**27.** With respect to the alteration of electoral divisions of the County Palatine of Lancaster and other like matters arising out of the extension of the borough effected by this Act the county council shall make such representation to the Local Government Board under subsection (1) of section 54 of the Local Government Act 1888 as they may deem desirable and all costs and expenses properly incurred by the county council in or about such representation and the local inquiry into the same and the order of the Local Government Board shall be borne and paid by the Corporation. As to electoral divisions &c. of county of Lancaster.

**28.** The boundaries of the existing urban district of Turton are hereby extended so as to comprise and the Turton District shall Extension of urban district of Turton.

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A.D. 1898. — accordingly comprise in addition to the existing urban district of Turton the following areas viz. :—

The township of Belmont coloured dark blue on the Turton plan ;

The township of Bradshaw coloured grey on the Turton plan ;

The township of Edgworth coloured light green on the Turton plan ;

The township of Entwistle coloured purple on the Turton plan ;

The township of Harwood coloured light blue on the Turton plan ;

The township of Longworth coloured yellow on the Turton plan ;  
and

The township of Quarlton coloured brown on the Turton plan.

The Turton District as extended is delineated on the Turton plan the boundary thereof being that shown by a brown line on such plan and the whole of the area within that boundary shall for all purposes of the Public Health and Local Government Acts and for all other purposes be the Turton District.

Property  
vested for  
benefit of  
Turton.

**29.** Subject to the provisions of this Act all the real and personal property at the commencement of this Act vested in the Turton Council in any capacity for the benefit of the existing urban district of Turton are hereby as from that commencement vested in the Turton Council for the benefit of the Turton District and all rights privileges benefits and advantages possessed or enjoyed by the electors and inhabitants of the existing urban district of Turton shall be and the same are hereby extended to the electors and inhabitants of the Turton District but subject to all debts liabilities interests and obligations affecting the same or any part thereof or the Turton Council in respect thereof.

This section shall not be deemed to vary or affect the rights privileges benefits or advantages of the inhabitants of any township or district within the Turton District with reference to charities for any such township or district.

Authority of  
Turton  
Council  
extended.

**30.** Except as by this Act otherwise expressly provided all the jurisdiction powers rights privileges authorities immunities and duties of the Turton Council as an urban district council and any committee thereof acting in the execution of such enactments and orders as are at the commencement of this Act in force within the existing urban district of Turton and of the chairman and clerk and of all officers and servants of the existing urban district council of Turton shall extend to and throughout the Turton District and all enactments byelaws orders and regulations lists of tolls tables of

fees and payments and scales of charges at the commencement of this Act in force within and applicable to the existing district of Turton or to the electors or inhabitants thereof shall subject to the provisions of this Act extend and apply to the Turton District and to the inhabitants and electors thereof except in so far as any of such byelaws orders regulations tolls fees payments or charges may be repealed or altered.

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**31.** The number of councillors for the Turton District shall be increased from twelve to twenty-one.

Number of  
councillors  
for Turton  
Council.

**32.**—(1.) The existing urban district of Turton shall (subject to the provisions of this Act) continue to be divided into four wards having the same boundaries and names and the same number of councillors as they respectively have at the passing of this Act.

Formation  
of Turton  
added area  
into wards.

(2.) The Turton added area shall be divided into three wards (in this Act called "the Turton New Wards") the names and areas of which are set forth in Part II. of the said Third Schedule.

(3.) There shall be three councillors elected in and for each of the Turton New Wards.

(4.) The first election of councillors for each of the Turton New Wards shall be held between the fifteenth and the thirtieth days of September one thousand eight hundred and ninety-eight and the councillors then elected shall come into office on the said thirtieth day of September. Such first election shall be conducted so far as circumstances admit in accordance with the rules for the time being in force framed under the Local Government Act 1894 by the Local Government Board with respect to the election of urban district councillors for any urban district in England and Wales other than a borough and the returning officer shall be the clerk to the Turton Council or such other person as shall be appointed for that purpose pursuant to those rules.

**33.** The councillors elected in the year one thousand eight hundred and ninety-eight for each of the Turton New Wards shall retire as follows:—

Retirement  
of Turton  
Councillors.

The one elected by the smallest number of votes on the fifteenth day of April one thousand nine hundred;

The one elected by the next smallest number of votes on the fifteenth day of April one thousand nine hundred and one; and

The remaining one on the fifteenth day of April one thousand nine hundred and two.

**34.** If at the election of councillors for the Turton New Wards to be held in September one thousand eight hundred and ninety-eight there be an equality of votes between any two or more

Provision in  
case of  
equality of  
votes at

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A .D. 1898.

election of  
councillors  
for Turton  
New Wards.

councillors in respect of the same ward or in case of such councillors being elected without a poll the Turton Council shall at their first meeting after the thirtieth day of September one thousand eight hundred and ninety-eight or at some adjournment thereof determine the order of retirement of such persons.

Extension of  
urban district  
of West-  
houghton.

**35.** The boundaries of the existing urban district of Westhoughton are hereby extended so as to comprise and the Westhoughton district shall accordingly comprise in addition to the existing urban district of Westhoughton the following area (viz.) :—

That portion of the township of Over Hulton which is not added to the borough The said portion is coloured purple on the Westhoughton plan.

The Westhoughton District as extended is delineated on the Westhoughton plan the boundary thereof being shown by a pink line on such plan and the whole of the area within that boundary shall for all purposes of the Public Health and Local Government Acts and for all other purposes be the Westhoughton District.

Authority  
of West-  
houghton  
Council  
extended.

**36.** Except as by this Act otherwise expressly provided all the jurisdiction powers rights privileges authorities immunities and duties of the Westhoughton Council as an urban district council and any committee thereof acting in the execution of such enactments as are at the commencement of this Act in force within the existing urban district of Westhoughton and of the chairman clerk and all officers and servants of the existing urban district council of Westhoughton shall extend to and throughout the Westhoughton District and all enactments byelaws orders and regulations lists of tolls tables of fees and payments and scales of charges at the commencement of this Act in force within and applicable to the existing district of Westhoughton or to the electors or inhabitants thereof shall subject to the provisions of this Act extend and apply to the Westhoughton District and the inhabitants and electors thereof except in so far as any such byelaws orders regulations tolls fees payments or charges may be repealed or altered Provided that the Westhoughton District Council shall not have power to supply water within the Westhoughton added area under the powers of the Westhoughton Local Board Act 1878 or otherwise without the consent of the Corporation.

Property  
vested for  
benefit of  
West-  
houghton  
District.

**37.** Subject to the provisions of this Act all the real and personal property at the commencement of this Act vested in the Westhoughton Council for the benefit of the existing urban district of Westhoughton is hereby as from that commencement vested in the Westhoughton Council for the benefit of the Westhoughton District



and all rights privileges benefits and advantages possessed or enjoyed by the electors and inhabitants of the existing urban district of Westhoughton shall be and the same are hereby extended to the electors and inhabitants of the Westhoughton District but subject to all debts liabilities interests and obligations affecting the same or any part thereof or the Westhoughton Council in respect thereof.

A.D. 1898.

This section shall not be deemed to vary or affect the rights privileges benefits or advantages of the inhabitants of any township district or other area within the Westhoughton District with reference to charities for the benefit of any such township district or area.

**38.**—(1.) The number of councillors for the Westhoughton District shall be increased from twelve to fifteen.

Number of  
councillors  
for West-  
houghton  
Council.

(2.) The existing urban district of Westhoughton shall (subject to the provisions of this Act) continue to be divided into four wards having the same boundaries and names and the same number of councillors as they respectively have at the passing of this Act.

(3.) The Westhoughton added area shall constitute one ward to be called Hulton Ward.

(4.) There shall be three councillors elected in and for Hulton Ward.

(5.) The first election of councillors for Hulton Ward shall be held between the fifteenth and the thirtieth days of September one thousand eight hundred and ninety-eight and the councillors then elected shall come into office on the said thirtieth day of September. Such first election shall be conducted so far as circumstances admit in accordance with the rules for the time being in force framed under the Local Government Act 1894 by the Local Government Board with respect to the election of urban district councillors for any urban district in England and Wales other than a borough and the returning officer shall be the clerk to the Westhoughton Council or such other person as shall be appointed for that purpose pursuant to those rules.

**39.** The councillors elected in the year one thousand eight hundred and ninety-eight for Hulton Ward shall retire as follows:—

Retirement  
of West-  
houghton  
councillors.

The one elected by the smallest number of votes on the fifteenth day of April one thousand nine hundred ;

The one elected by the next smallest number of votes on the fifteenth day of April one thousand nine hundred and one ; and

The remaining one on the fifteenth day of April one thousand nine hundred and two.

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 Vict.]  
*Extension Act, 1898.*

A.D. 1898.

Provision in case of equality of votes at election of councillors in Hulton Ward.

40. If at the election of councillors in Hulton Ward held in September one thousand eight hundred and ninety-eight there be an equality of votes between any two or more councillors or in case of such councillors being elected without a poll the Westhoughton Council shall at their first meeting after the thirtieth day of September one thousand eight hundred and ninety-eight or at some adjournment thereof determine the order of retirement of such persons.

As to sewers in Westhoughton and Turton added areas.

41. The Westhoughton Council may with the sanction of the Local Government Board cause—

All or any of their sewers within that part of the Westhoughton added area which is coloured pink on the plan signed in duplicate by William Henry Brockbank on behalf of the Corporation and by Thomas Partington on behalf of the Westhoughton Council ;

And the Turton Council may with the like consent cause—

All or any of their sewers within those parts of the Turton added area coloured pink on the plan signed in duplicate by Robert Gudgeon Hinnell on behalf of the Corporation and John Benjamin Goulburn on behalf of the Turton Council ;

to communicate with the sewers of the Corporation in such manner and on such terms and subject to such conditions as may be agreed upon between the Corporation on the one hand and the Westhoughton Council and the Turton Council respectively on the other hand or as in case of dispute may be settled by the Local Government Board.

Addition to parish of Bolton.

42. (1.)—The borough added area shall from the commencement of this Act be for civil purposes united to and form part of the parish of Bolton and overseers for the parish as so extended shall be appointed in conformity with the order of the Local Government Board dated the nineteenth day of March one thousand eight hundred and ninety-five relative to the appointment of overseers of parishes within the borough and other places in that order mentioned.

(2.) The first appointment in pursuance of this section shall take place in the month of March one thousand eight hundred and ninety-nine.

(3.) Until such first appointment the overseers for the townships wholly by this Act added to the borough shall continue in office and shall jointly with the overseers for the existing parish of Bolton in office at the commencement of this Act execute the duties and act as overseers for the parish of Bolton as hereby extended.

[61 & 62 VICT.] *Bolton, Turton, and Westhoughton* [Ch. ccxlii.]  
*Extension Act, 1898.*

(4.) All property credits assets effects debts and liabilities of the townships respectively which by this Act are wholly added to the borough shall become the property credits assets effects debts and liabilities of the parish of Bolton All arrears of rates made for the same townships and due at the commencement of this Act shall be recoverable by the overseers of the parish of Bolton All sums of money which at the commencement of this Act shall be in the hands of the overseers of those townships respectively or of their bankers respectively on account of any rates or otherwise shall be duly accounted for and paid over by them respectively to the overseers of the parish of Bolton and all sums of money which shall be then due to the overseers of any of those townships in respect of their office as such overseers shall be paid to the overseers of the parish of Bolton and all debts and liabilities of the overseers of the same townships respectively incurred in connection with their duties as overseers shall be a charge upon the rates of the parish of Bolton as fully and effectually as they would have been upon the rates of the said last-mentioned townships respectively if this Act had not been passed If at the commencement of this Act any moneys shall be in the hands of or due to the guardians or the treasurer of the Bolton Union in respect of any of the townships in this sub-section mentioned such moneys shall be treated as being in their or his hands in respect of or due from the parish of Bolton.

A.D. 1898.

(5.) If at the commencement of this Act any action or proceeding shall be pending or existing by or against the overseers of any of the townships wholly by this Act added to the borough in relation to such township the same shall not be in anywise prejudicially affected by reason of this Act but may be continued prosecuted and enforced by or against the overseers of the parish of Bolton.

(6.) All contracts deeds bonds agreements and other instruments entered into or made by or with the overseers of any of the townships wholly by this Act added to the borough and subsisting at the commencement of this Act shall be of as full force and effect against or in favour of the overseers of the parish of Bolton and may be enforced as fully and effectually as if instead of the overseers of those townships or any of them the overseers of the parish of Bolton had been party thereto.

(7.) Until new valuation lists are made for the areas comprised in the townships and part of township added to the existing borough the lists and portion of list which relate to hereditaments situate within such townships or part of township shall be deemed to be part of the valuation list of the parish of Bolton.

A.D. 1898.

(8.) Any person who at the time of the commencement of this Act is settled or has acquired a status of irremovability in any part of the borough added area shall be deemed to be settled or to have acquired a status of irremovability in the parish of Bolton as by this Act extended and for all purposes of settlement and removal residence in any part of the borough added area shall be deemed to have been residence in the parish of Bolton as hereby extended.

(9.) Notwithstanding the alteration of parishes or townships effected by this section all contribution orders made by the Bolton guardians before the commencement of this Act and addressed to the overseers of any such parishes or townships shall be as valid in law as if this Act had not been passed.

(10.) For the purpose of apportioning the estimated expenditure of the Bolton Guardians in respect of the half year ending on the twenty-fifth day of March one thousand eight hundred and ninety-nine and of preparing contribution orders prior to the thirtieth day of September one thousand eight hundred and ninety-eight this section shall so far as may be necessary be deemed to have taken effect prior to the last-mentioned date.

Adjustment  
of overseers'  
balances with  
respect to  
the borough  
added area.

43. The overseers for the parish of Bolton shall as soon as may be after the commencement of this Act take into account their cash balances credits and obligations and the cash balances credits and obligations of the overseers for the townships and portion of township by this Act added to the parish of Bolton and also of the moneys in the hands of the guardians or the treasurer of the Bolton Union on account of such parish townships and portion of township respectively and shall equitably adjust the same as regards the areas comprised in such parish townships and portion of township respectively as far as may be practicable either by making and levying prior to the twenty-fifth day of March one thousand eight hundred and ninety-nine a separate rate in the nature of a poor rate for the period expiring on that date or an increased poor rate for the same period in any of the areas comprised in such parish townships or portion of township respectively and any credit or debit balance at such last-mentioned date in respect of any such area shall be paid to or by the Corporation as the case may be and by them carried to the credit or debit of the several rating districts comprising the area which produced such balance.

As to  
collectors of  
poor rates  
appointed by  
Bolton  
Guardians.

44. From and after the thirty-first day of March one thousand eight hundred and ninety-nine the powers and duties of any collectors of poor rates appointed by the Bolton Guardians shall cease in respect of the whole or any part of the area by this Act added to the existing parish of Bolton.

[61 & 62 Vict.] *Bolton, Turton, and Westhoughton* [Ch. ccxlii.]  
*Extension Act, 1898.*

A.D. 1898.

45. Every assistant overseer holding office for any township or part of township within the borough added area and the Westhoughton added area respectively shall on the thirty-first day of March one thousand eight hundred and ninety-nine cease to hold such office and until that date shall in respect of the area for which he was appointed perform all such duties as may be required of him by the overseers of the parish of Bolton or the overseers of the township of Westhoughton as the case may be to the same extent as might have been required of him by the overseers of the township for which he was appointed and his remuneration and other lawful expenses of his office shall be defrayed out of the rates for the relief of the poor levied within the area comprised in that township.

As to  
assistant  
overseers in  
added areas.

46.--(1.) For the purposes of the county electors lists lists of burgesses and of parochial electors and the register of parliamentary electors and the burgess roll to be made next after the passing of this Act under the Municipal Corporations Acts and the Registration of Electors Acts 1843 to 1891 and in relation to the functions and offices of the mayor town clerk and other officers under those Acts the borough added area shall be deemed to have always been part of the borough. Provided that no such lists or register or the burgess roll to be so made as aforesaid shall be deemed to be invalid by reason only that the same shall not have been made and published or any notice given at the time or times required prior to the passing of this Act if such lists register roll or notices be made published and given as soon after the passing of this Act as may be practicable.

Burgess lists  
&c.

(2.) If any difficulty arise in making out revising or otherwise dealing with such lists register and roll the council of the existing borough may make such order as shall appear to them to be necessary to give effect to the provisions of this Act and may vary so far as shall be necessary the provisions in force with regard to such lists register and roll.

47. For the purposes of the Registration of Electors Acts 1843 to 1891 it shall be sufficient (instead of publishing the entire list of parliamentary voters and burgesses and other lists in accordance with those Acts) to publish the lists of parliamentary voters and burgesses and other lists of each polling district of the borough at the times and in manner provided by those Acts as if such polling district were a separate parish.

As to publi-  
cation of  
lists of  
voters &c.

48.--(1.) The townships of Bradshaw Harwood and Longworth shall from the commencement of this Act be united to and form part of the township of Turton and be known as the township of Turton

Additions to  
townships of  
Turton and  
Edgworth.

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898. — and the townships of Entwistle and Quarlton shall from the same period be united to and form part of the township of Edgworth and be known as the township of Edgworth and overseers for the townships as so extended respectively shall be appointed in conformity with the order of the Local Government Board dated the twentieth day of March one thousand eight hundred and ninety-five relative to the appointment of overseers for parishes within the urban district of Turton and other places in that order mentioned.

(2.) The first appointment in pursuance of this section shall take place in the month of March one thousand eight hundred and ninety-nine.

(3.) Until such first appointment the overseers for the townships by this Act added to the township of Turton and to the township of Edgworth respectively shall continue in office and shall jointly with the overseers for the existing townships of Turton and Edgworth respectively in office at the commencement of this Act execute the duties and act as overseers for the townships of Turton and Edgworth respectively as hereby extended.

(4.) All property credits assets effects debts and liabilities of the townships respectively which by this Act are added to the existing townships of Turton and Edgworth respectively shall become the property credits assets effects debts and liabilities of those townships respectively as hereby extended. All arrears of rates made for the townships so added to Turton and Edgworth respectively and due at the commencement of this Act shall be recoverable by the overseers of the last-mentioned townships respectively. All sums of money which at the commencement of this Act shall be in the hands of the overseers of the townships so added to Turton and Edgworth respectively as aforesaid or of their bankers respectively on account of any rates or otherwise shall be duly accounted for and paid over by them respectively to the overseers of the townships of Turton and Edgworth respectively and all sums of money which shall be then due to the overseers of any of the townships by this Act added to the townships of Turton and Edgworth respectively in respect of their office as such overseers shall be paid to the overseers of the said two last-mentioned townships and all debts and liabilities of the overseers of the townships respectively so added as aforesaid incurred in connexion with their duties as overseers shall be a charge upon the rates of the townships of Turton and Edgworth respectively as fully and effectually as they would have been upon the rates of the said townships respectively so added as aforesaid if this Act had not been passed. If at the commencement of this Act any moneys

shall be in the hands of or due to the guardians or the treasurer of the Bolton Union in respect of any of the townships by this Act added to the townships of Turton and Edgworth respectively such moneys shall be treated as being in their or his hands in respect of or due from the townships of Turton and Edgworth respectively. A.D. 1898.

(5.) If at the commencement of this Act any action or proceeding shall be pending or existing by or against the overseers of any of the townships by this Act added to Turton and Edgworth respectively in relation to such township the same shall not be in anywise prejudicially affected by reason of this Act but may be continued prosecuted and enforced by or against the overseers of the township of Turton or Edgworth as the case may be.

(6.) All contracts deeds bonds agreements and other instruments entered into or made by or with the overseers of any of the townships by this Act added to Turton and Edgworth respectively and subsisting at the commencement of this Act shall be of as full force and effect against or in favour of the overseers of the said last-mentioned townships respectively and may be enforced as fully and effectually as if instead of the overseers of those townships so added or any of them the overseers of the townships of Turton and Edgworth respectively had been party thereto.

(7.) Until new valuation lists are made for the areas comprised in the townships by this Act added to Turton and Edgworth respectively the lists and portion of list which relate to hereditaments situate within such added townships shall be deemed to be part of the valuation lists of the townships of Turton and Edgworth respectively as by this Act extended.

(8.) Any person who at the time of the commencement of this Act is settled or has acquired a status of irremovability in any of the townships by this Act added to Turton and Edgworth respectively shall be deemed to be settled or to have acquired a status of irremovability in the townships of Turton and Edgworth respectively as by this Act extended and for all purposes of settlement and removal residence in any part of the area by this Act added to the townships of Turton and Edgworth respectively shall be deemed to have been residence in the townships of Turton and Edgworth respectively as hereby extended.

(9.) Notwithstanding the alteration of townships effected by this section all contribution orders made by the Bolton Guardians before the commencement of this Act and addressed to the overseers of any such townships shall be as valid in law as if this Act had not been passed.

A.D. 1898.

(10.) For the purpose of apportioning the estimated expenditure of the Bolton Guardians in respect of the half-year ending on the twenty-fifth day of March one thousand eight hundred and ninety-nine and of preparing contribution orders prior to the thirtieth day of September one thousand eight hundred and ninety-eight this section shall so far as may be necessary be deemed to have taken effect prior to the last-mentioned date.

(11.) The provisions of the foregoing section of this Act the marginal note whereof is "Adjustment of overseers' balances with respect to the borough added area" shall extend and apply mutatis mutandis to and in relation to the cash balances credits and obligations of the overseers for the township of Turton and the township of Edgworth respectively and of the townships by this Act added thereto respectively.

(12.) From and after the thirty-first day of March one thousand eight hundred and ninety-nine the powers and duties of the collector of poor rates appointed by the Bolton Guardians shall cease in respect of the townships of Bradshaw Harwood Edgworth Entwistle and Quarlton.

Addition to  
township of  
West-  
houghton.

49.—(1.) The Westhoughton added area shall from the commencement of this Act be united to and form part of the township of Westhoughton and overseers for the township as so extended shall be appointed in conformity with the order of the Local Government Board dated the nineteenth day of March one thousand eight hundred and ninety-five relative to the appointment of overseers for parishes within the urban district of Westhoughton and other places in that order mentioned.

(2.) The first appointment in pursuance of this section shall take place in the month of March one thousand eight hundred and ninety-nine.

(3.) Until such first appointment the overseers for the township of Over Hulton shall continue in office and shall jointly with the overseers for the township of Westhoughton in office at the commencement of this Act execute the duties and act as overseers for the township of Westhoughton as hereby extended.

(4.) Subject to such adjustment as by this Act provided the following provisions shall have effect:—

(A.) All property credits assets effects debts and liabilities of the township of Over Hulton shall become the property credits assets effects debts and liabilities of the township of Westhoughton as hereby extended All arrears of rates made for the township of Over Hulton and due at the commencement of



this Act shall be recoverable by the overseers of the township of Westhoughton as hereby extended All sums of money which at the commencement of this Act shall be in the hands of the overseers of the township of Over Hulton or of their bankers respectively on account of any rates or otherwise shall be duly accounted for and paid over by them respectively to the overseers of the township of Westhoughton as hereby extended and all sums of money which shall be then due to the overseers of the township of Over Hulton in respect of their office as such overseers shall be paid to the overseers of the township of Westhoughton as hereby extended and all debts and liabilities of the overseers of the township of Over Hulton incurred in connexion with their duties as overseers shall be a charge upon the rates of the township of Westhoughton as hereby extended as fully and effectually as they would have been upon the rates of the township of Over Hulton if this Act had not been passed If at the commencement of this Act any moneys shall be in the hands of or due to the guardians or the treasurer of the Bolton Union in respect of the township of Over Hulton such moneys shall be treated as being in their or his hands in respect of or due from the township of Westhoughton as hereby extended :

A.D. 1898.

(B.) If at the commencement of this Act any action or proceeding shall be pending or existing by or against the overseers of the township of Over Hulton in relation to such township the same shall not be in anywise prejudicially affected by reason of this Act but may be continued prosecuted and enforced by or against the overseers of the township of Westhoughton as hereby extended :

(C.) All contracts deeds bonds agreements and other instruments entered into or made by or with the overseers of the township of Over Hulton and subsisting at the commencement of this Act shall be of as full force and effect against or in favour of the overseers of the township of Westhoughton as hereby extended and may be enforced as fully and effectually as if instead of the overseers of the township of Over Hulton the overseers of the township of Westhoughton as hereby extended had been party thereto.

(5.) Until a new valuation be made for the part of the township of Over Hulton by this Act added to Westhoughton the list which relates to hereditaments situate within such part shall be deemed to be part of the valuation list of the township of Westhoughton.

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898.

(6.) Any person who at the time of the commencement of this Act is settled or has acquired a status of irremovability in that part of the township of Over Hulton by this Act added to Westhoughton shall be deemed to be settled or to have acquired a status of irremovability in the township of Westhoughton and for all purposes of settlement and removal residence in any part of that portion of the township of Over Hulton by this Act added to Westhoughton shall be deemed to have been residence in the township of Westhoughton.

(7.) Notwithstanding the alteration of the townships effected by this section all contribution orders made by the Bolton Guardians before the commencement of this Act and addressed to the overseers of either of such townships shall be as valid in law as if this Act had not been passed.

(8.) For the purpose of apportioning the estimated expenditure of the Bolton Guardians in respect of the half-year ending the twenty-fifth day of March one thousand eight hundred and ninety-nine and of preparing contribution orders prior to the thirtieth day of September one thousand eight hundred and ninety-eight this section shall so far as may be necessary be deemed to have taken effect prior to the last-mentioned date.

Appointment  
of overseers  
by councils.

**50.** Notwithstanding anything to the contrary in any Act contained the council and the Turton and Westhoughton Councils as to any parish or township for which they respectively are or may be authorised to appoint overseers may appoint such number of persons to be overseers for such parishes or townships respectively as those councils respectively think fit.

Jury lists  
&c.

**51.** For the purposes of jury lists and lists of parliamentary county and parochial electors the townships which or part of which are within any area by this Act added to the existing borough and the existing urban districts of Turton and Westhoughton respectively shall be deemed to be unaltered until new lists are made.

Joint com-  
mittee of  
county  
council and  
county  
borough to  
fix number  
of guardians  
of Bolton  
Union.

**52.—(1.)** A joint committee of the county council and the county borough shall as soon as practicable after the passing of this Act fix or alter the number of guardians to be elected for each parish or township within the Bolton Poor Law Union and for this purpose may exercise all the powers conferred on a joint committee by section 60 of the Local Government Act 1894.

(2.) Any person holding office at the commencement of this Act as district councillor for a rural area which as to the whole or in part is by this Act added to any urban area shall until the next election of a guardian of the poor for or in respect of such

first-mentioned area or any part thereof continue in office as if he had been elected guardian for the area for which he was elected district councillor. A.D. 1898.

PART III.—DISSOLUTION OF LOCAL AUTHORITIES &c.

53. From and after the commencement of this Act the Astley Bridge Council the rural council and the parish councils and parish meetings of the townships by this Act added to the existing borough and to the existing urban districts of Turton and Westhoughton respectively are hereby dissolved. Certain bodies dissolved.

54. Subject to the provisions of this Act and from and after the commencement thereof all property (real and personal) easements (including choses in action) rights privileges powers authorities and duties whatsoever which immediately before the commencement of this Act belonged to or were vested in or enjoyed by or which were attached to the Astley Bridge Council or the rural council or parish councils or any person on their behalf respectively (except such powers authorities and duties of the parish councils as have not already been conferred on the Corporation the Turton Council and the Westhoughton Council respectively) shall be and the same are hereby as from that commencement vested as to such of them as were so vested or enjoyed for the purposes of the borough added area or any part thereof in the Corporation and as to such of them as were so vested and enjoyed for purposes solely applicable to the Turton and Westhoughton added areas respectively in the Turton and Westhoughton Councils respectively and the same shall be so vested in the Corporation and the Turton and Westhoughton Councils respectively to the same extent and for the same estate and interest as the same respectively were at the time of the commencement of this Act vested in the Astley Bridge Council the rural council and the parish councils respectively or any person on their behalf respectively and may be held recovered used and enjoyed and shall be undertaken executed and performed accordingly. Property of dissolved authorities transferred.

55.—(1.) The Astley Bridge Cemetery by this Act transferred to the Corporation shall be used as a cemetery of the borough and there shall be paid from the borough fund to the Astley Bridge District Fund constituted under this Act the capital sum of five thousand one hundred and seventy-four pounds in respect of such cemetery and the borough fund shall become chargeable with the mortgage debt owing in respect of the cemetery at the commencement of this Act and the interest thereon from such commencement. As to Astley Bridge Cemetery tramways and sewage works &c.

A.D. 1898.

(2.) The public offices with the furniture thereof and the tramways of the Astley Bridge Council transferred to the Corporation by this Act shall be assets of the borough fund and the borough fund shall be chargeable with the mortgage debt incurred by the Astley Bridge Council in respect of those offices and the furnishing thereof and owing at the commencement of this Act and the interest thereon from that date and there shall be paid from that fund to the said Astley Bridge District Fund in respect of such tramways the yearly sum of one hundred and forty-six pounds for a period of fifteen years from the commencement of this Act or a capital gross sum of one thousand seven hundred and forty pounds in lieu of that annual payment and the borough fund shall be chargeable with the mortgage debt incurred by the Astley Bridge Council in respect of those tramways and owing at the commencement of this Act and the interest thereon from such commencement. The said capital sums of five thousand one hundred and seventy-four pounds and one thousand seven hundred and forty pounds shall be applied solely to purposes to which capital is properly applicable and not to any purpose properly chargeable to revenue but all interest and income arising from investments of those capital sums or any part thereof shall be carried as revenue to the credit of the Astley Bridge District Fund and district rate.

(3.) The highways known as Blackburn Road Belmont Road and Scout Road in the Astley Bridge District shall continue in perpetuity to be main roads and the whole of the expense of repairing maintaining improving (other than widening) and scavenging the same shall be a charge on the borough fund.

(4.) The sewage works of the Astley Bridge Council shall continue to be used for the precipitation and filtration of the sewage of the Astley Bridge District as constituted by this Act but if it become necessary to convey the effluent therefrom or the sewage of all or any part of that district into the Tonge intercepting sewer of the Corporation or any other sewer made in place thereof for the purpose of the subsequent treatment of such effluent or sewage by the Corporation at their precipitation or irrigation works at Hacken and Rhodes Farm respectively no charge shall be made on the Astley Bridge District Fund for the construction or use of such intercepting or other sewer or any sewer hereafter constructed in substitution therefor or of any continuation thereof to the Hacken Works. For the sewage so dealt with at the Hacken and Rhodes Farm Works the Astley Bridge District Fund shall be charged with such proportion of the annual expenditure of the Corporation on revenue account in respect of the Hacken and Rhodes Farm Works

(including the effluent conduit to Rhodes Farm) as the rateable value of the Astley Bridge District area draining to those works bears to the rateable value of the whole area draining to the same works : A.D. 1898.

Provided that no charge shall be made on the funds of any of the other new rating districts for the construction of such substituted sewer as in this sub-section mentioned unless such substituted sewer be rendered necessary solely for the purpose of conveying the sewage of the borough but excluding in calculating the quantity of such sewage the sewage for the time being of the Astley Bridge District.

(5.) All buildings and lands of the Astley Bridge Council (for whatsoever purpose used) by this Act transferred to the Corporation (except the cemetery tramways and public offices) shall be assets of the Astley Bridge District and shall be dealt with accordingly.

56.—(1.) There shall be provided within a reasonable period after the commencement of this Act a public recreation ground in a suitable position within the Astley Bridge District and one-third (not exceeding two thousand pounds) of the capital sum expended for such provision shall be defrayed out of the Astley Bridge District Fund and the remainder of that capital sum and the cost of the maintenance of the same recreation ground shall be defrayed by the borough fund. Recreation grounds and improvements in Astley Bridge and other districts.

(2.) The cost of providing and maintaining all other public recreation grounds by the Corporation within the borough added area shall be a charge on the borough fund and in case at any time a representation be made to the council by all the councillors of Great Lever Ward that it is desirable that an offer by the Earl of Bradford of a plot of land for a public recreation ground as a free gift shall be accepted the Corporation shall within a reasonable time accept such offer and form and make the land suitable for the purpose.

(3.) The road over the bridge called Hacken Bridge with the access thereto at each end thereof constructed by the Corporation for the purpose of their sewage works under the requirements of section 46 of the Act of 1877 shall from and after the passing of this Act be open for use as a public highway and when the concurrence of the landowner or landowners mentioned in that section has been obtained for that purpose the Corporation within a reasonable time thereafter shall cause to be formed and made and thenceforth maintained a road twelve yards wide from the said bridge to Hacken Lane in Darcy Lever aforesaid and such last-mentioned road when so made shall at all times thereafter be

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898. open for public use as a public highway All cost incurred by the Corporation in the providing making and maintenance of the same road shall be chargeable as an expenditure for their works of sewage disposal.

(4.) The Corporation shall within a reasonable time after the passing of this Act use their best endeavours to obtain all necessary powers to enable them to make and will thereupon make such alterations to the weir called Darcy Lever Weir across the River Tonge and execute such works to the bed of that river immediately below the said weir as shall reasonably be deemed requisite for the improvement thereof and the cost of such alteration and works shall be a charge on the borough fund.

(5.) For the purpose of providing the inhabitants and ratepayers of the Smithills District with improved means of communication between that district and the existing borough the Corporation shall within twelve months from the passing of this Act cause the street called Elgin Street situate in the existing borough to be formed and ballasted and made suitable for traffic and to be maintained in repair suitable for such traffic in accordance with the terms of an agreement in writing bearing date the twenty-fifth day of March one thousand eight hundred and ninety-eight and made between Richard Henry Ainsworth of the one part and the Corporation of the other part and of another agreement in writing bearing date the twenty-third day of December one thousand eight hundred and ninety-seven and made between James Percival Cross and Herbert Shepherd Cross of the one part and the Corporation of the other part.

Conveyances  
to remain in  
force.

57. Subject to the provisions of this Act all conveyances leases deeds appointments contracts agreements mortgages bonds covenants guarantees securities orders notices resolutions and proceedings made or entered into before the commencement of this Act with in favour of or by for or on behalf of the Astley Bridge Council the rural council or the parish councils respectively or any person on their behalf respectively and then in force so far as relates to the added areas respectively shall be and remain as good valid and effectual in favour of against and with reference to the Corporation so far as relates to the borough added area and the Turton and Westhoughton Councils respectively so far as relates to the Turton and Westhoughton added areas respectively and may be proceeded on and enforced in like manner to all intents and purposes as if the Corporation and those councils respectively instead of the Astley Bridge Council the rural council or the parish councils respectively as the case may be had been party or privy thereto :

Provided that the agreements subsisting between the Farnworth Urban District Council and the rural council as the successors of the rural authority for the district of the Bolton Union (which agreements are more particularly referred to in the Fourth Schedule to this Act) may be terminated at such date and upon such terms as shall be agreed upon between the Farnworth Urban District Council and the Corporation and as in default of agreement shall be settled by the Local Government Board and either party may at any time apply to the Local Government Board for such settlement. A.D. 1898.

**58.** Any action suit prosecution or other proceedings whatsoever commenced either by or against the Astley Bridge Council the rural council or the parish councils respectively so far as relates to the added areas respectively before the commencement of this Act shall not abate or be discontinued or prejudicially affected by this Act but on the contrary may be maintained prosecuted or continued by or in favour of or against the Corporation so far as relates to the borough added area and the Turton and Westhoughton Councils respectively so far as relates to the Turton and Westhoughton added areas respectively in like manner to all intents and purposes as if the Corporation the Turton Council or the Westhoughton Council respectively instead of the Astley Bridge Council the rural council or the parish councils respectively (as the case may be) were parties to such action suit prosecution or proceedings. Actions &c. not to abate.

**59.** All rates dues rents and moneys which immediately before the commencement of this Act are due and payable or accruing due and payable to the Astley Bridge Council the rural council or the parish councils respectively shall from and after the commencement of this Act be due and payable to and may be collected or recovered by the Corporation so far as relates to the borough added area and by the Turton Council and the Westhoughton Council respectively so far as relates to the Turton and Westhoughton added areas respectively in like manner as they could have been collected or recovered by the Astley Bridge Council the rural council and the parish councils respectively and all debts (other than mortgage debts) and moneys which immediately before the commencement of this Act are due or owing by or recoverable from the Astley Bridge Council the rural council or the parish councils respectively or for the payment whereof the Astley Bridge Council the rural council or the parish councils respectively as the case may be are or but for this Act would be liable shall be paid with all interest (if any) due or to accrue thereon by or be recoverable from the Corporation so far as relates to the borough added area and by or from the Turton Rates &c. due to and by Astley Bridge Council rural council and parish councils.

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898. Council and the Westhoughton Council respectively so far as relates to the Turton and Westhoughton added areas respectively.

Mortgage debts of Astley Bridge Council transferred.

60. All mortgage debts of the Astley Bridge Council shall be taken over discharged and satisfied by the Corporation.

Mortgage debts of rural council transferred.

61. The mortgage debts of the rural council incurred in respect of the borough added area shall be taken over discharged and satisfied by the Corporation and the mortgage debts of the rural council incurred in respect of the Turton and Westhoughton added areas respectively shall be taken over discharged and satisfied by the Turton and Westhoughton Councils respectively.

Charge of mortgage debts taken over by Corporation.

62. The mortgage debts taken over by the Corporation shall be charged as follows (that is to say) :—

As to such of those debts as have been incurred for the purposes of or in relation to tramways cemetery and public offices respectively on the borough fund and borough rate; and

As to all other mortgage debts on the district funds and district rates of the borough.

Charge of mortgage debts taken over by Turton Council.

63. The mortgage debts taken over by the Turton Council shall be charged on the district funds and general district rates and on the district funds and district rates of the Turton District herein-after authorised.

Charge of mortgage debts taken over by Westhoughton Council.

64. The mortgage debts taken over by the Westhoughton Council shall be charged on the district fund and the general district rate of the Westhoughton District.

Byelaws &c. annulled.

65.—(1.) All byelaws rules and regulations and all orders (other than precepts) made by the Astley Bridge Council the rural council or parish councils respectively (so far as they relate to the added areas respectively) and all resolutions of the rural council constituting any special drainage district and contributory place within the borough added area under any Act of Parliament and in force at the commencement of this Act are hereby annulled but all penalties incurred thereunder and all forfeitures and contributions which have ensued by reason thereof may be enforced recovered and applied by the Corporation the Turton Council and the Westhoughton Council respectively in respect of their respective added areas in like manner and in all respects as the same respectively might have been enforced recovered and applied by the Astley Bridge Council the rural council and the parish councils respectively as the case may be in case this Act had not been passed.



[61 & 62 VICT.] *Bolton, Turton, and Westhoughton* [Ch. ccxlii.]  
*Extension Act, 1898.*

(2.) The approval of the Astley Bridge Council or the rural council of any plan of any new street or new building shall be null and void if the execution of the work therein specified has not been or be not commenced within two years from the date of such approval and at the expiration of that period fresh notice and the deposit of fresh plans and sections (which shall be in conformity with the byelaws rules and regulations in force within the borough or the Turton District or the Westhoughton District as the case may require) shall be requisite unless the Corporation or the Turton Council or the Westhoughton Council (as the case may be) otherwise determine in writing. A.D. 1898.

**66.** All books and other documents directed or authorised to be kept by the Astley Bridge Council the rural council or the parish councils respectively by any Act of Parliament and which at the commencement of this Act would be receivable in evidence shall notwithstanding the dissolution of the Astley Bridge Council the rural council and the parish councils respectively and the annulling of their jurisdiction and powers within the added areas respectively be admitted as evidence before all judicial tribunals and elsewhere. Books to be evidence.

**67.—(1.)** The accounts of all receipts and expenditure of the Astley Bridge Council the rural council and the parish councils and of their officers up to the commencement of this Act shall be audited as soon as practicable after the commencement of this Act any enactment or regulation to the contrary notwithstanding and disallowances surcharges and penalties recovered and enforced in like manner as nearly as may be as if this Act had not been passed. Audit of accounts of local authorities.

(2.) Every authority committee or officer whose duty it is to make up any accounts or to account for any portion of the receipts or expenditure in any account shall until the audit is completed be deemed for the purpose of such audit to continue in office and be bound to perform the same duties and render the same accounts and be subject to the same liabilities as if this Act had not been passed.

**68.** Subject to the provisions of the last preceding section all officers of the Astley Bridge Council the rural council and the parish councils respectively shall cease to hold their respective offices and employments under those councils from and after the commencement of this Act and from and after that date all officers of those authorities shall as such officers cease to have any authority within the added areas. Officers to cease to hold office.

A.D. 1898.

Compensation to officers of local authorities.

**69.**—(1.) Any clerk or other officer of the Astley Bridge Council the rural council and the parish councils respectively and any assistant overseer and poor rate collector who shall be in office at the commencement of this Act and who by virtue of this Act shall suffer any direct pecuniary loss shall be deemed to be an officer entitled to compensation within the meaning of section 120 of the Local Government Act 1888 and in the application of that section the Local Government Board shall be substituted for the Treasury and in such application the Corporation (so far as relates to the borough added area and to all officers of the rural council acting in or for any of the added areas) and the Turton Council and the Westhoughton Council (so far as relates to the Turton and Westhoughton added areas respectively and to any officers other than officers of the rural council acting in or for those areas respectively) shall be substituted for the county council accordingly. Such compensation may (at the option of the Corporation or of the Turton and Westhoughton Councils respectively) be by way of annuity or by payment of a sum in gross.

(2.) Any such compensation shall be paid by the Corporation and the Turton and Westhoughton Councils respectively and as to the Corporation shall be a charge on the borough fund.

(3.) The non-acceptance of any office offered by the Corporation or the Turton and Westhoughton Councils respectively to any such clerk or officer shall not be a bar to his right to compensation.

(4.) All compensation payable to officers by reason of the township of Over Hulton aforesaid being added to the borough and the Westhoughton District respectively shall be paid by the Corporation and the Westhoughton District Council respectively in such proportion as shall be agreed between them and in default of agreement as shall be settled by an arbitrator to be appointed by the Local Government Board.

Adjustment of accounts.

**70.** The Corporation and any of the bodies having an interest in the matter respectively (including the Bolton Guardians and overseers of the poor) may agree generally for the equitable adjustment of all financial relations and the settlement of all questions affecting the Corporation and those bodies respectively arising out of or consequent on the extension of the existing borough or of the existing urban districts of Turton and Westhoughton respectively or of the union of parishes and townships by this Act effected and in default of agreement on or before the thirty-first day of March one thousand eight hundred and ninety-nine the matter or matters not so agreed shall on the application of any of the bodies in

difference be determined by an arbitrator to be appointed by the Local Government Board. A.D. 1898.

PART IV.—SCHOOL BOARDS &c.

71. From and after the commencement of this Act the following provisions shall have effect (that is to say):— Dissolution  
of school  
board &c.

(1.) The school authorities shall cease to have any power or jurisdiction within or in respect of the borough added area :

(2.) The Heaton School Board is hereby dissolved :

(3.) The township of Lostock shall cease to form part of the district of the Westhoughton and Lostock United District School Board and the urban district of Westhoughton as by this Act extended shall be a school board district under the name of the school board district of Westhoughton and the school board for that district shall be called the Westhoughton School Board :

(4.) The order of the Education Department set forth in the second schedule hereto shall be deemed to apply to and be operative within the township of Turton as extended by this Act :

(5.) For the purposes of the Education Acts the borough shall be a school district and the school board for the existing borough shall be the school board for the said school district :

(6.) The members of the school board for the existing borough who are in office at the commencement of this Act shall constitute the school board for the district of the Bolton School Board and shall be deemed to have been elected therefor and shall hold office subject to the provisions of the Education Acts and this Act and to any order to be made by the Education Department for holding a new election or otherwise :

(7.) At such time before the twenty-fifth day of March one thousand nine hundred as the Education Department shall think fit that department shall issue an order for the election of persons to serve as members of the school board for the district of the Bolton School Board in the place of the persons who at the time of the making of the said order are members of the said school board but until the twenty-fifth day of March one thousand nine hundred the school board shall not exercise any power for the provision of school accommodation within the borough added area :

(8.) All school premises with their fittings and all property belonging to the dissolved school board shall vest in the Bolton School Board for all the estate and interest of the dissolved

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

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school board and all debts (other than mortgage debts) liabilities and engagements which at the commencement of this Act are owing by or attach to the dissolved school board shall be discharged and satisfied by the Bolton School Board out of the Bolton School Fund :

- (9.) All mortgage debts of the dissolved school board owing at the commencement of this Act are hereby transferred to and shall be discharged and satisfied by the Bolton School Board :
- (10.) All moneys at the commencement of this Act in the possession of the dissolved school board or of the Bolton Guardians and raised within the added areas respectively for the purposes of the Education Acts shall be paid over to the Bolton School Board the Turton Council and the Westhoughton School Board respectively :
- (11.) Nothing in this Part of this Act shall take away or prejudice any proceedings or thing pending or being done or any right or remedy for or in respect of any precept issued by the Heaton School Board the Westhoughton and Lostock United District School Board or the Bolton Guardians and all moneys payable to them respectively under or by virtue of such precept shall be paid to the Bolton School Board the Westhoughton School Board and the Turton Council respectively who in default of such payment may respectively recover the same in like manner as they could have been recovered by the Heaton School Board the Westhoughton and Lostock United District School Board and the Bolton Guardians respectively :
- (12.) The school fund of the Westhoughton and Lostock United District School Board shall be apportioned between the Bolton School Board and the Westhoughton School Board in such manner as shall be agreed on between the two last-named boards or as in default of agreement shall be settled by an arbitrator to be appointed by the Education Department :
- (13.) All byelaws and regulations made by the Bolton School Board for the existing borough and by the Westhoughton and Lostock United District School Board for the district of that board and now in force shall apply to and be in force within the borough and the district of the Westhoughton School Board respectively subject to any future repeal or amendment of the same and all byelaws and regulations made by any other school authority shall cease to have any force within the borough and the Westhoughton District respectively :

(14.) Every child resident in any part of the borough added area who shall be lawfully employed at or before the commencement of this Act under any byelaw in force within that part of the added area in which such child is resident for the total or partial exemption from the obligation to attend school shall notwithstanding any byelaw of the Bolton School Board continue to enjoy the same exemption as if this Act had not been passed. A.D. 1898.

72. All teachers (as defined in the Elementary Education Act 1870) in the service of the Heaton School Board or the Westhoughton and Lostock United District School Board respectively who shall be in office at the commencement of this Act shall hold and enjoy their respective offices and employments until they shall resign the same or be removed therefrom by the Bolton School Board or the Westhoughton School Board respectively and shall be entitled to the same salaries and emoluments and shall be subject and liable to the like conditions obligations and liabilities and to the like powers of removal and to the like rules restrictions and regulations in all respects whatsoever as if they had been respectively appointed by the Bolton School Board or the Westhoughton School Board respectively. Teachers of school authorities continued.

73.—(1.) Any clerk or other officer appointed for the purpose of the Education Acts who shall be in office at the commencement of this Act and who by reason of the borough added area being included in the district of the Bolton School Board shall suffer any direct pecuniary loss shall be deemed to be an officer entitled to compensation within the meaning of section 120 of the Local Government Act 1888 and that section shall apply accordingly with the substitution of the Corporation for the county council and the Local Government Board for the Treasury: Compensation to officers of school board.

Such compensation may (at the option of the Corporation) be by way of annuity or by payment of a sum in gross.

(2.) Any such compensation shall be paid by the Corporation.

74. All books and other documents directed or authorised to be kept by the school authorities respectively by Act of Parliament and which at the commencement of this Act would be receivable in evidence shall notwithstanding the dissolution of the Heaton School Board and the annulling of the jurisdiction and powers of the school authorities within the added areas respectively or the alteration of the district of the Westhoughton and Lostock United District School Board be admitted as evidence before all judicial tribunals and elsewhere. Books of school authorities to be evidence.

A.D. 1898.

Audit of  
school  
boards'  
accounts.

**75.**—(1.) The accounts of the dissolved school board and of the Westhoughton and Lostock United District School Board and of their respective officers up to the time of the commencement of this Act shall be audited in like manner as if this Act had not been passed and as soon as practicable after that date any statutory provision or regulation as to the time of holding the audit of the accounts of school boards to the contrary notwithstanding.

(2.) Every school authority committee or officer whose duty it is to make up any accounts or to account for any portion of the receipts or expenditure in any account shall until the audit is completed be deemed for the purpose of such audit to continue in office and be bound to perform the same duties and render the same accounts and be subject to the same liabilities as if this Act had not been passed.

PART V.—RATES AND BORROWING.

Separate  
rating  
districts.

**76.** For the purposes of rating within the borough added area the following provisions shall have effect:—

(1.) The borough added area shall be divided into districts (in this Act called new rating districts) and such districts shall respectively be called by the names mentioned in the first column of the Fifth Schedule to this Act and shall consist of the areas and places described in the second column of that schedule:

(2.) Section 106 (Separate accounts for sanitary purposes) of the Act of 1877 shall extend and apply to and in relation to each of the new rating districts in common with the rating districts in that section mentioned and that section shall be deemed to include expenditure incurred by the rural council as special expenses and in respect whereof a liability is existing at the commencement of this Act:

(3.) The Corporation may from time to time make assess levy collect and recover in each new rating district a district rate for sanitary expenses and expenses incurred for or in relation to the manufacture and supply of gas and the production and supply of electric energy in or for that district:

(4.) The funds and rates for the several new rating districts shall be respectively called by the names set opposite those districts in the third and fourth columns of the Fifth Schedule to this Act:

(5.) The provisions contained in the following sections of the Act of 1854 (that is to say):— A.D. 1898.

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

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

Section 152 (Rates prospective and retrospective);

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

And all other provisions now in force in the existing borough with respect to the making assessing levying collecting and recovery of rates shall so far as they are applicable and subject to the provisions of this Act extend and apply to and in relation to the district rates by this section authorised:

(6.) Subject to the provisions of this Act no borough rate shall be levied in the Heaton District during the ten years next succeeding the commencement of this Act and in each of the other new rating districts during the fifteen years next succeeding the commencement of this Act other than a uniform borough rate in each year of one shilling and sixpence in the pound Provided that no rates shall at any time be levied by the Corporation in respect of any land used as arable meadow or pasture ground only or as woodland market garden or nursery grounds cottage gardens orchards and allotments or any land covered with water situate in the new rating districts except one-fourth of the said district and borough rates leviable on property other than such lands as aforesaid and that no rates shall be levied by the Corporation in respect of any land used only as a canal or towing path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance situate in the new rating districts which shall be higher than—

As regards the district rate one-fourth of the district rate; and

As regards the borough rate one-half of the borough rate for the time being levied on such property situate in those new rating districts respectively:

(7.) The Corporation shall carry to the credit of the district fund and rate of the rating district of Astley Bridge the annual proceeds and income of the estates and property of the Astley Bridge Council by this Act vested in the Corporation (other than the Astley Bridge cemetery public offices and tramways) and shall debit such fund and rate with the debts liabilities and engagements of the Astley Bridge Council in respect of such

[Ch. ccxli.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898.

estates and property and with all expenses of and incidental to or connected with the management thereof :

- (8.) The property by this Act transferred from the rural and parish councils to the Corporation shall be equitably appropriated for the use and benefit of the new rating districts (other than Astley Bridge) and such districts respectively (other than Astley Bridge) shall be chargeable with an equitable proportion of the mortgage and other debts and liabilities incurred and outstanding in respect of the areas comprised in such districts respectively :
- (9.) The Heaton District shall be chargeable in its district fund with the moneys from time to time required for the discharge and satisfaction of the mortgage and other debts liabilities and engagements which at the commencement of this Act are owing by or attach to the dissolved school board of Heaton and which are hereby transferred to or to be discharged and satisfied by the Bolton School Board and further during the period of ten years from the commencement of this Act shall be so chargeable with the moneys from time to time required in respect of all loan repayments interest and rent consequent upon the provision (if any) of other school accommodation by the Bolton School Board for or within the Heaton District and after the said period of ten years the same district shall be chargeable in respect of school board expenditure with such expenses only as for the time being is incurred for or within that district and all such moneys and expenses shall be defrayed out of or by means of the Heaton District Fund and Heaton District Rate :
- (10.) During the period of fifteen years from the commencement of this Act the new rating districts respectively other than the Heaton District shall be chargeable in their respective district funds with all loan repayments interest and rent consequent upon the provision (if any) of school accommodation by the Bolton School Board therein or therefor and after that period the new rating districts other than the Heaton District respectively shall be chargeable in respect of school board expenditure with such expenses only as for the time being is incurred for or within their respective districts and those expenses shall be defrayed out of or by means of their respective district funds and district rates Provided that when and so soon as any board school shall have been built in the Smithills District or in the Lostock District respectively the district in which such school has been so built shall in lieu of being charged with school expenditure as in this sub-section mentioned thenceforth



be subject to the said borough rate as for the time being is levied in the central district of the borough but with the benefit of the like partial exemptions as are provided in sub-section (6) of this section ;

A.D. 1898.

(11.) The treasurer of the borough shall settle the amount from time to time to be charged to the new rating districts respectively in pursuance of this section and for that purpose the Bolton School Board shall render to the Corporation such particulars respecting their income and expenditure as may be contained in the books of account prescribed in the regulations of the Local Government Board :

(12.) Any doubt or difference arising under this section shall on the application of the Corporation or the Bolton School Board or of any burgess of the borough stand referred to and be determined by an arbitrator to be appointed by the Education Department :

(13.) Nothing in this Act shall prejudice or affect the powers of the Bolton School Board under the Education Acts for meeting by precept or the levying of a local rate any deficiency in their school fund irrespective of the division of the borough into rating districts.

77.—(1.) For the purpose of raising within the borough added area such sum as will be equal to a borough rate of ninepence in the pound for the period ending on the twenty-fifth day of March one thousand eight hundred and ninety-nine and for raising within each of the new rating districts such sum as shall have been estimated by the Corporation to be required during the same period for sanitary and other expenditure chargeable on the district fund thereof the Corporation may issue their precept to the overseers of the parish of Bolton requiring such overseers to pay within a time limited by the precept the amount specified in such precept to the treasurer of the Corporation and the overseers of the parish of Bolton shall comply with the requirements of such precept by the levy of a separate rate in such district in the same manner as if it were a rate for the relief of the poor but subject to the like partial exemptions as are provided in sub-section (6) of the last preceding section of this Act.

As to rating in added areas between 30th September 1898 and 31st March 1899.

(2.) A separate rate under this section shall as respects the powers of the overseers in relation to making assessing and levying such rate and as respects the appeal against such rate and all other incidents thereof except the purposes to which it is applicable and such partial exemption as aforesaid and except the allowance of justices which shall not be required be subject to the same provisions as apply in law to a rate levied for the relief of the poor and the

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898. — overseers of the parish of Bolton shall have the same powers of levying such separate rate in each of the new rating districts forming part of their parish as they would have if such district formed the whole of their parish.

(3.) If the amount required by any precept issued under this section is not paid in manner directed by such precept and within the time therein specified for that purpose the Corporation shall have the like remedy for recovery from the overseers of the parish of Bolton of such amount as is not paid as guardians of the poor have for the time being for recovery from overseers of contributions of parishes and for that purpose the precept of the Corporation requiring the payment shall be conclusive evidence of the amount thereof.

Separate accounts in relation to production and supply of electric energy.

**78.** The Corporation shall keep separate accounts of the income and expenditure for and in relation to the production and supply of electric energy and the surplus (if any) in any year shall be carried to the credit of the several district funds of the borough in proportion to the rateable value of such several rating districts and any deficiency shall be paid out of such several district funds and in like proportion.

Mines of coal in Middle Hulton.

**79.** Until the expiration of fifteen years from the commencement of this Act or if before such expiration works of sewerage for the drainage of that portion of the Middle Hulton District or any part thereof which lies to the south of Plodder Lane shall have been commenced then until the commencement of such works no mines of coal within the area of the district so situate shall be chargeable to the Middle Hulton District Rate to a greater amount than three-fourths of such rate.

Sewers in Smithills.

**80.** The sewers of the Smithills District heretofore connected with the intercepting sewers and main drains of the Corporation in pursuance of sub-section (1) of section 108 (For the protection of the rural sanitary authority) of the Act of 1877 may continue to be so connected and other sewers of that district may hereafter as occasion shall require be connected with those intercepting sewers and main drains and the Smithills District Fund shall not be chargeable with any payment for the use of such intercepting sewers or drains but shall be charged with such a proportion of the costs charges and expenses of and incident to the treatment and disposal of the sewage for the time being treated by the Corporation at their sewage works as the rateable value of the Smithills District bears to the aggregate rateable value of the whole area the sewage whereof is for the time being treated at those works Provided that in the ascertaining of such costs charges and expenses there shall

[61 & 62 VICT.] *Bolton, Turton, and Westhoughton* [Ch. ccxlii.]  
*Extension Act, 1898.*

not be included therein any expenditure on capital account or any interest on capital expenditure. A.D. 1898.

81. Section 155 (Property of Corporation exempted from rates under this Act) of the Act of 1854 shall be and is hereby repealed. Rating of Corporation property.

82. For the purpose of rating by the Turton Council within the Turton District the following provisions shall have effect:— Rating in Turton.

(1.) The Turton District shall be divided into districts (in this Act called "Turton Rating Districts") and such districts shall respectively be called by the names mentioned in the first column of the Sixth Schedule to this Act and shall consist of the areas and places described in the second column of that schedule :

(2.) In each of the Turton Rating Districts there shall be constituted a district fund and the funds and rates for those districts shall be respectively called by the names set opposite the same in the third and fourth columns of the said Sixth Schedule :

(3.) The expenses of the Turton Council shall be divided into special expenses and general expenses :

(4.) Special expenses shall be the expenses of the construction maintenance and cleansing of sewers in any of the Turton Rating Districts the provision maintenance and carrying on of works for the disposal of the sewage of any such district public lighting scavenging and ashpit emptying therein the provision of water supply therefor and all other expenses incurred or payable by the Turton Council and determined by that council to be special expenses and all other expenses shall be general expenses Provided that general expenses and special expenses may be varied and altered if two-thirds of the whole number of the Turton Council so determine :

(5.) The property by this Act transferred from the rural and parish councils to the Turton Council shall be equitably appropriated for the use and benefit of the Turton Rating Districts comprised in the Turton added area and such districts respectively shall be chargeable with an equitable proportion of the mortgage and other debts and liabilities incurred and outstanding in respect of the areas comprised in such districts respectively :

(6.) The Turton Council may from time to time make assess levy collect and recover in each of the Turton Rating Districts a special district rate for defraying the special expenses chargeable on those districts respectively and all general expenses shall be payable out of the general district rate of the Turton District :

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 Vict.]  
*Extension Act, 1898.*

A.D. 1898.

(7.) The provisions of the Public Health Act 1875 as to the making assessment levying and recovery of general district rates shall be applicable to the making assessment levying and recovery of special district rates under this section.

Rating in  
West-  
houghton.

83. No general district rate leviable by the Westhoughton Council within the Westhoughton added area shall during fifteen years from the commencement of the Act exceed in any one year a rate of one shilling and threepence in the pound on the property assessable to such rate except such addition as shall be occasioned during that period in respect of expenditure hereafter incurred for works of sewerage water supply or other works of a special nature within such added area.

Power to  
Corporation  
to borrow.

84. The Corporation may from time to time in addition to any moneys they are now authorised to borrow under any of the provisions of any other Act borrow at interest on the following securities for the following purposes any sum or sums not exceeding the following sums (that is to say) :—

On the security of the borough fund and borough rate—

For paying the costs charges and expenses of and in relation to this Act as herein-after defined and of and in relation to the paying off and re-borrowing of moneys under the powers of this Act the sums requisite for the purpose ;

For payment of any compensation by this Act authorised to be paid by the Corporation and payable as a gross sum the amount of such compensation ;

For repayment of the mortgage debts of the Astley Bridge Council incurred for cemetery tramways and public office properties respectively and for the capital sums to be credited to the Astley Bridge Fund in respect thereof the amount of such mortgage debts and capital sums ;

For the repayment of the portions (if any) apportioned to the Corporation of the mortgage debts of the county council the amount so apportioned ;

For the payment of any moneys properly chargeable to capital and payable by reason of any adjustment made under the provisions of this Act the respective amounts of those moneys ;

For the payment of the cost of the improvement of Darcy Lever Weir and the River Tonge such sum as shall be sanctioned by the Local Government Board :

On the security of the district funds and district rates—

For repayment of the mortgage debts of the Astley Bridge Council other than as aforesaid the amount of such mortgage debts ;

For repayment of the mortgage debts of the rural council in respect of the borough added area the amount of such mortgage debts; A.D. 1898.

For payment of the cost of the road from Hacken Bridge to Hacken Lane such sums as the Local Government Board shall sanction.

In calculating the sum the Corporation may borrow under any other enactment the sums they may borrow under this Act shall not be reckoned and the powers of the Corporation as to borrowing and reborrowing under this Act shall not be restricted by any of the provisions of the Public Health Act 1875.

**85.**—(1.) The Corporation if they think fit may borrow the moneys which they are by this Act authorised to borrow or any part thereof under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another. Power to borrow under Local Loans Act 1875.

(2.) Any moneys borrowed in manner by this section authorised shall be charged on and shall be paid out of the same funds and rates as they would be charged upon and paid out of if raised by way of mortgage under the powers of this Act and such funds and rates shall in every case be deemed to be the local rate within the meaning and for the purposes of the Local Loans Act 1875.

(3.) Every such loan shall be discharged within the period prescribed by this Act.

(4.) The sections of this Act the marginal notes whereof are respectively "As to sinking funds" and "Annual return with respect to sinking funds" shall extend and apply mutatis mutandis to and in relation to the repayment by means of a sinking fund of moneys borrowed under the powers of the Local Loans Act 1875 and to the annual return to the Local Government Board with respect to such repayment in lieu of the provisions of sections 15 and 16 of that Act relating to the like matters.

**86.** The provisions of the Commissioners Clauses Act 1847 with respect to the mortgages to be executed by the Commissioners (except section 84) shall extend and apply mutatis mutandis to and in relation to all mortgages made by the Corporation under the powers of this Act. Incorporation of Commissioners Clauses Act 1847.

**87.** The Corporation shall repay or make provision for repaying all moneys borrowed under the powers of this Act and all mortgage debts transferred to the Corporation under the provisions of this As to repayment of borrowed moneys.

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898. — Act within the respective periods herein-after mentioned from the date when the same shall be respectively borrowed :—

- (A.) All moneys borrowed for the payment of the costs charges and expenses of and in relation to this Act and of and in relation to the paying off and re-borrowing of moneys under the powers of this Act in any periods not exceeding five years ;
- (B.) All mortgage debts transferred to the Corporation under the provisions of this Act and not repaid by means of moneys borrowed under the powers of this Act in any periods not exceeding the unexpired periods remaining for the repayment of those respective debts at the date of their transfer to the Corporation ;
- (C.) All moneys borrowed by the Corporation for the repayment of mortgage debts payable by the Corporation under the provisions of this Act in any periods not exceeding the unexpired portion of the periods sanctioned for the repayment of those respective debts ;
- (D.) All moneys borrowed by the Corporation with the consent of the Local Government Board within such period not exceeding sixty years as that Board shall in each case prescribe ;
- (E.) All other moneys borrowed under the provisions of this Act in any period not exceeding thirty years :

And such repayment shall be effected—

Either by equal yearly or half-yearly instalments of principal or of principal and interest ;

Or by means of a sinking fund ;

Or partly by such instalments and partly by a sinking fund.

Every such instalment or instalments shall be paid out of the funds and rates on the security of which the principal moneys in respect of which it or they are so paid were or by virtue of this Act might be borrowed.

The first payment by instalments or to the sinking fund shall be made within one year from the time of the borrowing of the moneys in respect of which such payment is to be made.

As to sinking funds.

**88.** The following provisions shall apply as to the sinking funds :—

- (1.) The Corporation in every year on the respective dates in that behalf by the last preceding section prescribed shall appropriate and set apart out of the funds and rates on the security of which such moneys are charged such equal annual sums as will with the accumulations thereof by way of compound interest at a rate not exceeding three pounds per centum per annum be sufficient to repay the whole of the principal moneys (in respect

of which the sinking fund is established) borrowed on such security within the periods by this Act prescribed: A.D. 1898.

- (2.) The yearly sum so to be appropriated and set apart shall be invested from time to time and accumulated in the way of compound interest by investing the same and the dividends interest and annual income thereof respectively in any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust moneys and any mortgage debenture debenture stock Corporation stock or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain (except the Corporation) or of any other local authority within section 34 of the Local Loans Act 1875 other than annuities rentcharges and securities transferable by delivery :
- (3.) The Corporation may at any time apply the whole or part of such sinking fund in or towards the repayment of the borrowed moneys for the repayment of which such sinking fund was set apart in such order and manner as they deem proper Provided as follows (that is to say) :—
- (A.) That in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of the borrowed moneys to which such sinking fund is applicable are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied at the rate per centum on which the annual payments to the sinking fund are based ;
- (B.) That whenever and so long as the securities constituting any sinking fund shall be equal in value at the market price of the day to the principal moneys then outstanding and to be paid off by means of such fund the Corporation may in lieu of investing the said yearly income apply the same in payment of the interest on such principal and may during such periods discontinue the payment to such sinking fund of the yearly sums required to be so paid thereto ;
- (c.) That if and so often as the interest in any year derived from such investment is not equal to the income which would be derived therefrom at the rate per centum per annum on which the equal annual payments to the sinking fund are based such deficiency shall be made good out of the funds and rates on the security of which the moneys to be repaid have been borrowed but if and so often as the

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898.

said interest in any year exceeds such income the difference between such interest and income shall be applicable in reduction of the sums which would otherwise be required to be paid into the sinking fund.

Power to  
re-borrow.

**89.** If the Corporation can at any time borrow any money at a lower rate of interest than any securities given by them and then in force shall bear or if the Corporation pay off any money borrowed by them under the powers of this Act otherwise than by means of instalments or of a sinking fund or out of the proceeds of the sale exchange or disposition of lands or other moneys received on capital account (other than borrowed moneys) they may re-borrow the same and so from time to time Provided as follows (that is to say) :—

All moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing shall have been made ;

Any amounts from time to time re-borrowed shall be deemed to form the same loan as the moneys in lieu of which such re-borrowing shall have been made and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing ;

Nothing in this section contained shall be deemed to entitle the Corporation without the consent of the person or persons trustee or trustees in whom any security given by the Corporation may be vested to pay off any money owing thereon prior to the same becoming due.

Corporation  
not to  
regard trusts.

**90.** The Corporation shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Corporation shall be a sufficient discharge to the Corporation in respect thereof notwithstanding any trust to which such loan or security may be subject and whether or not the Corporation have had notice of any such trust or of any charge or encumbrance upon or transfer of such loan or security on any part thereof or interest thereon not entered in their register and the Corporation shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any such money.

Annual  
return with  
respect to  
sinking  
funds.

**91.** The town clerk shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid



under this Act transmit to the Local Government Board a return in such form as may be prescribed by that board and verified by statutory declarations if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the town clerk shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act. A.D. 1898.

If it appears to the Local Government Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

The provisions of this section shall apply *mutatis mutandis* to appropriations and to annual repayments.

92. The Turton Council may from time to time in addition to any moneys they are now authorised to borrow under any of the provisions of any other Act borrow at interest on the security of the Turton District Funds and Turton District Rates and the general district rate leviable by the Turton Council for the following purposes any sum or sums not exceeding the following sums (that is to say):—

Power to  
Turton  
Council to  
borrow.

For paying the costs charges and expenses of and in relation to this Act as herein-after defined and of and in relation to the paying off and reborrowing of money under the powers of this Act the sums requisite for the purpose ;

For repayment of the mortgage debts of the rural council in respect of the Turton added area the amount of such mortgage debts ;

A.D. 1898.

For payment of any compensation by this Act authorised to be paid by the Turton Council as a gross sum the amount of such compensation ;

For the payment of any moneys properly chargeable to capital and payable by reason of any adjustment made under the provisions of this Act in respect of the Turton District the respective amounts of those moneys.

Power to West-  
houghton  
Council to  
borrow.

**93.** The Westhoughton Council may from time to time in addition to any moneys they are now authorised to borrow under any of the provisions of any other Act borrow at interest on the security of the Westhoughton District Fund and general district rate leviable by the Westhoughton Council :—

For paying the costs charges and expenses of and in relation to this Act as herein-after defined and of and in relation to the paying off and reborrowing of moneys under the powers of this Act the sums requisite for the purpose ;

For repayment of the mortgage debts of the rural council in respect of the Westhoughton added area the amount of such mortgage debts ;

For payment of any compensation by this Act authorised to be paid by the Westhoughton Council as a gross sum the amount of such compensation ;

For the payment of any moneys properly chargeable to capital and payable by reason of any adjustment made under the provisions of this Act in respect of the Westhoughton district the respective amounts of those moneys.

Incorporation of sections of Public Health Act 1875.

**94.** The following sections of the Public Health Act 1875 shall extend and apply mutatis mutandis to and in relation to all mortgages made by the Turton and Westhoughton Councils respectively under the powers of this Act (that is to say) :—

Section 236 (Form of mortgage) ;

Section 237 (Register of mortgages) ;

Section 238 (Transfer of mortgages) ; and

Section 239 (Receiver may be appointed in certain cases) except the proviso thereto.

Repayment of borrowed moneys by Turton and West-  
houghton  
Councils.

**95.** The Turton and Westhoughton Councils respectively shall repay or make provisions for repaying all moneys borrowed under the powers of this Act and all mortgage debts transferred to the Turton Council and Westhoughton Council respectively under the provisions of this Act within the respective periods herein-after

mentioned from the date when the same shall be respectively borrowed:— A.D. 1898.

- (A.) All moneys borrowed for the payment of the costs charges and expenses of and in relation to this Act and of and in relation to the paying off and reborrowing of moneys under the powers of this Act in any periods not exceeding five years;
- (B.) All mortgage debts transferred to the Turton Council and Westhoughton Council respectively under the provisions of this Act and not repaid by means of moneys borrowed under the powers of this Act in any periods not exceeding the unexpired periods remaining for the repayment of those respective debts at the date of their transfer to those councils respectively;
- (C.) All moneys borrowed by the Turton Council and Westhoughton Council respectively for the repayment of mortgage debts payable by the Turton Council and Westhoughton Council respectively under the provisions of this Act in any periods not exceeding the unexpired portion of the periods sanctioned for the repayment of those respective debts;
- (D.) All other borrowed moneys by the Turton Council and Westhoughton Council respectively under the provisions of this Act in any period not exceeding thirty years:

And such repayment shall be effected either by equal yearly or half-yearly instalments of principal or of principal and interest or by a sinking fund or partly by such instalments and partly by a sinking fund.

Every such instalment or instalments shall be paid out of the funds and rates on the security of which the principal moneys in respect of which it or they are so paid were or by virtue of this Act might be borrowed.

The first payment by instalments or to a sinking fund shall be made within one year from the time of the borrowing of the moneys in respect of which such payment is to be made.

Subject as aforesaid the sections of this Act the marginal notes whereof are respectively—

As to sinking funds;

Power to reborrow;

Corporation not to regard trusts;

Annual return with respect to sinking funds;

shall extend and apply mutatis mutandis to and in relation to the Turton Council and the Westhoughton Council respectively and the moneys borrowed by them respectively the said councils respectively being substituted for the Corporation and the respective clerks of those councils being substituted for the town clerk.

A.D. 1898.

Application  
of moneys  
borrowed.

**96.** All moneys borrowed by the Corporation the Turton Council and the Westhoughton Council respectively under this Act shall be applied to the purposes of this Act in respect of which the same were respectively borrowed and to which capital is properly applicable and to no other purpose.

Limiting the  
total amount  
of money  
which may  
be borrowed.

**97.** The total amount of money which may be borrowed under the powers of this Act shall not exceed one hundred and fifty thousand pounds.

PART VI.—MISCELLANEOUS.

As to supply  
of gas &c.  
within  
borough.

**98.** All supplies of gas water and electric energy and of meters for measuring the same by the Corporation to consumers within the borough added area shall be furnished on the same terms as for the time being similar supplies are furnished to consumers within the area of the existing borough.

Adjustment  
of questions  
affecting  
Corporation  
and county  
council.

**99.**—(1.) The Corporation and the county council may from time to time make agreements for the purpose of adjusting any property income debts liabilities and expenses so far as affected by this Act and for an equitable adjustment of all financial relations and the settlement of all questions affecting the Corporation and the county council arising out of or consequent on the extension of the existing borough and in default of agreement as to any such matters on or before the thirty-first day of March one thousand eight hundred and ninety-nine the matter or matters not so agreed shall (unless by this Act otherwise expressly provided) be determined (on the application of either of the bodies in difference) by the Local Government Board whose decision shall be final. The costs and expenses incurred in such determination shall be borne and paid in such manner as the Local Government Board shall direct.

(2.) For the purposes of any adjustment between the Corporation and the county council by the Local Government Board the provisions of the Local Government Act 1888 relating to adjustments between the administrative counties and county boroughs shall apply with the necessary modifications :

Provided that in lieu of section 61 of that Act sub-sections (1) and (5) of section 87 of that Act shall apply to any inquiries which may be directed by the Local Government Board under this section and to the costs of such inquiries. Provided also that sub-section (6) of section 32 of that Act shall apply to any agreement or award made under this section.

(3.) Any adjustment made under sub-section (1) of this section whether made by agreement or by the Local Government Board as

aforesaid and the adjustment made by the commissioners under the Act of 1888 with respect to any county borough affected by such first-mentioned adjustment shall for all future purposes be taken together as one adjustment and particularly for the purposes of sub-section (6) of section 32 of the Act of 1888. The date of the adjustment made by the commissioners under the Act of 1888 shall be taken to be the date of the commissioners' award. A.D. 1898.

(4.) The added sum referred to in section 24 of the Lancashire County (Lunatic Asylum and other Powers) Act 1891 shall subject to the provisions of section 25 of that Act be increased by the sum of sixty-five pounds and the whole of such increase shall be contributed by the borough in addition to the proportion of the added sum for the time being payable by the borough.

(5.) Any capital sum paid to the county council for the purpose of any adjustment or in pursuance of any order or award of an arbitrator under this Act shall be treated as capital and applied with the sanction of the Local Government Board either in the repayment of debt or for any other purpose for which capital money may be applied.

**100.**—(1.) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary for giving effect to any of the provisions of this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875. Expenses of Local Government Board.

(2.) The Corporation as to the borough added area and the Turton and Westhoughton Councils as to the Turton and Westhoughton added areas respectively shall pay to the Local Government Board any expenses incurred by that board in relation to any inquiries under this Act including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that board not exceeding three guineas a day for the service of such inspector.

**101.**—(1.) If any officer of or paid by the county council shall by virtue of this Act or of anything done in pursuance or in consequence thereof suffer any such direct pecuniary loss as is mentioned in section 120 of the Local Government Act 1888 the provisions of that section shall apply to him with the substitution of the words "the Local Government Board" for the words "the Treasury" in sub-sections (4) and (6) and of the words "borough fund" in sub-section (8) of that section for the words "county fund" Compensation to existing county officers.

A.D. 1898. — as a payment for general county expenses” and with such other modifications as may be necessary to make those provisions applicable to such officer and to the Corporation and any such officer whose salary shall be reduced within five years from the commencement of this Act on the ground that his duties have been diminished in consequence hereof shall be deemed to have suffered a direct pecuniary loss in consequence of this Act. Such compensation may be by way of annuity or (by agreement) by payment of a sum in gross and shall be paid by the Corporation out of the borough fund and the amount of such compensation if by way of annuity shall be determined by agreement or if any dispute arise as to the reasonableness of any such reduction or the amount of such annuity such dispute shall be determined by the Local Government Board:

Provided always that the non-acceptance of any office shall not be a bar to the right of any officer to compensation.

(2.) The provisions of this section shall apply to and include the person for the time being holding the offices of clerk to the justices for the petty sessional division of Bolton in the county of Lancaster and clerk to the licensing justices for the same petty sessional division and also to the coroner for the county of Lancaster exercising jurisdiction within the said petty sessional division of Bolton and the word “officer” shall be taken to include and mean the said clerk to the justices for the division of Bolton and clerk to the licensing justices for the same petty sessional division and the said coroner.

As to West-  
houghton  
Burial Board  
District.

**102.** Nothing in this Act contained shall be deemed to extend the district of the Westhoughton Burial Board but in the event of the powers property and liabilities of that board becoming transferred to the Westhoughton Council such transfer shall have effect for and in relation to the whole of the Westhoughton District as extended by this Act and all expenditure by the Westhoughton Council consequent upon that transfer shall be a charge upon the whole of the Westhoughton District and the limited rate to be levied as herein-before provided within the Westhoughton added area may if requisite be increased accordingly.

Plans to be  
deposited.

**103.—(1.)** Within two weeks after the passing of this Act the plans shall be deposited in the Private Bill Office of the House of Commons and such of the plans as relate to the borough the Turton District and the Westhoughton District respectively shall be deposited with the town clerk and the clerks to those districts respectively and forthwith after such deposit copies of the plans certified by the town clerk shall be sent to the Board of Agriculture

the Local Government Board the Board of Inland Revenue and the County Council. A.D. 1898.

(2.) Copies of such of the plans as are deposited with the town clerk and the clerks to the Turton and Westhoughton Districts respectively or any extract therefrom respectively certified to be true by the town clerk and the respective clerks (as the case may require) shall be received by all courts of justice and elsewhere as *prima facie* evidence of the contents of such plans and such plans shall at all reasonable times be open to the inspection of persons liable to rates imposed by the Corporation the Turton Council and the Westhoughton Council respectively and all persons so liable shall be entitled to a copy of or extract from such plans so certified on payment of a reasonable fee for every such copy or extract. All sums received by the Corporation under this section shall be carried to the credit of the borough fund and all sums received thereunder by the Turton and Westhoughton Councils respectively shall be carried to the credit of their respective district funds.

Copies of deposited plans to be evidence.

**104.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of moneys to be borrowed for the purpose under the provisions of this Act. Costs of Act.

All the costs charges and expenses incurred by the Turton and Westhoughton Councils respectively preliminary to and of and incidental to the passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall or may be paid by those councils respectively out of their respective district funds and rates or out of moneys to be borrowed for the purpose under the provisions of this Act.

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898

SCHEDULES referred to in the foregoing Act.

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THE FIRST SCHEDULE.

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THE FORMER ACTS.

The Bolton Improvement Act 1854.

The Bolton Improvement Act 1861.

The Bolton Improvement Act 1864

Provisional Order confirmed by the Local Government Supplemental Act 1864.

The Bolton Improvement Act 1865.

Two Provisional Orders confirmed by the Local Government Supplemental Act 1871.

Provisional Order confirmed by the Local Government Supplemental Act 1871 (No. 4).

The Bolton Corporation Act 1872.

The Bolton Improvement Act 1877.

The Bolton and Suburban Tramways Order 1878 confirmed by the Tramways Orders Confirmation (No. 1) Act 1878.

Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation (Abergavenny Union &c.) Act 1879.

The Bolton Improvement Act 1882.

Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation Act 1885.

Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1888.

The Bolton and Suburban Tramways Order 1888 confirmed by the Tramways Orders Confirmation (No. 2) Act 1888.

Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1890.

The Bolton Corporation Tramways Act 1891.

The Bolton Electric Lighting Order 1891 confirmed by the Electric Lighting Orders Confirmation (No. 1) Act 1891.

Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation Act 1892.

The Bolton Corporation Tramways Act 1893.

Provisional Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1893



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*Extension Act, 1898.*

Provisional Order (Bolton Order 1894) confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1894. A.D. 1898.

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

The Bolton Tramways and Improvement Act 1897.

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## THE SECOND SCHEDULE.

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*Appointment of School Attendance  
Committee by Urban Sanitary Authority  
Section 33 Elementary Education Act 1876.*

*Form No. 139.  
February 1877*

### ELEMENTARY EDUCATION ACT 1876.

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AT THE COUNCIL CHAMBER WHITEHALL

The 5 day of May 1882

BY THE LORDS OF THE COMMITTEE OF THE PRIVY COUNCIL ON  
EDUCATION.

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#### URBAN SANITARY DISTRICT OF TURTON IN THE COUNTY OF LANCASTER.

WHEREAS the local board of Turton being the urban sanitary authority for the above-named district have applied to the Education Department to authorise the said authority to appoint a school attendance committee :

And whereas it appears that the said district satisfies the conditions prescribed in that behalf by the 33rd section of the Elementary Education Act 1876 :

Now therefore the Lords of the Committee of Council on Education hereby authorise the said local board of Turton to appoint a school attendance committee as if they were a council of a borough.

PATRICK CUMIN  
One of the Assistant Secretaries of the  
Education Department

A.D. 1898.

THE THIRD SCHEDULE.

AREAS OF NEW WARDS.

Name of Ward.	Townships comprised in Ward.	Colour with which edged on Ward Plan.
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PART I.

BOROUGH NEW WARDS.

Astley Bridge	Astley Bridge	Green
Tonge	Tonge	Blue
Darcy Lever-cum-Brightmet	Darcy Lever and Brightmet	Pink
Great Lever	Great Lever	Brown
Hulton	Middle Hulton and portion of Over Hulton added to the borough.	Grey
Deane-cum-Lostock	Deane and Lostock	Purple
Heaton	Heaton	Sepia
Smithills	Smithills	Red

PART II.

TURTON NEW WARDS.

Belmont	Belmont and Longworth	Yellow
Bradshaw	Bradshaw and Harwood	Pink
Edgworth	Edgworth Entwistle and Quarlton	Green

N.B.—The areas referred to in this Schedule as townships are the areas of those townships as they existed immediately before the commencement of this Act.

THE FOURTH SCHEDULE.

Agreement in two parts one part thereof being dated the twenty-fourth day of June one thousand eight hundred and eighty-five and the other part thereof dated the sixth day of July one thousand eight hundred and eighty-five and both parts being expressed to be made between the local board for the district of Farnworth in the county of Lancaster (therein-after and herein-after called the local board) of the one part and the rural authority for the district of the Bolton Union (therein-after and herein-after called the rural authority) of the other part the said agreement containing terms for the communication of sewers of the said rural authority within part of their No. 1 Special Drainage District with sewers of the local board and for the sewage from such part being disposed of by the local board.

A supplementary agreement in two parts one part thereof dated the thirtieth day of November one thousand eight hundred and ninety-two and the other part thereof dated the fifth day of December one thousand eight hundred and ninety-two and both parts being expressed to be made between the local board

[61 & 62 Vict.] *Bolton, Turton, and Westhoughton* [Ch. ccxlii.]  
*Extension Act, 1898.*

of the one part and the rural authority of the other part such agreement containing further terms with respect to the said communication of sewers and the disposal of sewage. A.D. 1898.

**THE FIFTH SCHEDULE.**

DISTRICTS INTO WHICH THE BOROUGH ADDED AREA IS DIVIDED  
 FOR RATING PURPOSES.

Name of District.	Description of District.	Name of Rate.	Name of Fund.
The Astley Bridge District.	The area denominated Astley Bridge in the borough plan.	Astley Bridge district rate.	Astley Bridge district fund.
The Tonge District	The area denominated Tonge in the borough plan.	Tonge district rate.	Tonge district fund.
The Brightmet District.	The area denominated Brightmet in the borough plan.	Brightmet district rate.	Brightmet district fund.
The Darcy Lever District.	The area denominated Darcy Lever in the borough plan.	Darcy Lever district rate.	Darcy Lever district fund.
The Great Lever District.	The area denominated Great Lever in the borough plan.	Great Lever district rate.	Great Lever district fund.
The Middle Hulton District.	The area denominated Middle Hulton in the borough plan.	Middle Hulton district rate.	Middle Hulton district fund.
The Over Hulton District.	The area denominated Over Hulton in the borough plan.	Over Hulton district rate.	Over Hulton district fund.
The Deane District	The area denominated Deane in the borough plan.	Deane district rate.	Deane district fund.
The Lostock District.	The area denominated Lostock in the borough plan.	Lostock district rate.	Lostock district fund.
The Heaton District.	The area denominated Heaton in the borough plan.	Heaton district rate.	Heaton district fund.
The Smithills District.	The area denominated Smithills in the borough plan.	Smithills district rate.	Smithills district fund.

[Ch. ccxlii.] *Bolton, Turton, and Westhoughton* [61 & 62 VICT.]  
*Extension Act, 1898.*

A.D. 1898.

THE SIXTH SCHEDULE.

DISTRICTS INTO WHICH THE TURTON DISTRICT IS DIVIDED FOR  
 RATING PURPOSES.

Name of District.	Description of District.	Name of Rate.	Name of Fund.
The Turton District.	Comprising the existing urban district of Turton.	Turton district rate.	Turton district fund.
The Bradshaw District.	The area denominated Bradshaw on the Turton plan.	Bradshaw district rate.	Bradshaw district fund.
The Belmont District.	The area denominated Belmont on the Turton plan.	Belmont district rate.	Belmont district fund.
The Edgworth District.	The area denominated Edgworth on the Turton plan.	Edgworth district rate.	Edgworth district fund.
The Entwistle District.	The area denominated Entwistle on the Turton plan.	Entwistle district rate.	Entwistle district fund.
The Harwood District.	The area denominated Harwood on the Turton plan.	Harwood district rate.	Harwood district fund.
The Longworth District.	The area denominated Longworth on the Turton plan.	Longworth district rate.	Longworth district fund.
The Quarlton District.	The area denominated Quarlton on the Turton plan.	Quarlton district rate.	Quarlton district fund.

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