

[44 & 45 VICT.] *Colne and Marsden Local Board* [Ch. lxxxiii.]
Act, 1881.



CHAPTER lxxxiii.

An Act for empowering the Colne and Marsden Local Board A.D. 1881.
to acquire the Colne Waterworks, to construct additional
waterworks, to make street improvements, and to make
better provision in relation to the disposal of the sewage,
the holding of markets, and the good government of the
district, and for other purposes. [27th June 1881.]

WHEREAS in the year one thousand eight hundred and seventy-five a Local Board was established for the district of Colne and Marsden (comprising the township of Colne and a portion of the township of Marsden), in the parish of Whalley, in the county of Lancaster (which Board is in this Act referred to as the Local Board, and which district is in this Act referred to as the district), and the Local Board are the urban sanitary authority for the district:

And whereas, by a Local Act passed in the forty-sixth year of the reign of King George III. (cap. 27), the Company of Proprietors of the Colne Waterworks (in this Act called the Company) were empowered to construct certain waterworks and to supply water to the inhabitants of the town and township of Colne; and the Company have for many years past supplied a large portion of the inhabitants of the district with water:

And whereas the Local Board have agreed with the Company for the purchase of their undertaking, and they have, in accordance with the terms of the agreement, entered into possession of the waterworks, and have managed the same since the fifteenth day of May one thousand eight hundred and eighty, and it is expedient that such purchase should be confirmed and carried into effect:

And whereas the present supply of water from the Company's works is inadequate to meet the existing and growing demands of the inhabitants of the district, and it is expedient that the Local Board should be empowered to acquire the further supply of water, and to construct the additional waterworks in this Act specified:

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A.D. 1881. — And whereas it is expedient that the Local Board should be empowered to make certain improvements of streets :

And whereas it is expedient that the Local Board be empowered to acquire lands for utilising or making innocuous the sewage of the district by means of irrigation or filtration :

And whereas it is expedient that the Local Board should be empowered to provide a new market place and buildings, and to make better provision for the holding of markets, and to authorise the taking of tolls, rates, and charges in respect thereof :

And whereas it is expedient that the Local Board should be empowered to provide a public hall, and also buildings and offices for transacting the business of the Local Board :

And whereas it is expedient that the Local Board be authorised to raise further money by borrowing, and that their powers in relation to the local management and government of the district be in other respects extended :

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

And whereas estimates have been prepared by the Local Board for the purchase of land and for the execution of the works and for other the purposes by this Act authorised, and such estimates are as follows :

	£
For purchase of Colne Waterworks and construction of additional waterworks	50,000
For street improvements	5,423
For sewage lands and sewerage purposes	19,258
For markets	11,600
For public hall and offices	12,567

38 & 39 Vict. c. 55. And whereas the several works included in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875 :

And whereas an absolute majority of the whole number of the members of the Local Board, at a meeting held on the twenty-seventh day of October one thousand eight hundred and eighty, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Colne and Nelson Times, a local paper published or circulating in the district, 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 general district fund and general district rates of the district :

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And whereas such resolution was published twice in the Colne and Nelson Times, a newspaper circulating in the district, and has received the approval of the Local Government Board : A.D. 1881.

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 members of the Local Board at a further special meeting held in pursuance of a similar notice not less than fourteen days after the deposit of the Bill for this Act in Parliament :

And whereas the owners and ratepayers of the district, by resolution passed in the manner prescribed by the Public Health Act 1875 (Schedule III.) have consented to the promotion of the Bill for this Act :

And whereas plans and sections describing the lines, situations, and levels of the works authorised by this Act, and a book of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of lands required or which may be taken for the purposes or under the powers of this Act, have been deposited with the clerk of the peace for the county of Lancaster, and with the clerk of the peace for the West Riding of the county of York, and are in this Act referred to as the deposited plans, sections, and book of reference :

May it therefore please Your Majesty that it may be enacted ; and be it enacted by the 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) :

I.—PRELIMINARY.

1. This Act may be cited as the Colne and Marsden Local Board Act 1881. Short title.

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

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (in this Act called the Land Clauses Acts) ;	Incorporation of general Acts. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106.
The Waterworks Clauses Act, 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit) ;	32 & 33 Vict. c. 18. 10 & 11 Vict. c. 17.
The Waterworks Clauses Act, 1863 ;	26 & 27 Vict. c. 93.
The provisions of the Railways Clauses Consolidation Act, 1845, with respect to the temporary occupation of lands near the	8 & 9 Vict. c. 20.

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railway during the construction thereof, but such provisions shall apply only to the reservoir hereby authorised;

10 & 11 Vict.
c. 14.

The Markets and Fairs Clauses Act, 1847.

Interpreta-
tion of terms.

3. The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same respective meanings, unless there is something in the subject or context repugnant to such construction; Provided always, that in the Acts wholly or partially incorporated with this Act for the purposes of this Act—

“The undertakers,” or “the company,” means the Local Board:

“The railway” means any reservoir by this Act authorised to be constructed:

“Centre of the railway” means, with respect to the reservoir by this Act authorised to be constructed, the boundary of such reservoir:

And in this Act “the Public Health Acts” means the Public Health Act, 1875, and all Acts for the time being in force amending or extending the same, and the expressions “owner” and “premises” shall have the same respective meanings as they have in the Public Health Acts, and the expression “superior courts,” or “court of competent jurisdiction,” or any other like expression in this Act or the Acts incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

II.—WATER.

Water limits.

4. The limits of this Act for the supply of water shall be the district, and such limits are in this Act referred to as the water limits.

Act to be
executed by
Local Board.

5. This Act shall be executed by the Local Board, with the powers and indemnities and according to the provisions of the Public Health Acts, and those Acts shall, in relation to the Local Board and the several objects and purposes of this Act, be read and construed as if the purposes and provisions of this Act were purposes and provisions of the Public Health Acts, so far as the same shall be applicable thereto, and except so far as any of the provisions of the last-mentioned Acts are expressly varied or otherwise provided for by this Act.

Sale of Com-
pany's under-
taking to
Local
Board.

6. The Company shall sell to the Local Board, and the Local Board shall purchase the Company's undertaking, for such consideration, to be paid at such times and in such manner, and

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generally on such terms as in this Act are stated or appear, com-
prising the following (that is to say)—

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- (1) The purchase money shall, subject to reduction as herein-after mentioned, be the sum of thirteen thousand five hundred pounds.
- (2) The sale shall comprise all the waterworks, and all the water and other rights, powers, and privileges of the Company, subject to all rents payable by the Company (including the yearly rent of thirty pounds payable to the owners of the Barnside Estate), and the covenants and agreements affecting the same, but free and discharged from all debts (other than mortgage debts) and liabilities of the Company.
- (3) The purchase shall take effect retrospectively as from the thirtieth day of April, one thousand eight hundred and eighty, and the Local Board shall continue to manage the waterworks until the completion of the purchase.
- (4) The Company shall, as soon as may be, pay and discharge all their debts and liabilities (other than mortgage debts), and all rents, rates, taxes, and working expenses due up to the thirtieth day of April, one thousand eight hundred and eighty.
- (5) The Company shall be entitled to all water rents which have accrued up to the thirtieth day of April, one thousand eight hundred and eighty.
- (6) The Company's mortgage debts amounting to two thousand pounds, or so much thereof as shall be owing at the time of the completion of the purchase, with all interest thereon, from the thirtieth day of April, one thousand eight hundred and eighty shall be paid and discharged by the Local Board, but the amount so payable by them shall be deducted from the amount of the purchase money, and the debts and liabilities of the Company, including the interest on their mortgage debts, shall be duly apportioned, such apportionment to be settled (in default of agreement) by arbitration, in accordance with the provisions with respect to arbitration contained in the Public Health Act 1875.
- (7) The purchase money shall be paid and the purchase completed on the first day of October, one thousand eight hundred and eighty-one, or at such other time as shall be agreed on, and the Local Board shall pay to the Company interest at the rate of five pounds per cent. per annum, on the purchase money, from the thirtieth day of April, one thousand eight hundred and eighty, until payment, and such interest shall be paid on the first of May one thousand eight hundred and eighty-one, and on the first of October one thousand eight hundred and eighty-one.

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- (8) On completion of the purchase the Company shall deliver to the Local Board in exchange for all copies of deeds and other papers which may have been delivered to the Local Board, all deeds, books, and documents relating to the Company's undertaking, except their old books of proceedings and accounts which shall be retained in the custody of William Harry Hartley, the Company's solicitor, who shall, at the cost of the Local Board, produce the same to them whenever and wherever required.
- (9) Until the completion of the purchase all water rents accruing from the thirtieth day of April, one thousand eight hundred and eighty, shall be received by the Local Board and paid into the Craven Bank, Colne, to a joint account in the names of the Company and the Local Board, and all payments made therefrom shall be by cheque signed by the Chairman of the Company and the Chairman of the Local Board, and on the completion of the purchase the balance of the account shall be paid or transferred to the Local Board.
- (10) The Local Board shall pay to the Company all costs and expenses incurred by them in and about the passing of the Bill for this Act, including the expenses of any witnesses necessary to prove the preamble of this Act and also the Company's costs and expenses attending the deed of transfer of the Company's undertaking to the Local Board.
- (11) If the completion of the purchase shall be delayed beyond the first day of October, one thousand eight hundred and eighty-one, and the Company shall take proceedings to enforce the completion of the purchase, the costs of the Company, incident thereto, shall be taxed as between solicitor and client, and shall be paid by the Local Board.

Transfer of
undertaking
by deed.

7. The sale and transfer of the Company's undertaking shall be carried into effect by a deed, duly stamped, and truly stating the consideration (which deed may be in the form set forth in the First Schedule to this Act or to the like effect, with such variations, additions, and exceptions as the circumstances require), and on the execution thereof by the Company, the undertaking, rights, powers, and privileges of the Company shall become, and shall thenceforth be, by virtue of this Act, transferred to and vested in the Local Board for all the estate and interest of the Company therein.

Provided always that the Local Board shall within three months from such vesting produce to the Commissioners of Inland Revenue such deed of conveyance, duly stamped as aforesaid, and in default of such production the ad valorem stamp duty with interest thereon

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at the rate of five pounds per centum per annum, from such vesting to the day of payment, shall be recoverable from the Local Board, with full costs of suit, and all costs and charges attending the same.

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8. The mortgage debts of the Company and the interest thereon shall, after the execution of the deed of transfer, continue to be a first charge on the Company's undertaking when vested in the Local Board.

Mortgage debts to be a first charge on undertaking.

9. The receipt in writing of three of the directors of the Company for the purchase money to be paid to them by the Local Board shall effectually discharge the Local Board from the sum, which in such receipt shall be acknowledged to have been received, and from being answerable or accountable for the loss, misapplication, or non-application thereof.

Receipt of three directors for purchase money to be a sufficient discharge.

10. The purchase money shall be applied by the directors of the Company as follows :

Application of purchase money.

First. In paying and discharging all debts and liabilities (if any) which, having regard to the provisions of this Act, shall be payable by the Company :

Secondly. In making a fair rateable division of the residue thereof among the several persons whose names appear, at the date of the same deed of transfer, in the books of the Company, as proprietors of shares in the capital of the Company, or their respective executors, administrators or assigns, in proportion to their several shares and interests in such capital.

The receipt in writing of the committee or guardian of the estate of a lunatic or infant shareholder shall discharge the Company and the directors thereof from the money therein expressed to be received and from any obligation affecting the share or interest in respect whereof that money is paid.

11. If the directors of the Company are for six months after the receipt by them of the purchase money unable after diligent inquiry to ascertain the person to whom any part thereof ought to be paid, or cannot obtain a sufficient discharge for the same, the directors may pay the same into the Chancery Division of the High Court of Justice, under any Act from time to time in force for the relief of trustees, and every such payment into court shall conclusively discharge the directors from all further liability with respect to the money so paid into court and, for the purposes of this Act, shall be deemed payment thereof to a person absolutely entitled

Payments into court by the Company.

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A.D. 1881. thereto, and any person afterwards showing to the satisfaction of the court that he is entitled thereto may obtain payment thereof out of court accordingly.

Winding-up and dissolution of Company.

12. The Company when and so soon as their undertaking has been transferred to the Local Board under this Act, and their debts and liabilities have been paid and discharged, and their assets have been realised and distributed and their affairs have been wound up, shall thereupon be and they are hereby dissolved.

Company's debts &c. to be paid &c. by Local Board.

13. All debts, rates, rents, charges, liabilities, and sums of money, actions, suits and proceedings and causes of action, suit, or proceeding, which at the time of the transfer are due from or pending or existing against the Company, shall be paid, discharged, settled and satisfied by the Local Board; and any action, suit, or proceeding, or cause of action, suit, or proceeding, so pending or existing shall not abate or be discontinued or be in anywise prejudicially affected by reason of the sale or of anything in this Act, but the same may be continued prosecuted and enforced against the Local Board as and when it might have been continued prosecuted or enforced against the Company if this Act had not been passed, but not further or otherwise without prejudice to any remedy over for the Local Board against the Company under the terms of sale and purchase confirmed by this Act.

Water rents &c. due to Company to be paid to Local Board.

14. After the transfer of the undertaking all moneys which immediately before the transfer shall be due and payable or accruing to the Company for or in relation to the supply of water, shall, subject to the terms of sale and purchase, be payable to and may be collected and recovered by and in the name of the Local Board.

Power to make water-works.

15. Subject to the provisions of this Act, the Local Board may make and maintain, in the lines and situations, and upon the lands delineated on the deposited plans and described in the deposited book of reference, and according to the levels shown on the deposited sections, the aqueducts, reservoir, approach road, and other works following (that is to say) :—

- (1) An aqueduct, or line of pipes, commencing in the stream or diversion flowing from the springs or streams in Coppy Flat to the River Laneshaw, and terminating in Bent's Reservoir.
- (2) An aqueduct, or line of pipes, commencing in an existing cut, stream, or watercourse on the southerly side of Reedshaw Moss, and terminating in the stream called Swamp Syke.
- (3) An aqueduct, or line of pipes, commencing in the River Laneshaw, at a point ninety-nine yards, measured in a westerly direction, from the most northerly corner of Lanshaw House,

and terminating in the River Laneshaw, at a point three hundred and fifty yards, measured in a north-easterly direction, from the junction of Swamp Syke with the river.

- (4) A reservoir (in this Act called Laneshaw Reservoir) on the River Laneshaw, commencing at and to be formed by an embankment to be placed across the said river, at a point four hundred and sixteen yards, measured in a north-easterly direction, from the junction of Swamp Syke with the river, which reservoir will extend from the embankment up the river to and terminate at a point on the river where the stream from Bonny Booth Well joins the river.
- (5) An aqueduct or line of pipes, commencing in Laneshaw Reservoir, and terminating by a junction with the aqueduct firstly herein-before described.
- (6) An approach road commencing by a junction with the highway from Colne to Keighley, and terminating at the point of termination of the aqueduct lastly herein-before described.

Together with all necessary and proper embankments, bridges, roads, ways, wells, tanks, basins, gauges, filters, dams, sluices, weirs, outfalls, syphons, pipes, adits, shafts, tunnels, aqueducts, culverts, cuts, channels, conduits, drains, mains, junctions, valves, engines, pumps, works, apparatus and conveniences connected with the said works or any of them, or necessary for conducting, inspecting, maintaining, repairing, cleansing or managing the same.

And the Local Board may from time to time for the purpose of their waterworks, collect, impound, take, use, get, and appropriate the waters, from the brooks, streams, diversions, and springs, called or known as the River Laneshaw, Cat Stone Clough, Round Holes Beck, diversion of Cobby Flat Springs, Saddling Gap Spring, Bonny Booth Well, and all tributaries of such brooks, streams, diversions, and springs, and all other streams and waters that may be intercepted by the waterworks by this Act authorised, and all waters found in, on, or under any of the lands acquired by them; and may stop up all roads and ways within the limits of deviation defined on the deposited plans, and thereon shown as intended to be stopped up, and in all cases in which they acquire the lands on both sides of any such road or way they may appropriate the site thereof.

16. With respect to the water to be taken and the compensation water to be afforded by the Local Board, the following provisions shall have effect (that is to say):

Compensation water.

- (1) The Local Board shall, before they shall take and use any water from the River Laneshaw, or any other springs, streams,

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or waters which they are by this Act authorised to take (but subject to the provisions of this Act with regard to a temporary supply of water), discharge into that river from Laneshaw Reservoir, or from some other work by this Act authorised, such a quantity of water as would be equivalent to four hundred and eighty-two thousand six hundred and forty gallons every twenty-four hours, given in a continuous flow, or twenty thousand one hundred and ten gallons per hour, but such water shall be discharged for twelve hours of every working day between the hours of five o'clock in the forenoon and five o'clock in the afternoon at the rate of forty-six thousand nine hundred gallons per hour during each of such twelve hours.

- (2) The Local Board shall construct, and for ever thereafter maintain, within a distance of one hundred yards from the foot of the embankment of Laneshaw Reservoir, suitable measuring gauges, over or through which the compensation water shall flow or be discharged, and such other works as shall be necessary to carry into effect the provisions of this section; and the gauges and works shall be respectively open to the inspection and examination of the owners, lessees, and occupiers of the several mills and works interested in such water down to the bridge over the River Calder called Cock Bridge between Padiham and Whalley.
- (3) If the Local Board shall wilfully or negligently fail to send down compensation water in manner by this section provided, the Local Board shall for and during every day on which such failure shall occur, forfeit and pay by way of penalty a sum not exceeding the sum of ten pounds to the occupier or occupiers of any such mills and works, which shall be thereby affected, and the occupier or occupiers of which shall have actually received damage or loss by reason of such failure.
- (4) The provisions of this section shall be accepted and taken, by all parties interested, as full compensation for all water the Local Board may or can at any time collect, divert, impound, and abstract from the brooks, streams, diversions, springs, and waters authorised by this Act to be taken for the purpose of their waterworks.

Temporary supply of water until completion of Laneshaw Reservoir.

17. Until the completion of Laneshaw Reservoir, so that the compensation water as herein-before in this Act provided can be and shall be regularly discharged therefrom, the powers of the Local Board under this Act of collecting, impounding, taking, and

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appropriating water shall be subject to the following provisions, A.D. 1881.
namely :—

- (1) The Local Board may take, abstract, and use water from the River Laneshaw, and from any of its tributaries at any point within the limits of deviation in respect of waterworks shown on the deposited plans above the gauge herein-after mentioned so long, but so long only, as the flow of water over or through the gauge herein-after in this section mentioned is not less than one hundred and twenty-five gallons per minute, but such abstraction of water shall only take place on each and every Sunday, and at no other times without the consent of the lessee or lessees or other the agent in this behalf of the owner for the time being of the corn mill at Laneshaw Bridge, by whom such permission shall not be withheld so long as the dam or reservoir belonging to the said mill shall be full of water, and there shall be flowing over the weir there surplus water which shall not for the time being be required for the use of the said mill.
- (2) The provisions of this section shall be accepted and taken by all persons interested as full compensation for all water taken by the Local Board under this section.
- (3) The Local Board, prior to the taking or using of any waters under this section, shall erect and construct, and until the completion of the Laneshaw Reservoir maintain in good repair, such a gauge on the River Laneshaw within a distance of fifty yards below the junction of the Bonny Booth Well stream and that river as shall be proper and sufficient for the purpose of measuring the flow of water of the River Laneshaw, and such gauge shall be open to the inspection and examination of the owners, lessees, and occupiers of the several mills and works interested in such water down to Cock Bridge, over the River Calder.
- (4) If the Local Board shall, prior to the supply of compensation water under the preceding section, wilfully or negligently abstract any water from the River Laneshaw or any of its tributaries, otherwise than as provided by this section, the Local Board shall for and during every day on which such abstraction of water shall take place, pay by way of penalty to the occupier of the corn mill at Laneshaw Bridge the sum of ten pounds per day for each day on which he shall have actually received loss or damage by reason of such abstraction.
- (5) If the Local Board fail to complete the Laneshaw Reservoir within the period by this Act allowed in that behalf, and so that the same shall be capable of delivering therefrom the

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quantity of water in that behalf in this Act authorised, the power of the Local Board under this section of taking, diverting, collecting, appropriating, or impounding water from the River Laneshaw shall thenceforth absolutely cease and be at an end.

Supply regulated by gravitation.

18. The Local Board shall not be bound at any time to lay on the supply of water at any elevation at which, having regard to the general supply within the water limits, the water cannot be supplied by gravitation from the existing reservoir known as Bent's Reservoir.

Rates for supply of water.

19. The Local Board may demand and take for the supply of water for domestic purposes within the water limits any rates and charges not exceeding the rates and charges following (that is to say):

Where the net annual value of the premises so supplied with water shall not exceed twenty pounds, at a rate per centum per annum not exceeding eight pounds:

Where such net annual value shall exceed twenty pounds, and not exceed forty pounds, at a rate per centum per annum not exceeding seven pounds ten shillings:

Where such net annual value shall exceed forty pounds, and not exceed sixty pounds, at a rate per centum per annum not exceeding seven pounds:

Where such net annual value shall exceed sixty pounds, and not exceed eighty pounds, at a rate per centum per annum not exceeding six pounds ten shillings:

Where such net annual value shall exceed eighty pounds and not exceed one hundred pounds, at a rate per centum per annum not exceeding six pounds:

Where such net annual value shall exceed one hundred pounds, at a rate per centum per annum not exceeding five pounds ten shillings:

Provided always, that the Local Board shall not be compellable to afford a supply of water for domestic purposes for any less sum than threepence a week for every dwelling-house or part of a dwelling-house; and the above-mentioned rates (including the minimum rate of threepence a week) shall, for the purposes of section 62 of the Public Health Act 1875, be deemed to be the rates authorised by the Local Act in force within the district.

In addition to the rates computed as above specified, the Local Board may charge for a second watercloset, and for any private

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bath in any private dwelling-house, or part of such dwelling-house, or appurtenance thereto, the following rates (that is to say) :

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When the net annual value shall not exceed ten pounds, the sum of five shillings per annum :

When the net annual value shall exceed ten pounds, but shall not exceed twenty pounds, the sum of six shillings per annum :

When the net annual value shall exceed twenty pounds, but shall not exceed forty pounds, the sum of eight shillings per annum :

When the net annual value shall exceed forty pounds, but shall not exceed eighty pounds, the sum of ten shillings per annum :

When the net annual value shall exceed eighty pounds, the sum of twelve shillings per annum :

And for every additional watercloset beyond the second, and for every additional bath beyond the first, the sum of five shillings a year respectively.

The net annual value shall, for the purposes of this section, be ascertained by the valuation list for the time being in force, or, if there is none, by the rate for the relief of the poor made next before the demand for the water rate under this Act.

20. If any water consumer leave the premises to which water has been supplied without paying to the Local Board the water rate or charges due from him, the Local Board shall not require from the next tenant of the premises payment of the arrears so left unpaid by the defaulting consumer, unless the incoming tenant shall have agreed with the Local Board or with the defaulting consumer to pay the arrears, but the Local Board shall supply water to the incoming tenant upon the terms and conditions prescribed by this Act, if required by him so to do.

Incoming tenant not liable for arrears of water rent except by agreement.

21. The Local Board are hereby authorised to cause either main pipes or service pipes, as circumstances shall require, to be laid down, and water to be brought through every street within the water limits, and shall, at the request of the owner or occupier of any house in any street in which such pipes shall have been so laid down, furnish to such person within such house, by means of branch or communication pipes and other necessary and proper apparatus to be provided, laid down, and maintained as in this section mentioned, a sufficient supply of water for domestic purposes; and the owner of any house within the water limits not furnished with a proper supply of water, shall, when thereunto required by the Local Board, provide a branch or communication pipe and other necessary and proper apparatus to convey the water

Supply of water for domestic purposes.

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A.D. 1881. — into such house from any main or service pipe which now is or hereafter may be laid in any street in which such house may be situate in such manner as to afford an actual supply of water within such house to the occupier thereof; and the occupier of such house shall pay the water rates in respect of such supply.

Local Board may make regulations for preventing waste &c. of water.

22. Subject to the provisions of this Act, the Local Board from time to time may make and enforce, by penalties and otherwise, regulations for preventing the contamination, waste or misuse of water, and among other things, may prescribe the size, nature, make, strength, and arrangement of the pipes, cocks, cisterns, and other apparatus used for the purposes of the supply, and may prescribe the mode, manner, and time of connecting the service pipes with the pipes belonging to the Local Board: Provided, that no such regulations shall be operative until they have received the approval of the Local Government Board, nor within any part of the water limits of the Local Board in which they are not bound to afford a constant supply.

Local Board may refuse supply where regulations not complied with.

23. In the event of any such regulations not being observed by any person having or requiring a supply of water, the Local Board may refuse to supply water, or cut off the water supplied by them to him, unless and until the regulations be complied with, and if and whenever any difference arises as to whether the regulations have been complied with by any person whose supply of water is so cut off, the difference may be referred by either party to and shall be settled by two justices.

Prevention of waste of water.

24. The Local Board shall not be compellable to supply with water any bath if it contain when filled for use more than fifty gallons of water, or any watercloset or bath, or the apparatus connected therewith, unless the same be made to the satisfaction of the Local Board, and used so as to prevent the waste, contamination, or undue consumption of the water of the Local Board.

Local Board may remove water pipes &c.

25. If and whenever any house, building, or premises which shall have been supplied with water by the Local Board shall be unoccupied, the Local Board, their agents, servants, or workmen, after giving twenty-four hours previous notice to the owner by serving the notice on him, or sending the same by post addressed to him at his usual place of abode or business, or if the owner or his usual place of abode or business be not known to the Local Board, by affixing the same for three days on some conspicuous part of such house, building, or premises, may enter into such house, building, or premises between the hours of eight o'clock in the forenoon and eight o'clock in the afternoon, and remove and

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carry away any pipe, meter, fittings, or other works the property of the Local Board. A.D. 1881.

26. The Local Board from time to time when and as they think expedient may put up and continue, and from time to time remove or discontinue, drinking places with proper conveniences for the gratuitous supply of water to the public (but for drinking only) in such public places within the district as the Local Board think fit, but not against any private dwelling-house, warehouse, counting-house, or shop, except with the consent of the owner and occupier thereof, or against any public building, unless the building shall be the property of the Local Board. Public drinking fountains.

27. The Local Board may supply water within the water limits for purposes other than domestic purposes by meter or otherwise, and on such terms, pecuniary and otherwise, and conditions as shall be agreed on between the Local Board and the person requiring the supply, and the moneys payable for the supply shall be water rates, and recoverable accordingly: Provided always that no person shall be entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes. Charges for supply of water for other than domestic purposes.

28. Where the net annual value of a house supplied with water does not exceed ten pounds, or the house is let to monthly or weekly tenants, or tenants holding for any other period less than a month, the owner, instead of the occupier, shall pay the rate for the supply, but the rate may be recovered in the first instance from the occupier, and may be deducted by him from the rent from time to time due from him to the owner. Rate payable by owner for small houses &c.

29. Where several houses or parts of houses in the occupation of several persons shall be supplied by one common pipe, the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the works of the Local Board by a distinct pipe: Provided always, that the Local Board shall not be compelled to supply water to the occupier of any part of a dwelling-house, or for any premises occupied with a dwelling-house, unless the water rate is paid for the whole of such dwelling-house and premises. Where several houses supplied by one pipe each to pay.

30. The Local Board shall not be bound to supply with water, otherwise than by measure, any building used as a dwelling-house, whereof any part is used as a warehouse, or for any trade or manufacturing purpose for which water is required. Supply to houses partly used for trade &c.

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Agreements
with sani-
tary autho-
rities &c.

31. The Local Board may from time to time agree with any sanitary authority, or public body, or any company empowered to supply water, for the supply by the Local Board to the authority, body, or company, of water in bulk or otherwise, for public, sanitary, private, or other purposes; but the Local Board shall not under any such agreement supply water so as to interfere with a proper supply for all purposes to the inhabitants of the district.

Damage from
failure of
works to be
made good
by Local
Board.

32. The Local Board shall at all times pay and make good all such expenses, loss, or damage, as may be incurred by reason of, or occasioned by, the bursting, leaking, overflow, or failure in any way, of the reservoirs, aqueducts, pipes, or other works belonging to the Local Board, or which may be acquired or constructed by them under the powers of this Act.

III.—STREET IMPROVEMENTS.

Street im-
provements.

33. The Local Board may, from time to time, make and maintain in the lines, and according to the levels shown on the deposited plans and sections, the street improvements following (that is to say):

(1) A widening of Albert Road and Church Street;

(2) A further widening of Church Street, near Saint Bartholomew's Church;

(3) A further widening of Church Street, near Colne Lane; with all approaches, sewers, drains, works, and conveniences necessary or proper in connexion therewith.

Protection of
remains dis-
turbed by
interference
with Saint
Bartholo-
mew's
churchyard.

34. If, in the execution of the street improvements authorised by this Act, it is found necessary to interfere with any grave or vault in the churchyard of Saint Bartholomew's Church, such grave or vault shall be disturbed as little as possible, and the remains of bodies in any graves or vaults disturbed shall be re-interred either in the same churchyard or in some other churchyard or cemetery to the approval of the rector for the time being of the said church, and the removal and re-interment of such remains shall be effected under the superintendence of some person to be nominated by the said rector, and in such manner and with such precautions for the public health and decency as the said rector and the officer of health shall direct, and the charges of the person so appointed, and all other expenses connected with such removal and re-interment, shall be defrayed by the Local Board.

IV.—SEWAGE.

Sewage
lands.

35. The Local Board, after taking the piece of land (A) described in the Second Schedule to this Act, or any part or parts

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thereof, may use the same for the treatment of sewage, and in relation thereto they may exercise all the powers conferred by the Public Health Acts upon urban sanitary authorities with reference to receiving, storing, disinfecting, distributing, or otherwise disposing of sewage.

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And the Local Board may make and maintain in the lines and according to the levels shown on the deposited plans and sections, an approach road from the highway, leading from Burnley to Colne, to the said piece of land (A).

Approach road.

V.—MARKET AND PUBLIC HALL.

36. The Local Board may, after taking the piece of land described in the Third Schedule to this Act, or some part thereof, erect and from time to time maintain, alter, enlarge and improve, a public market and market place with conveniences, fittings and things connected therewith, and the provisions with respect to markets of the Markets and Fairs Clauses Act 1847, and of the Public Health Acts, shall apply to any market provided by the Local Board under this Act, as if the same had been provided according to the provisions of the said Acts, and the Local Board may, from and after the opening, for public use of the said market, demand and take therein tolls, rents, and charges, not exceeding those specified in the Fourth Schedule to this Act.

Market.

37. All receipts of the Local Board from tolls and charges in respect of the market shall be carried to and shall form part of the district fund.

Application of tolls from market.

38. The Local Board may, on a portion of the land described in the Third Schedule to this Act, when acquired by them, or upon any other lands in the district purchased by them by agreement, erect, provide, fit up and furnish, a public hall and such other public buildings and offices for the use of the Local Board as they think fit, and may from time to time repair, alter, enlarge, and improve the same; and the Local Board may at any time at their discretion allow the use of such buildings respectively on such terms and conditions as they think fit. And all the expenses from time to time incurred by the Local Board in repairing, maintaining, or improving such buildings and the interest on any moneys borrowed for the purposes of this section shall be paid out of the general district rate.

Public hall.

VI.—LANDS.

39. Subject to the provisions of this Act the Local Board may enter on, purchase, take, and use such of the lands delineated and

Power to take certain lands referenced.

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described in the deposited plans and book of reference, as are required for the purposes of this Act, except that they shall not enter upon, take, or use the lands, or any part of the lands shown on the deposited plans, and thereon marked (B).

Correction
of errors,
omissions,
&c.

40. If any omission, mis-statement, or erroneous description is found to have been made of any lands or of any owners, lessees, or occupiers of any lands described or intended to be described in the deposited plans or book of reference, the Local Board may apply to two justices for the correction thereof after giving ten days notice to the owners, lessees, and occupiers of the lands affected by the proposed correction, and if it appears to the justices that the omission, mis-statement, or erroneous description arose from mistake, they shall so certify, stating the particulars thereof, and their certificate shall be deposited (as regards both the county and the parish or extra-parochial place) as if it had originally formed part of the deposited plans or book of reference (as the case may be), and shall be kept therewith and shall be deemed to be part thereof, and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to the certificate, and the Local Board may enter on; purchase, take, and use the lands to which the certificate relates accordingly.

Period for
compulsory
purchase of
lands.

41. The powers of the Local Board for compulsory purchase of lands under this Act shall not be exercised as regards the lands marked (A), and described in the Second Schedule to this Act, after the expiration of two years from the passing of this Act, and as regards other lands after the expiration of five years from the passing of this Act.

Power to
take addi-
tional lands
by agree-
ment.

42. The Local Board may from time to time, for any purpose of this Act, purchase by agreement any lands, except the said lands shown on the deposited plans and thereon marked (B), not exceeding five acres, in addition to the lands which they are authorised to take by compulsion.

Power to
take ease-
ments &c., by
agreement.

43. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of those Acts and of this Act, grant to the Local Board any easement, right, or privilege (not being an easement of water) required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the Lands Clauses Acts with respect to lands and rentcharges as far as the same are applicable in this behalf, shall extend and apply to such grants, easements, rights, and privileges as aforesaid.

Power to
retain, sell
&c., lands.

44. Notwithstanding anything in the Lands Clauses Acts, the Local Board may, in relation to lands purchased or taken for pro-

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viding space for the erection of buildings adjoining to or near any of the street improvements or market place, retain, hold, and use for such time as they think fit, and may from time to time sell, lease, exchange, or otherwise dispose of in such manner, for such consideration and on such terms and conditions as they think fit, and in case of sale, either in consideration of a gross sum or of an annual rent, or of any payment in any other form, any such lands or any interest in any such lands, and may make, execute and do any deed, act, or thing proper for effectuating any such sale, lease, exchange, or other disposition.

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45. The proceeds of the sale of any surplus lands of the Local Board under the powers of this Act shall be applied only to purposes authorised by this Act and to which capital moneys are applicable.

Application of proceeds of sale of surplus lands.

46. In constructing the waterworks, street improvements, approach road and other works by this Act authorised, or any of them, the Local Board may deviate laterally from the lines thereof to any extent not exceeding the limits of lateral deviation shown on the deposited plans, and beyond those limits with the consent of the persons through whose lands such deviation is proposed to be made, and where on any road no such limits are shown, the boundaries of such road shall be deemed to be such limits; and may also deviate from the levels shown on the deposited sections to any extent not exceeding three feet upwards and seven feet downwards in the case of the Laneshaw Reservoir, and five feet upwards or downwards in respect of any other work: Provided always that the height of the embankment of Laneshaw Reservoir, as shown on the deposited sections, shall not be increased by reason of any such lateral deviation as aforesaid.

Power to deviate.

47. If the waterworks, street improvements, approach road and other works by this Act authorised, are not completed within ten years from the passing of this Act, then, on the expiration of that period, the powers by this Act granted for the making thereof respectively or otherwise in relation thereto shall cease to be exercised except as to such of them or so much thereof respectively as is then completed.

Time for completion of works.

48. The Local Board on the one hand, and the Right Honourable the Earl of Derby or other the owner or owners for the time being of the private street in the district called Shaw Street on the other hand, may enter into and carry into effect agreements with respect to the dedication to the public of such private street, upon such terms and conditions as to the widening, sewerage, levelling, paving, metalling, flagging, channelling, or repairing of such street, or otherwise, as may be agreed upon.

Agreements with Earl of Derby as to Shaw Street.

A.D. 1881.

VII.—PRIVATE IMPROVEMENT EXPENSES.

Private im-
provement
expenses.

49. In regard to expenses incurred by the Local Board under section 150 of the Public Health Act 1875 (in this section called private improvement expenses) and the recovery thereof, the following provisions shall apply :

- (1) The Local Board may, in relation to the cost to them of the surveying and superintendence of the works in respect of which the private improvement expenses are incurred, charge the owners or other persons liable to the payment of such expenses with a commission not exceeding the rate of five pounds per centum on the amount of those expenses, and may add the same to those expenses, and recover the same therewith, and the sum so recoverable shall bear interest from the date of the demand at a rate fixed by the Local Board, not exceeding five pounds per centum per annum, and such interest shall be recoverable accordingly.
- (2) The Local Board may apportion the private improvement expenses incurred in respect of any work executed in or for any court, passage, alley, or yard amongst the owners of the lands or premises in, on, or abutting on any such court, passage, alley, or yard in such manner as the Local Board may deem equitable, instead of in proportion to their respective frontages ; but any person deeming himself aggrieved by the decision of the Local Board may appeal to the Local Government Board under and in accordance with the provisions of section 268 of the Public Health Act 1875, and that Board may alter the apportionment as they may think equitable.
- (3) The Local Board shall have the like rights and remedies in relation to the charge created by section 257 of the Public Health Act 1875, on the lands or premises in respect of which the private improvement expenses are incurred, as if they were mortgagees with power of sale of such lands or premises for the amount of such charge, and the mortgagor had made default.
- (4) The Local Board may apply the general district fund and the general district rate in or towards defraying private improvement expenses, but this power shall not affect the liability of any owner or other person chargeable therewith to repay the moneys expended by the Local Board.

VIII.—BORROWING.

Power
to borrow.

50. The Local Board may from time to time, independently of any other borrowing power, borrow at interest on the security of the district fund and general district rate (and in relation to moneys

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borrowed for waterworks purposes, upon the security of that fund and rate, and also upon the revenue of their waterworks undertaking, or any of such securities) as follows (that is to say) :

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For the purchase of the undertaking of the Company, the construction of the waterworks by this Act authorised, and for other the purposes of the waterworks undertaking of the Local Board, any sums not exceeding in the whole the sum of fifty thousand pounds.

For street improvements any sums not exceeding in the whole the sum of five thousand five hundred pounds.

For sewage lands and sewerage purposes any sums not exceeding in the whole the sum of twenty thousand pounds.

For market purposes any sums not exceeding in the whole the sum of twelve thousand pounds.

For the purchase of land and erection of a public hall and offices any sums not exceeding in the whole the sum of thirteen thousand pounds.

And the Local Board may mortgage the district fund and general district rate, and (as the case may be) the revenue of the waterworks undertaking, to secure the repayment of the moneys borrowed with interest.

51. In addition to the moneys which, by the last preceding section, the Local Board are authorised, to borrow, they may, from time to time, with the approval of the Local Government Board, borrow at interest on the securities mentioned in the last preceding section, or any of them, such sum or sums of money as they may require for any of the purposes for which money is by this Act authorised to be borrowed.

Power to borrow further sums with approval of Local Government Board.

52. If the Local Board pay off any moneys borrowed by them under this Act, otherwise than by instalments or appropriations, or by means of a sinking fund, or out of the proceeds of the sale of land acquired under the powers of this Act, they may re-borrow the same, and so from time to time: Provided that 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 has been made, and that the moneys originally borrowed, and any amounts from time to time re-borrowed under the foregoing provisions for the repayment of such moneys, shall, for the purpose of section 15 of the Local Loans Act 1875, be deemed to form the same loan, and the obligations of the Local Board with respect to the sinking fund to be set aside in respect of such moneys shall not be in any way affected by reason of such re-borrowing.

Power to re-borrow.

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c. 83.

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

53. Subject to the provisions of this Act, the mortgages from time to time granted by the Local Board under this Act shall be granted in accordance with the provisions of the Public Health Acts with respect to mortgages of the general district rate, and all the powers and provisions of those Acts applicable with respect to mortgages of the general district rate and transfer of mortgages, the appointment of a receiver and otherwise, shall apply and have effect with respect to the mortgages granted under this Act.

Power to
borrow
under
38 & 39 Vict.
c. 83.

54. The Local Board may, if they think fit, borrow any moneys which they are by this Act authorised to borrow 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. Any moneys borrowed in manner by this section authorised shall be a charge upon and shall be paid out of the same rates and securities as they would be charged upon and paid out of if raised by way of mortgage under the powers of this Act, and such rates and securities shall in each case be deemed to be the local rate as defined by the Local Loans Act 1875. Every such loan shall be discharged within the time prescribed in that behalf by this Act.

Certain regu-
lations of
38 & 39 Vict.
c. 55. as to
borrowing
not to apply.

55. The powers of borrowing money by this Act given shall not be restricted by any of the regulations contained in section 234 of the Public Health Act 1875, and in calculating the amount which the Local Board may borrow under that Act any sums which they may borrow under this Act shall not be reckoned.

Payment off
of money
borrowed.

56. The Local Board shall pay off all money borrowed by them under the powers of this Act by any one or more of the methods, including a sinking fund mentioned in the Local Loans Act 1875, with respect to the discharge of loans borrowed in the manner provided by that Act within the periods following (that is to say):

As regards money borrowed for purposes of the water undertaking of the Local Board within sixty-five years;

As regards money borrowed for any other purpose of this Act within fifty-five years;

Provided nevertheless that the Local Board shall not be required to commence the payment off of moneys borrowed under this Act till the first day of January, next after the expiration of five years from the date of the borrowing of such moneys.

Annual re-
turn to Local
Government
Board with
respect to
sinking funds.

57. The clerk to the Local Board shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for any sinking fund, or appropriated or paid as an instalment under this Act, transmit to the Local Government Board

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a return in such form and verified in such manner as that Board may from time to time prescribe, showing the amount which has been appropriated or paid by instalments or invested for the purpose of such sinking fund during the year next preceding the making of such return, and the description of the securities upon which the same has been invested, and the purposes to which any portion of the moneys invested for the sinking fund or the interest thereof has been applied during the same period, and the total amount (if any) remaining invested at the end of the year, and in the event of any wilful default in making such return such clerk shall be liable to a penalty not exceeding twenty pounds. If it appears to the Local Government Board, by such return or otherwise, that the Local Board have failed to pay any instalment or to make any appropriation, 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 the interest thereof, to any other purposes 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, or applied by the Local Board as part of the sinking fund, and any such order may be enforced by Mandamus to be obtained by the Local Government Board.

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58. Money borrowed by the Local Board under this Act shall be applied only for purposes of this Act to which capital is properly applicable.

Application
of money
borrowed.

59. Nothing in this Act shall prejudicially affect any charge on the district fund or general district rate, or the estates and property of the Local Board subsisting at the passing of this Act, and every mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like rights and remedies in respect of the rate and property subject to his charge as if this Act had not been passed, and all such charges created before the passing of this Act shall, during the subsistence thereof, have priority over any mortgage or charge granted under this Act on the same rate and property.

Saving for
existing
charges.

60. The Local Board shall keep separate accounts of their capital and revenue in respect of their waterworks undertaking separate from all their other accounts, and shall apply all money from time to time received by them in respect of their waterworks undertaking, except borrowed money and money properly applicable on capital account, as follows :

Application
of water
revenue.

In payment of the expenses properly chargeable to revenue of conducting, managing, and maintaining the waterworks, and

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otherwise carrying on the waterworks undertaking of the Local Board ;

In payment of the interest upon the mortgage debts of the Company ;

In payment of the interest upon money borrowed under the provisions of this Act for purposes of the waterworks undertaking ;

In providing the requisite instalments or sinking fund under this Act in relation to moneys borrowed for purposes of the waterworks undertaking ;

And shall carry to the general district fund any balance remaining in any year.

Deficiency
of funds of
waterworks.

61. If in any year the amount standing to the credit of the water account be insufficient for the payment of the charges thereon and the execution of this Act in relation to the waterworks undertaking, the deficiency shall be made up out of the general district rates by carrying an adequate sum therefrom to the credit of the water account ; and the Local Board from time to time, in preparing the estimates of the amount required in their judgment to be raised by means of a general district rate for the purposes of the district, may include therein such sums respectively (if any) as in the judgment of the Local Board are necessary to be provided in aid of the deficiency from time to time arising as aforesaid in the water account, and shall collect the same as part of such general district rates.

Authenti-
cation of
notices, &c.

62. Any summons, demand, or notice, or other such document to be given by the Local Board under this Act, may be in writing or print, or partly in writing and partly in print, and if the same require authentication by the Local Board, the signature thereof by the clerk of the Local Board shall be a sufficient authentication.

Expenses of
Act.

63. All the costs, charges, and expenses of and incident and preparatory to the obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Local Board in the first instance out of the district fund, but ultimately out of money borrowed under this Act, two thirds of such costs, charges and expenses being payable out of money borrowed for the purposes of the waterworks undertaking, and one third out of moneys borrowed for sewage purposes.

THE FIRST SCHEDULE.

FORM OF DEED OF TRANSFER.

In pursuance of and subject to the provisions of the Colne and Marsden Local Board Act 1881 and in consideration of [*here insert the consideration*], the Company of Proprietors of the Colne Waterworks hereby transfer and convey unto the Colne and Marsden Local Board the undertaking, rights, powers, and privileges of the Company, to hold the same unto the said Local Board, their successors and assigns, and the said Local Board do accept the same accordingly.

In witness whereof the said Company and the said Local Board have caused their respective common seal to be affixed this day of 188 .

THE SECOND SCHEDULE.

SEWAGE LANDS.

(A.) All that piece of land situate in the townships of Great Marsden and Colne, and parish of Whalley and county of Lancaster, comprised within the following boundary, namely:—Commencing at a point on the south or left bank of the River Calder, or Colne water, at a point where the Swinden Clough joins that river, thence following the south or left bank of the river up the stream to a point where the north-west fence of field 544 on the tithe commutation map for the township of Great Marsden strikes the south or left bank of such river, thence along the same north-west fence for the whole distance thereof, thence along the west fence of the same field for the whole distance thereof, thence in a north-westerly direction along portions of the north fences of fields 545 and 546 on the said map for a distance of 44 yards, thence along the eastern fences of fields 564 and 565 on the said map for a distance of 93 yards, thence in a westerly and south-westerly direction for a distance of 418 yards across the the same field and field numbered 575 on the said map, to the south fence of such last-mentioned field, at a point thereon 110 yards in a north-easterly direction, measured from the north-east corner of the house called Long Swinden, thence in a general westerly direction to a point on Swinden Clough 34 yards from the north-west corner of Long Swinden, measured in a northerly direction, thence in a northerly direction along the west side of Swinden Clough to the point of commencement, which said piece of land contains twenty-six acres one rood and nineteen perches or thereabouts.

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THE THIRD SCHEDULE.

MARKET LANDS.

All that piece of land in the town and township of Colne, in the parish of Whalley and county of Lancaster, comprised within the following boundary, namely—commencing at the south side of West Street, where it joins Colne Lane, thence following the south side of West Street to its junction with William Street, thence for a distance of 140 yards in a northerly direction, crossing West Street, and along the backs of certain buildings on the west side of and facing Nineveh Street; thence in a westerly direction for a distance of 18 yards, thence in a generally northerly direction for a distance of 70 yards into Market Street, at a point 18 yards north-easterly of the north-east angle of the Swan Hotel; thence following the south side of Market Street in a westerly direction for 12 yards, thence in a southerly direction for a distance of 64 yards, thence in a westerly direction for a distance of 61 yards, thence in a southerly direction for a distance of 116 yards along the western boundary of the Swan Hotel Croft, up to the north side of West Street, thence in a westerly direction along the north side of that street to its junction with Colne Lane, thence in a southerly direction to the point of commencement.

THE FOURTH SCHEDULE.

MARKET TOLLS.

CATTLE AND OTHER ANIMALS.]

	£	s.	d.
For each horse, pony, bull, bullock, cow, or other beast or animal offered for sale by auction, and whether sold or not -	0	1	0
For every other horse, pony, or foal for sale or exhibition -	0	0	6
For each ass or mule - - - - -	0	0	2
For every bull, bullock, cow, steer, or heifer, whether tied or not, and if tied, including use of tie - - - - -	0	0	6
For every calf - - - - -	0	0	2
For sheep, rams, lambs, or goats per score - - - - -	0	1	4
For each sheep, ram, lamb, or goat under a score - - - - -	0	0	1
For each pig - - - - -	0	0	2
For every stallion or entire horse brought into the market or sale or for show - - - - -	0	2	0
And for every other animal not before named in this schedule brought into the market for sale or for show - - - - -	0	1	0

The above tolls, according to the respective classes thereof to be payable for the respective subjects thereof for each day on which the same are respectively placed in the market, whether for sale or not.

Each cart containing any animal for sale to be charged sixpence, in addition to the toll, for each animal therein, as specified in this schedule.

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Each auctioneer to be charged as under for animals sold or offered for sale by auction by him in the market, over and above the tolls before-mentioned, namely :— A.D. 1881.

	£	s.	d.
For every horse, foal, or pony - - - - -	0	0	2
For every bull, cow, heifer, stirk, or steer - - - - -	0	0	1
For every ass or mule - - - - -	0	0	1
For every calf, sheep, lamb, pig, or goat - - - - -	0	0	0½
For every other animal - - - - -	0	0	2

Provided that if the said charges for animals so sold or offered for sale by auction in the market by any auctioneer in any one day do not amount in the aggregate to one shilling, the said sum of one shilling shall be paid by him notwithstanding, in lieu of a charge per head for each animal so sold or offered for sale.

VEGETABLE AND OTHER STALLS.

To be paid by the occupier of every stall raised above the ground for the sale of vegetables, poultry, or other commodities, according to the size, dimensions, and position of the stall, namely, for every lineal foot of frontage thereof, and so in proportion for less than a foot.

	£	s.	d.
If let by the year, any yearly sum not exceeding - - - - -	1	0	0
If let by the half-year, any half-yearly sum not exceeding - - - - -	0	12	0
If let by the quarter, any quarterly sum not exceeding - - - - -	0	7	6
If let by the week, any weekly sum not exceeding - - - - -	0	0	8
If otherwise let or occupied, for every market day or other lawful day, any daily sum not exceeding - - - - -	0	0	3

FOR SPACES USED FOR GENERAL MARKET PURPOSES.

Ground Space.

To be paid by the occupier of every compartment or space on the surface of the ground, according to the area and position of the same, used or occupied for the sale of hay, straw, or other articles, for every superficial square foot or fraction of a superficial square foot thereof.

	£	s.	d.
If let by the year, any yearly sum not exceeding - - - - -	0	6	0
If let by the half-year, any half-yearly sum not exceeding - - - - -	0	3	6
If let by the quarter, any quarterly sum not exceeding - - - - -	0	2	0
If let by the week, any weekly sum not exceeding - - - - -	0	0	3
If otherwise let or occupied, for every market day or other lawful day, any daily sum not exceeding - - - - -	0	0	2
For every superficial foot of ground used or occupied by persons for selling or offering for sale any cabbage or other plants, trees, or shrubs, or for any other purpose not hereinbefore provided for, for any space of time not exceeding one day - - - - -	0	0	1

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GENERAL.

	£	s.	d.
For articles carried about for sale, each person so carrying or selling - - - - -	0	0	3
For every basket, hamper, or thing in the market or place adjacent thereto containing vegetables or fruit for every foot in length for each day - - - - -	0	0	1
For every sack or bag of vegetables or fruit placed in the market, or at any place adjacent thereto, for each day -	0	0	3
For articles not specifically charged, placed on a table or stand, the following sums, namely:—			
For every square yard or fraction of a square yard, for each day - - - - -	0	0	6
For articles in a tub or cask capable of containing not more than 3 bushels - - - - -	0	0	4
For articles in a tub or cask containing more than 3 bushels	0	0	6
For articles of any description not herein-before charged, each article - - - - -	0	0	2

PLACES OF AMUSEMENT.

For every show, caravan, exhibition, booth, tent, theatre, swing, roundabout, rifle gallery, stall, stand, or other place or means of amusement or entertainment, such sum as the Local Board may determine, according to the nature of the exhibition and the extent and position of the space occupied by it.

TOLLS FOR WEIGHING GOODS &c.

	£	s.	d.
For every quantity of anything weighed not exceeding 56 lbs. avoirdupois - - - - -	0	0	0½
For every quantity of anything weighed more than 56 lbs. avoirdupois and not exceeding 112 lbs. - - - - -	0	0	1
For every 112 lbs. or fractional part of 112 lbs. over and above the first 112 lbs. - - - - -	0	0	0½
For every ticket, if demanded, denoting the weight of any goods weighed, each ticket - - - - -	0	0	0½

PUBLIC WEIGHING MACHINE.

Tolls for weighing Waggon, Carts, and Carriages.

	£	s.	d.
For every cart or other carriage, the loading whereof does not exceed three tons - - - - -	0	0	2
For every cart or other carriage, the loading whereof exceeds three tons but does not exceed four tons - - - - -	0	0	4
For every cart, waggon, or other carriage, the loading whereof exceeds four tons - - - - -	0	0	6