



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. lxxiv.

An Act for the Improvement of the Town of *Saint Helen's*, and for other Purposes.

[26th June 1855.]

WHEREAS an Act was passed in the Session of the Fourteenth and Fifteenth Years of Her present Majesty, intituled *An Act for amending and extending the Provisions of an Act for the Improvement of the Town of Saint Helen's in the County Palatine of Lancaster, and for other Purposes*: And whereas by that Act a Contract for a Lease to the Commissioners for executing that Act of the Waterworks of the *Saint Helen's* Waterworks Company was confirmed: And whereas essential Parts of those Waterworks were beyond the Limits of that Act: And whereas the Commissioners appointed under that Act proceeded to put it in execution, and took a Lease of those Waterworks, and purchased Land beyond the Limits of that Act which were necessary for the Purposes of those Waterworks: And whereas the Commissioners have expended on permanent Works for improving the Supply and Distribution of Water upwards of Sixteen thousand Pounds: And

14 & 15 Vict.
c. cxxxii.

[*Local.*]

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whereas

Saint Helen's Improvement Act, 1855.

whereas the existing Mortgage Debts of the Commissioners are the Sum of Eight thousand eight hundred and twenty-three Pounds Nine Shillings, on Mortgage of Rates and Property not being Water Rates and Charges or Waterworks, and the Sum of Twelve thousand Pounds on Mortgage of Water Rates and Charges and Waterworks: And whereas the Powers of that Act are insufficient, and it is expedient to make other Provisions in lieu thereof, and that such other Provisions as by this Act made, be made: And whereas, in order to avoid Inconveniences resulting from several Local and Personal Acts relating to the same Matters being in force at the same Time, it is expedient that that Act be repealed, and that some of the Provisions thereof be re-enacted and amended: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. I. This Act may be cited for any Purpose as "*Saint Helen's Improvement Act, 1855.*"

Commence- II. This Act shall commence and have effect on and from the
ment of Act. Second *Wednesday* next after the passing thereof.

Limits of Act III. This Act shall, for all Purposes of Waterworks and Water
for Water Supply, be put in force within the following Limits; to wit, the Townships of *Eccleston*, *Parr*, *Sutton*, and *Windle*, in the Parishes of *Prescot*, *Sutton*, and *Saint Helen's*, in the County Palatine of *Lancaster*.

Limits of Act IV. This Act shall, for all Purposes except Waterworks and Water
for other Purposes. Supply, be put in force within the following Limits in this Act called "the Town," to wit, the Hamlet of *Hardshaw-within-Windle*, and also the Part of the Township of *Eccleston* comprised in that Part of the District assigned to the Church of *Saint Thomas* in *Eccleston* for Ecclesiastical Purposes, lying on the Easterly Side of a Line drawn along the Westerly Side of and including the Lane or Highway running from the Boundary Brook between *Windle* and *Eccleston* up to the Turnpike Road between *Saint Helen's* and *Prescot*, and running thence along the Northerly Side of that Turnpike Road to the Entrance Gate to *Cropper's-hill House* Outbuildings, thence over that Turnpike Road and down the Fence on the Westerly Side of *Cropper's-hill Colliery* until the Line meets a Footpath to the *Ravenhead Plate Glass Works*, and thence along another Fence in the same Direction, and thence direct to the Boundary between the Township of *Eccleston*
and

Saint Helen's Improvement Act, 1855.

and *Sutton*, and also all such Parts of the Township of *Sutton* as form the Brook or Stream called *Sankey Brook*, or any Part thereof, below *Kitt's Bridge*, and also the Parts of the Township of *Parr* lying contiguous on the South-westerly Side to the Township of *Sutton* and on the Easterly Side to the Hamlet of *Hardshaw*, and on the West and South Sides of a Line drawn from the Boundary of the Township of *Sutton* down the Westerly Side of the Brook or Stream of Water flowing from that Boundary in a North-easterly Direction up to the Bridge over it, called *Ashcroft Bridge*, thence along the Westerly and South-westerly Side of the Turnpike Road, passing over that Bridge to *Saint Helen's*, up to its Junction with another Turnpike Road from *Saint Helen's* to *Ashton-in-Mackerfield*, thence along the Westerly and North-westerly Side of that Turnpike Road to a Public Road or Highway leading to *Windle*, past *Merton Bank*, thence along that Public Road to the *Sankey Canal*, and thence along that Canal to the Hamlet of *Hardshaw*, and also the Parts of the Township of *Windle* lying between the Hamlet of *Hardshaw* and a straight Line drawn from a Point on the Westerly Bank of the Brook or Stream of Water running under *Gerard's Bridge* which connects *Windle* with *Hardshaw*, One hundred Yards above that Bridge in a South-westerly Direction, to the Centre of the *Four Lane Ends* by the House which was in the Year One thousand eight hundred and forty-five in the Occupation of Mistress *Watson*, in *Windle*, and continued from such Centre along the North-westerly Side of the Road or Highway running thence to the Township of *Eccleston* until such Line meets the District of *Saint Thomas*; all which Hamlet, District, Townships, and Places are situate in the Parish of *Prescot* and County of *Lancaster*, and which Limits are delineated by an external Boundary Line coloured Black on a Map or Plan signed by *John Wilson Patten* Esquire, Member of Parliament for *North Lancashire*, and deposited in the Year One thousand eight hundred and forty-five with the Clerk of the Peace for the County of *Lancaster*.

V. In this Act the following Words and Expressions shall have the following Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction; to wit,

Interpreta-
tion of
Terms.

The "Commissioners" means the Commissioners acting in the Execution of this Act; "existing Commissioners" means the Commissioners acting in the Execution of the first-recited Act; "Court" means any Place either wholly or partially surrounded by Two or more Houses, and which is not a Thoroughfare; "House" includes all Houses, Dwelling Houses, Messuages, Warehouses, Mills, Manufactories, and other Buildings and Erections.

VI. The

Saint Helen's Improvement Act, 1855.

Same Mean-
ing to Words
in Incorpo-
rated Acts
and in this
Act.

VI. The several Words and Expressions to which by the Acts wholly or partially incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction: Provided always, that for the Purposes of this Act the Expression "Superior Courts" in those Acts includes every Court of competent Jurisdiction.

Recited Act
repealed.

VII. On and from the Commencement of this Act, the recited Act is by this Act repealed.

General Pro-
vision for
preserving
Rights.

VIII. Notwithstanding the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done and suffered respectively under the recited Act shall be as valid as if this Act were not passed; and such Repeal and this Act respectively shall accordingly be subject and without Prejudice to everything so done and suffered respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if such Repeal had not happened and this Act were not passed, would be incident to and consequent on any and every thing so done and suffered respectively; and the Commissioners shall have and be subject and liable to all Rights, Liabilities, Claims, and Demands at Law and in Equity, in the same Manner and to the same Extent as the existing Commissioners would have been subject or liable with respect to the same if this Act were not passed: Provided always, that the Generality of this Enactment shall not be restricted by any other of the Clauses or Provisions of this Act.

Commission-
ers to remain
entitled to
their Pro-
perty.

IX. Notwithstanding the Repeal of the recited Act, but subject to the Provisions of this Act, the Commissioners shall, on and from the Commencement of this Act, be seised and possessed of and entitled to all the Market, Market Houses, Offices, Engines, Engine Houses, Waterworks, Reservoirs, Receivers, Valve Houses, Springs, Streams, Waters, Mains, Pipes, Conduits, Valves, Works, Conveniences, Lands, Buildings, Estates, Rights, Interests, Privileges, Easements, Monies, Property, Effects, Chattels, Choses in Action, Claims, and Demands whatsoever of or to which the existing Commissioners, under or by virtue of the recited Act, or otherwise howsoever, were immediately before the Commencement of this Act seised, possessed, or in any way entitled at Law or in Equity, or otherwise howsoever, with the Appurtenances, and may hold, enjoy, and dispose of the same accordingly.

Commission-
ers to con-
tinue en-
titled to

X. Notwithstanding the Repeal of the recited Act, but subject to the Provisions of this Act, the several Clauses and Provisions whatsoever in favour of the existing Commissioners contained in any Act

or

Saint Helen's Improvement Act, 1855.

or Acts other than the recited Act, and which immediately before the Commencement of this Act are in force, shall, on and from the Commencement of this Act, apply to the Commissioners, and shall for the Purposes of this Act continue and be in force accordingly; and the Commissioners, by themselves, their Officers and Servants, may and shall accordingly and for the Purposes of this Act be entitled to, and have, exercise, and enjoy, under or by virtue of those Clauses and Provisions, all such Rights, Interests, Powers, Authorities, and Privileges whatsoever, and shall be subject to all such Obligations and Liabilities; as, in case this Act were not passed, the existing Commissioners, by themselves, their Officers and Servants, under or by virtue of the same, might be entitled to, or might have, exercise, and enjoy, or be subject to respectively.

Powers under other Act.

XI. Notwithstanding the Repeal of the recited Act, all Conveyances, Leases, Deeds, Appointments, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the Commencement of this Act, to, with, in favour of, or by, for, or on behalf of the existing Commissioners or any Person on their Behalf, shall be, remain good, valid, and effectual in favour of, against, and with reference to the Commissioners, and may be proceeded on and enforced, in like Manner to all Intents and Purposes as if the Commissioners were the existing Commissioners, and this Act were not passed.

Conveyances to remain.

XII. Notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding whatsoever, commenced either by or against the existing Commissioners before the Commencement of this Act, shall not abate or be discontinued or prejudicially affected by this Act, but, on the contrary, shall continue and take effect both in favour of and against the Commissioners, in like Manner to all Intents and Purposes as, if this Act were not passed, the same might continue and take effect in favour of and against the existing Commissioners.

Actions not to abate.

XIII. Notwithstanding the Repeal of the recited Act, all Water and other Rates which immediately before the Commencement of this Act were due and payable or accruing due and payable to the existing Commissioners, shall from and after the Commencement of this Act be payable to and may be collected and recovered by the Commissioners.

Rates due at Commencement of Act recoverable.

XIV. Notwithstanding the Repeal of the recited Act, all Persons who immediately before the Commencement of this Act owed any Sum of Money to the existing Commissioners, or to any Person on their Behalf, shall pay the same, with all Interest, if any, due or to

Debts due to and by the Commissioners to be paid to and by Commissioners.

[Local.]

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accrue

Saint Helen's Improvement Act, 1855.

accrue due for the same, to the Commissioners; and all Debts and Monies which immediately before the Commencement of this Act were due or owing by or recoverable from the existing Commissioners, or for which the existing Commissioners were or but for this Act would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Commissioners.

Byelaws, &c.
to remain in
force.

XV. Notwithstanding the Repeal of the recited Act, all Rules, Regulations, Byelaws, and Orders made under the recited Act and in force at the Commencement of this Act, shall continue in full Force for Six Months after the Commencement of this Act, unless they be sooner repealed, altered, or varied under this Act; and such Regulations, Rules, Byelaws, and Orders, and all Penalties and Forfeitures incurred under the recited Act, may and shall be enforced, recovered, and applied in like Manner in all respects as the same respectively might be enforced, recovered, and applied in case the same were made and imposed respectively by or under this Act.

Books to be
Evidence.

XVI. Notwithstanding the Repeal of the recited Act, all Books and other Documents by that Act directed or authorized to be kept, and which if that Act were not repealed would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Officers to
continue.

XVII. Notwithstanding the Repeal of the recited Act, every Officer and Servant appointed by virtue of or acting under that Act shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Commissioners until he be removed from such Office and Employment; and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Byelaws, Pains, and Penalties in all respects whatsoever as if he were appointed under this Act.

10 & 11 Vict.
c. 16. incor-
porated.

XVIII. The "Commissioners Clauses Act, 1847," save so far as any of the Clauses thereof are varied by this Act, is incorporated with this Act.

St. Helen's
Improve-
ment Com-
missioners
continued
incorpo-
rated.

XIX. The Commissioners for executing this Act shall, by the Name of the *Saint Helen's* Improvement Commissioners, and as from the Commencement of the recited Act, continue and be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property, for the Purposes but subject to the Restrictions of this Act, and to put this Act in all respects into execution.

XX. The

Saint Helen's Improvement Act, 1855.

XX. The Persons who at the Commencement of this Act are the existing Commissioners shall be the Commissioners until the Fourth *Wednesday* after the passing of this Act, on which Day they shall retire from Office, and Commissioners shall be elected under this Act, and the existing Commissioners, if duly qualified, shall be eligible for Election under this Act. First Commissioners.

XXI. The Town shall be divided into Wards for the Election of Commissioners, to be called respectively, Division of Town into Wards, as shown on Map, for Election of Commissioners.

Eccleston Ward,
Hardshaw and Parr Ward,
and
Windle Ward,

and which Wards are defined upon a Map of the Town in duplicate, signed by the Honourable the Chairman of the Committees of the Honourable the House of Commons, One Part whereof is deposited in the Private Bill Office of that Honourable House, and the other Part whereof shall, within Three Months after the Commencement of this Act, be deposited by the Commissioners with the Clerk of the Peace for the County Palatine of *Lancaster*, and are on that Map distinguished as follows; to wit, *Eccleston Ward* by a Red Colour, *Hardshaw and Parr Ward* by a Blue Colour, and *Windle Ward* by a Brown Colour.

XXII. That the Clerk of the Peace shall receive and retain the Part so deposited with him of that Map, and permit all Persons to inspect the same, and make Extracts from or Copies of the same, in like Manner, upon like Terms, and under like Penalty for Default, as by the Act of the First Year of Her present Majesty, Chapter Eighty-three, is provided with respect to Documents therein specified. Clerk of Peace to receive and keep Map.

XXIII. The Number of Commissioners shall be Fifteen, and they shall be elected for the Wards as follows; to wit, Five for each Ward. Number of Commissioners for Wards.

XXIV. The Qualification for the Office of a Commissioner shall be his being resident either in the Town or within Two Miles from any Part thereof, and also being rated to the Relief of the Poor in respect of Property in the Town at the yearly Value of Twenty Pounds or upwards, or being seised or possessed or in the Enjoyment of Rents and Profits of Lands or Hereditaments in the Town of the yearly Value of Fifty Pounds for an Estate not less than a Life in being for his own Use, or his being resident in the Town, and being possessed of a Personal Estate of not less than One thousand Pounds beyond what will satisfy all his Debts. Qualification of Commissioner.

XXV. Any

Saint Helen's Improvement Act, 1855.

Qualification
of Electors.

XXV. Any Person rated to any Rates other than Water Rates under this Act at the yearly Value of Four Pounds or upwards, and who has paid up all Rates due from him, may vote in the Election of Commissioners, according to the Scale of Voting prescribed by the "Commissioners Clauses Consolidation Act, 1847;" and where Two or more Persons are jointly rated, and all of them attend, each of them may vote, provided the Proportion and Amount borne by him of the joint Charge be equal to that yearly Value; and if fewer than all of them attend, such One or more of them as attend may vote as if only he or only they were rated.

Qualification
of Elector for
First Elec-
tion.

XXVI. Until a Rate be made under this Act, every Person rated under the said recited Act at the yearly Value of Four Pounds or upwards, and who has paid all such Rates due from him, may vote at the First Election of Commissioners in like Manner as if he were rated under this Act.

Returning
Officer at
First Elec-
tion.

XXVII. The Chairman of the existing Commissioners, if able and willing to act, or if not, a Person appointed by the existing Commissioners, shall be the Returning Officer at the First Election of Commissioners, and shall appoint such Persons as he thinks necessary to be Presiding Officers and Polling Clerks for the several Wards.

Nomination
of Candi-
dates for
Election.

XXVIII. Any Person qualified to vote at the Election of Commissioners in any Ward may at any Time before One o'Clock in the Afternoon of the *Friday* before the Day for Election, deliver to the Clerk to the Commissioners duplicate Nomination Papers of any Person or Persons for the Office of Commissioner, being respectively qualified, and not exceeding the Number of Commissioners to be elected for such Ward; and every such Nomination Paper shall contain the Christian and Surname, written in full, of every Person nominated, with his respective Place of Abode, and shall be signed by the Person nominating, with his Place of Abode, and the Nature, Description, and Situation of the Property in respect of which he is entitled to vote; and the Clerk shall deliver One Part of every such Nomination Paper to the Presiding Officer for such Ward, and shall permit the other Part thereof to be inspected, without Fee, at all reasonable Times, by any Person qualified to vote in such Ward, and shall deliver Copies thereof to every such Person requesting the same, on Payment after the Rate of Sixpence for every One hundred Words; and the Clerk shall forfeit Ten Pounds for every Refusal by him to permit such Inspection or to furnish any such Copy.

Examination
of Nomina-
tion Papers,

XXIX. At Nine o'Clock in the Morning of the Day for Election, the Presiding Officer for every Ward shall attend in such Ward at a
Place

Saint Helen's Improvement Act, 1855.

Place fixed by the Returning Officer, and shall there examine the Nomination Papers delivered to the Presiding Officer by the Clerk, and if the Number of qualified Persons proposed do not exceed the Number of Commissioners to be then elected for such Ward, the Presiding Officer shall certify the same by Writing under his Hand, and shall thereupon declare such Persons duly elected, and shall forthwith thereafter deliver such Certificate to the Clerk; but if the Number of qualified Persons so nominated exceed the Number of Commissioners to be then elected for such Ward, such Election shall be decided by Vote, and the voting shall begin at Ten o'Clock in the Forenoon, and close at Five o'Clock in the Afternoon of such Day.

XXX. The Commissioners shall hold their First Meeting after the First Election of Commissioners under this Act at the Commissioners Board Room in the Market Place of the Town, on the *Thursday* next after such Election: Provided always, that the existing Commissioners may meet before that Election whenever they think it for the Purposes of this Act requisite so to do.

First Meeting of Commissioners.

XXXI. The yearly Meeting of the Commissioners shall be held on the last *Thursday* in *April* in the Year One thousand eight hundred and fifty-six, and on the like Day in every subsequent Year.

Yearly Meeting of Commissioners.

XXXII. The yearly Meetings for the Election of Commissioners shall be held at such convenient Places in the Town as the Commissioners from Time to Time appoint.

Place for yearly Meeting for Election of Commissioners.

XXXIII. Any Commissioner, being the Owner or Occupier of any House within or adjoining or within Fifty Yards from any Street, or being the Owner of any chief or other Rent issuing out of any such House, shall not vote at any Meeting of the Commissioners touching the declaring of such Street to be a Highway, or touching the first paving, repairing, or sewerage of such Street, or any Part thereof; and any Commissioner shall not vote at any Meeting of the Commissioners touching the Sale, Purchase, or Exchange of any Land or Thing in which he has any Interest other than his Interest in common with the other Commissioners, or in common with the Ratepayers at large.

Commissioners not to vote when interested.

XXXIV. The "Lands Clauses Consolidation Act, 1845," is incorporated with this Act: Provided always, that the Commissioners shall not, except (as by this Act expressly provided), purchase or take any Lands otherwise than by Agreement.

8 & 9 Vict. c. 18. incorporated.

XXXV. The Commissioners may agree with the "*Saint Helen's Waterworks Company*" for the absolute Purchase of their Reversion of and in all their Lands, Buildings, Reservoirs, Engines, Plant, Pipes,

Power to Purchase Waterworks and Town Hall.

[*Local.*]

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Mains,

Saint Helen's Improvement Act, 1855.

Mains, and Conveniences, with the Appurtenances now in lease to the Commissioners; and they may also agree with the "Company of Proprietors of the *Saint Helen's* Town Hall" for the absolute Purchase or for a Lease for any Term of all their Land, together with the Buildings thereon commonly called the Town Hall Buildings, with the Appurtenances; and the several Powers and Provisions of this Act relating to the Purchase and Acquisition of Lands by the Commissioners, and for facilitating the Sale and Conveyance of the same by the Owners thereof, shall enable those Premises to be sold and conveyed or leased accordingly.

Commissioners may hold Shares in Town Hall Company.

XXXVI. The Commissioners from Time to Time, if they think fit, may purchase and hold any of the Shares from Time to Time in the Capital of the Company of Proprietors of the *Saint Helen's* Town Hall which the Holder thereof is willing to sell; and every such Purchase may be on such Terms and Conditions as the Commissioners and the Vendor agree upon.

Power to acquire, by Agreement, Lands, Streams, Waters, and Easements.

XXXVII. The Commissioners may from Time to Time, by Agreement, purchase or take in Exchange or by way of perpetual Lease, or otherwise acquire, any Lands, or any Easement, Right, Power, or Privilege in, over, or affecting any Lands, which they think requisite for any of the Purposes of this Act.

Consideration to be paid for same.

XXXVIII. The Consideration for any such Acquisition may be either Money or Land, or any yearly Sum or Rentcharge or other Rent, or a mixed Consideration of Money and Land, or on any Exchange the Commissioners may give or take any Money for Equality of Exchange.

Persons under Disability may exchange.

XXXIX. The Persons by the "Lands Clauses Consolidation Act, 1845," empowered to sell and convey or release Lands, may agree to make, and may make, such Exchanges and Leases respectively.

Lands acquired by Commissioners to be Part of their Corporate Estate.

XL. All Lands, Easements, Rights, Powers, Privileges, and Property whatsoever by this Act vested in, or from Time to Time acquired under this Act by the Commissioners, shall be vested in them as Part of their Corporate Estate.

10 & 11 Vict. c. 34. incorporated.

XLI. The Towns Improvement Clauses Act, 1847, save so far as the Clauses thereof are excepted or varied by this Act, is incorporated with this Act: Provided always, that Sections VII., XXXV., XXXVIII., XXXIX., XL., XLI., LVII., C., CI., CIII., and CLXVI. of that Act are not incorporated with this Act.

Commissioners may cleanse,

XLII. The Commissioners from Time to Time may, as they think proper, cleanse, cover in, and otherwise improve each or either Branch
of

Saint Helen's Improvement Act, 1855.

of the *Sankey Brook*, or any Part thereof respectively, and any Stream flowing into the same, and may make and maintain for such Purposes all such Works and Conveniences as the Commissioners think proper.

cover, or
improve
Sankey
Brook.

XLIII. The Commissioners from Time to Time may repair, widen, alter, take down, remove, and rebuild any of the present or future Bridges now or hereafter used as Carriage or Foot Ways, and make any new Bridges on any Land from Time to Time acquired by them for that Purpose: Provided always, that Commissioners shall not repair or rebuild any Bridge by Law repairable by any County, Hundred, District, or Person.

Commission-
ers may build
Bridges or
repair ex-
isting Ones.

XLIV. If at any Time any Street, whether a Highway or not, be not sewered to the Satisfaction of the Commissioners, they may make such a Sewer in such Street, or the Part thereof not so sewered, as they think fit, and the Expense thereof shall be repaid to them by the Owners of the Lands abutting on or near to such Street or such Part thereof, and according to the Frontage or Area of their respective Lands, and in such Proportions as the Commissioners determine, and such Expenses may be recovered as Damages: Provided always, that if the Commissioners reasonably think such Frontage or Area Proportions inequitable, they may charge such Expenses on such Owners in such other Proportions as the Commissioners reasonably think equitable.

Construction
of Sewers at
Expense of
Owners.

XLV. A Person shall not hereafter commence the making of any Vault, Arch, Cellar, Sewer, or Drain in or under any Street so as to interfere or communicate with any Sewer or Drain under the Control of the Commissioners, without their Consent in Writing obtained after giving Three Days previous Notice thereof in Writing, describing the Place and Situation thereof, to the Commissioners or their Clerk or Surveyor.

Public Sew-
ers not to be
interfered
with, except
with Consent
of Commis-
sioners.

XLVI. All Vaults, Arches, Cellars, Sewers, or Drains now or hereafter made in or under any Street shall be kept in substantial Repair by the Owners thereof, to the Satisfaction of the Commissioners; and if any such Vault, Arch, Cellar, Sewer, or Drain be at any Time not in such substantial Repair, the Commissioners may put the same into substantial Repair, and recover the Expenses from the Owner thereof, or the Owner of any House to which such Vault, Cellar, Sewer, or Drain belongs, or with which it is connected and used; and such Owner shall also forfeit not exceeding Twenty Shillings for every Day such Vault, Arch, Cellar, Sewer or Drain continues out of substantial Repair after Notice in Writing given to him by the Commissioners to repair the same, and a reasonable Time for completing such Repair has elapsed after the Service thereof.

Vaults and
Drains to
be kept in
repair by
Owners.

XLVII. If

Saint Helen's Improvement Act, 1855.

Commis-
sioners to
make House
Drains at the
Expense of
Owners.

XLVII. If any House be at any Time not drained to the Satisfaction of the Commissioners by a sufficient Drain communicating with a Sewer, and there be a Sewer of the Commissioners within One hundred Feet from any Part of such House, the Commissioners shall make from such House a covered Drain, of such Materials and Size, at such Level, and with such Fall as they think necessary for the Drainage of such House and its Offices and Curtilage, and the Expense shall be forthwith repaid to them by the Owner, and may be recovered either as Damages or in the Manner by this Act provided for the Recovery of Rates.

No House to
be built until
Drain laid
from Site.

XLVIII. A House shall not be built unless a covered Drain be first made to the Satisfaction of the Commissioners, of such Materials and Size, at such Level, and with such Fall as they approve, which Drain shall lead from the intended Site of such House to such Sewer as they approve; or if there be not any Sewer within One hundred Feet from any Part of such Site, then to such Cesspool or other Place as they approve; and if any Person build or begin to build any House without first so making such Drain, the Commissioners may make the Drain to their Satisfaction, and the Expenses shall be forthwith repaid to them by the Owner of such Site, and may be recovered either as Damages or in the Manner by this Act provided for the Recovery of Rates.

Under-
ground
Drains for
Rain-water.

XLIX. The Owner or Occupier of any House in any Street shall cause the Rain-water to be conveyed from such House either by a Drain or Tunnel below the Surface of the Pavement or Flagging of the Footpath, or by an Iron Drain Gutter fixed on the Pavement or Flagging; and for that Purpose such Owner may take up so much of the Pavement or Flagging as may be requisite, and lay down such Drain or Tunnel, or fix such Iron Drain Gutter, under the Direction of the Commissioners or their Surveyor; and all Damage thereby occasioned to the Pavement or Flagging shall be made good by such Owner, or on his Failure by the Commissioners, and the Expense shall be repaid to them by such Owner.

Penalty on
Persons
making or
altering
Drains, &c.
contrary to
Order of
Commis-
sioners.

L. If any Sewer, Drain, Privy, Cesspool, Ashpit, Building, or other Work be made or suffered to continue contrary to this Act, or if any Person contrary to this Act rebuild, clean out, unstop, or in anywise alter any Sewer, Drain, Privy, Cesspool, Ashpit, Building, or other Work, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds, and for every Day after the First Day during which the Offence continues a further Sum not exceeding Ten Shillings; and the Commissioners may make such Destruction, Alteration, or Amendment of any such Sewer, Drain, Privy, Cesspool, Ashpit, Building, or other Work as they think fit, and the Expense

Saint Helen's Improvement Act, 1855.

Expense shall be repaid to them by the Person so in default, and shall be recoverable either as Damages or in the Manner by this Act provided for the Recovery of Rates.

LI. If any present Street not now a Highway or repairable by the existing Commissioners, or any future Street, or any Part thereof respectively, whether Carriageway or Footway, be at any Time not sufficiently made, paved, flagged, levelled, or drained respectively to the Satisfaction of the Commissioners, they may from Time to Time by Writing order that such Street or any Part thereof be made, paved, flagged, levelled, or drained respectively, in such Manner and within such Time as they think fit; and thereupon the Commissioners may make, pave, flag, level, or drain the same pursuant to the Order, and charge the several Owners of the Lands adjoining to or abutting on such Street or Part thereof with the Expense thereof, in proportion as the Commissioners think equitable to the Frontage of such Lands or otherwise, nevertheless having regard in such Apportionment to the Condition of the making, paving, flagging, leveling, or draining of the Street when the Commissioners made such Order; and the Expenses so charged shall be repaid to them by such Owners respectively, and may be recovered either as Damages or in the Manner by this Act provided for the Recovery of Rates.

Streets to be paved, flagged, &c. on Order of Commissioners.

LII. If any Street be not a Highway repairable by the Commissioners, they shall, when it is sewered, made, paved, flagged, levelled, and drained to their Satisfaction, declare it to be a Highway, and it shall thenceforth be a Highway and repairable by them.

Streets when sewered, &c. to be declared Highways.

LIII. A new Street shall not be made of less Width than, if a Carriageroad, Thirty Feet dedicated to the Public, or if not a Carriageroad, Twenty Feet dedicated to the Public, and the Commissioners may erect Barriers so as to prevent Passage through or along any new Street made of less than such respective Width; and if any Person without their Consent throw down or damage any such Barrier, or any Part thereof, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds.

Width of new Streets.

LIV. It shall not be lawful, without the Consent of the Commissioners, to build or rebuild in any existing Street any Two opposite Rows of Houses which shall be separated from each other by a Space of less than Thirty Feet wide where there shall be a Carriageway between such Houses, or by a Space of less than Twenty Feet wide where there shall be no such Carriageway.

Width of existing Streets.

LV. The Commissioners from Time to Time may, by Agreement with the Owners of any Lands which the Commissioners may require
[Local.] 11 K for

Power to throw Land into Streets

Saint Helen's Improvement Act, 1855.

by Agree-
ment with
Owners, &c.

for the Purpose of making, altering, or diverting any Street, and by way either of absolute Purchase or Exchange of any Lands vested in them which may not be required by them for any Part of any such Street which becomes needless, lay such Lands into the Street or otherwise appropriate them for such Purposes as the Commissioners think fit; and all Parts of such Streets, when so made, altered, or diverted, shall be public Streets.

Before lay-
ing out new
Street, &c.
Owner to
give Notice
and deposit
Plan.

LVI. Before any Street, Sewer, or Drain, or the Level thereof, be formed, laid out, made, or altered, the Owner thereof, or other Person to do the same, or some Person on his Behalf, by Writing under his Hand, shall give One Month's Notice thereof to the Surveyor of the Commissioners, and deposit with him Plans and Sections, showing thereon the Situation, Length, Width, and Boundary, and the intended Levels, Course, Size, Materials, Form, Depth, and Construction respectively of such Street, Sewer, or Drain, or of the Alteration thereof; and if any Person fail to give any such Notice or to deposit any such Plan or Section before beginning such Work, every Person so offending shall for every such Offence forfeit Five Pounds, and Twenty Shillings additional for every Day during which such Default continues.

Commission-
ers to make
Order there-
on.

LVII. The Commissioners, within such One Month, shall make such Order as they shall think expedient for regulating and determining the Situation, Length, Width, Boundaries, Levels, Course, Size, Materials, Form, Depth, and Construction respectively of such Street, Sewer, or Drain, or of the Alteration thereof, or for regulating and determining such of those Particulars as they think applicable.

Commission-
ers to carry
out Order if
Owners ne-
glect.

LVIII. If any Person lay out, make, or alter any Street, Sewer, or Drain contrary to any such Order, the Commissioners may at any Time afterwards alter the same so as to make the same conformable to the Order, and the Expenses shall be repaid to them by the Owner or Person in default, and may be recovered either as Damages or in the Manner by this Act provided for the Recovery of Rates.

Courts to be
paved.

LIX. Every Court, Passage, and Back Yard of any House shall be well and sufficiently paved, flagged, channelled, sewered, and drained to the Satisfaction of the Commissioners by the Owners thereof; and if any such Court, Passage, or Back Yard be not so paved, flagged, channelled, sewered, and drained, and kept in good repair to the like Satisfaction, the Commissioners may pave, flag, channel, sewer, and drain or repair the same to their Satisfaction, and the Expenses shall be repaid to them by the Owners thereof in such Proportion as the Commissioners think fit and determine, and may be recovered either as Damages or in the Manner by this Act provided for the Recovery of Rates.

LX. If

Saint Helen's Improvement Act, 1855.

LX. If at any Time, in any Street or Part of a Street, the Footway be paved with Boulder or other like Stones, the Commissioners may take up such Pavement and replace the same with Flags; and One Half the Expenses incurred by them in respect thereof shall be repaid to them by the Owners of the Lands abutting on the Footway so repaved, and in such Proportions as the Commissioners reasonably think equitable and determine, and may be recovered either as Damages or in the Manner by this Act provided for the Recovery of Rates.

Footways to be flagged.

LXI. Every Footway of any Street, being a Footway which the Commissioners may make or require to be made, shall be of the Breadth of Four Feet where the Street is less than Nine Yards in Width dedicated to the Public, and of Five Feet where the Street exceeds Nine Yards in Width and does not exceed Twelve Yards in Width dedicated to the Public, and of Eight Feet where the Street exceeds Twelve Yards in Width dedicated to the Public; and the Commissioners may make a Footway or require it to be made on each or either Side of any Street being a Carriageway.

Width of Footways.

LXII. The Commissioners from Time to Time may turn, tunnel, cover, or alter, in such Manner as they think proper, the Course of any Gutter or Channel running in, upon, or through any Street.

Gutters.

LXIII. The Provisions of Section XXXI. of "The Towns Improvement Clauses Act 1847," extend to all Vaults, Arches, and Cellars hereafter made, whether made under the Carriage or Foot Way of any Street or otherwise.

Section 31. 10 & 11 Vict. c. 34. extended to Vaults, &c.

LXIV. Every Person who wilfully displaces, takes up, or makes any Alteration in the Pavement, Flags, or other Materials of any Street, or who makes any Hole or Opening, either in the Footway or Carriageway of any Street, without in every Case the previous written Consent of the Commissioners, shall forfeit not exceeding Five Pounds, and a further Sum not exceeding Five Shillings for every Square Foot of the Pavement, Flags, or other Materials of the Street exceeding One Square Foot so interfered with.

Penalty on Persons altering Pavement, &c. without Consent of Commissioners.

LXV. Any Room built before or after the Commencement of this Act, and extending wholly or partially over any Privy, Cesspool, or Midden, shall not be let or occupied as a Dwelling Place: Provided always, that this Enactment shall not come into operation until Two Months after the Commencement of this Act, and the Commissioners shall give Public Notice by Handbills or otherwise of this Enactment.

Sleeping Rooms not to be over Cesspools.

LXVI. The

Saint Helen's Improvement Act, 1855.

Privies and
Cesspools
under
Houses to be
removed.

LXVI. The Owner of any Privy, Cesspool, or Midden, extending wholly or partially under any Room built before or after the Commencement of this Act, shall, within One Month after Notice to that effect from the Commissioners, remove such Privy, Cesspool, and Midden and the Contents thereof, and in default thereof the Commissioners may do the Work and recover the Expense thereof from the Owner as Damages.

Back Yards
to new
Houses.

LXVII. Every House hereafter built or rebuilt at the Corner of a Street shall, if the Commissioners so require, have a Back Yard or Back Area thereto of such Dimensions as the Commissioners determine, and every House hereafter built or hereafter rebuilt elsewhere than at the Corner of a Street, and not rebuilt on or within the old Foundations, shall have at the Back or the Side thereof a Yard or other vacant Ground or Area, open from the Ground upwards of not less than One Half the Area of such House; provided that within that Space, the Pantry, Coal House, and Privy, not exceeding Nine Feet in Height, and not covering more than Forty Superficial Feet of that Space, may be thereon made.

Size of
Areas, of
Courts,
Alleys, &c.

LXVIII. Every Court, Alley, Square, or Inclosure of Houses hereafter rebuilt shall have an open Area, or be of such Width as the Commissioners in every Case determine, and every Court, Alley, Square, or Inclosure of Houses hereafter built shall have an open Area of the Width in every Part of Twenty Feet at the least, measuring from Front to Front of the Houses therein, and open from the Ground upwards; and there shall not be any covered Entry into such Court, Alley, Square, or Inclosure.

Plan of in-
tended new
Houses to be
given to
Commission-
ers.

LXIX. Before beginning to build any new House or to rebuild any existing House, the Person intending to build or rebuild shall give to the Commissioners Notice thereof in Writing, and shall accompany such Notice with a Plan, showing by reference to some Datum satisfactory to the Commissioners the Levels at which the Foundation of such House is proposed to be laid, and with a Plan, Elevations, and Sections of such House and its Yard, and the Privy or Water-closet, the Drains and Ashpit therein; and such Plans, Elevations, and Sections shall be drawn to a Scale of not less than One Eighth of an Inch to a Foot.

As to Dis-
approval by
Commission-
ers of Plan.

LXX. Within Fourteen Days after receiving any such Notice, Plans, Elevations, and Sections, the Commissioners may signify their Disapproval thereof, and specify the Particulars of such Disapproval in Writing, and deliver the same to the Person intending to build such House, or his Agent.

LXXI. If

Saint Helen's Improvement Act, 1855.

LXXI. If the Commissioners fail to signify their Disapproval of such Elevations and Sections within such Fourteen Days, the Person giving such Notice may proceed to build or rebuild such House according to such Plans, Elevations, and Sections, so as such building or rebuilding be in accordance with the Provisions of this Act.

If Commis-
sioners fail
to signify
Disapproval,
Parties may
proceed
without.

LXXII. If any Person shall make default in sending such Notice, Plans, Elevations, or Sections, or if such building or rebuilding be begun or made or afterwards altered contrary to the Provisions of this Act, the Person by or for whom such Work is done, or his Contractor or Architect for such Work, shall forfeit not exceeding Five Pounds, and an additional Penalty of Twenty Shillings for every Day such Default is made in giving such Notice, Plans, Elevations, and Sections, or in re-instating the Building in accordance with the Provisions of this Act after the same is required by the Commissioners: Provided always, that if the Contractor or Architect be not solely guilty of such Offence, the Person by or for whom such Work is done shall alone be subject to such Penalties, but the Burden of Proof in that Behalf shall rest on the Person sued for the Penalties.

Penalty for
default on
giving Plan
to Commis-
sioners, &c.

LXXIII. The following Regulations as to Houses shall be in force in the Town, and the Commissioners may require the same to be carried into effect; to wit,

Regulations
as to exter-
nal Walls.

Firstly, the external Walls of all Houses, and the Party Wall between every Two adjoining Houses, shall be not less than Nine Inches thick:

Secondly, if the external Walls exceed Twenty-four Feet in Height above the ordinary Surface of the adjoining Ground, and there be more than Two Floors above that Surface, then the Thickness of the Walls shall be at least Thirteen Inches and a Half from the Top of the Footings up to the under Side of the Floor next below the topmost Floor, and at least Nine Inches above that under Side:

Thirdly, if the external Walls exceed Forty Feet in Height above that Surface, and there be more than Four Floors, then the Thickness of the Walls shall be at least Eighteen Inches from the Footings of the under Side of the Floor next but Two below the topmost Floor, and at least Nine Inches above that under Side:

Provided always, that where any Person builds any House in contact with another House then properly built, the existing external Wall of such House may, if the Parties interested so agree, be used as a Party Wall separating the Two Houses where both are built.

LXXIV. The Level of the Ground Floor of every House here-
after built or rebuilt shall be at least Six Inches above the Level of

Level of
Ground
Floor.

[*Local.*]

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the

Saint Helen's Improvement Act, 1855.

the Footway immediately adjoining such House, whether there be a Cellar to such House or not.

Only One
Story in
Roof.

LXXV. There shall not be more than One Story in any Part of the Roof of any House hereafter built or rebuilt.

Size of
Windows.

LXXVI. In every Room in any Dwelling House hereafter built or converted from any Building not built for a Dwelling House, there shall be at least One Window, of an Area not less than Three Feet Square clear of the Sash Frame, and every such Window shall be a Casement Window opening to the full Extent vertically of One Half thereof, unless the Sashes thereof be double, and made so as to open both at the Top and Bottom; and any such Room not having such a Window shall not be occupied as a Dwelling House.

Size of
Rooms.

LXXVII. A House shall not hereafter be built or rebuilt unless the same have at least One Room on the Ground Floor containing One hundred and eight Superficial Feet clear of any Stairs or Staircases or any other Reduction, save One Chimney-breast and Fireplace therein, or having any Room therein less than Seven Feet Six Inches in Height from the Floor to the Ceiling, save the Attic Rooms, which may range Seven Feet in Height from the Floor to the Ceiling, and save also Cellars not used for Habitation.

Back Yards
to Buildings
converted
into Dwell-
ing Houses.

LXXVIII. No Part of any Building after the Commencement of this Act built, and no Part of any Building after the Commencement of this Act rebuilt, except on or within the Foundations of a Building used immediately before as a Dwelling House, and no Part of any Building before the Commencement of this Act, but not then used as a Dwelling House, shall, without the previous Consent of the Commissioners, be used as a Dwelling Place, save only during such Time as there is adjoining or belonging thereto or occupied therewith either a clear open Space in and to the full Extent of the Front thereof, and of not less than Twenty Feet in Width, and a like Back Yard, vacant Ground or Area, as by this Act required with respect to Houses hereafter built elsewhere than at the Corners of Streets.

Such Con-
version to be
deemed re-
building.

LXXIX. The Conversion into a Dwelling House of any House not occupied at the Commencement of this Act as a Dwelling House shall, for the Purposes of this Act, be deemed the rebuilding of such House.

Dwelling
Houses built
since recited
Act contrary
thereto.

LXXX. Every Dwelling House built or rebuilt since the Commencement of the recited Act contrary to any of the Provisions of that Act shall, for the Purposes of this Act, be deemed a Dwelling House built or rebuilt after the Commencement of this Act.

LXXXI. When

Saint Helen's Improvement Act, 1855.

LXXXI. When any House is taken down or destroyed by Fire or otherwise to within Ten Feet from the Surface of the adjoining Ground, such House shall thenceforth be subject to all the Provisions of this Act with respect to new Houses.

Houses taken down or destroyed to be subject to Provisions of this Act.

LXXXII. Every Person contrary to this Act letting or occupying any House or suffering it to be occupied as a Dwelling House, and every Person letting or occupying any House without Back Yard, vacant Ground, or Area thereto as by this Act required, or suffering it to be occupied, shall for every such Offence forfeit not exceeding Five Pounds, and not exceeding Ten Shillings additional for every Day the Offence continues.

Penalty on letting or occupying Houses without Back Yards.

LXXXIII. Every Person who occupies as a Dwelling Place any Cellar or Room, knowing such Occupation to be contrary to the Provisions of this Act, shall for every such Offence forfeit not exceeding Twenty Shillings, and a further Sum not exceeding Five Shillings for every Day during which he so occupies such Cellar or Room.

Penalty on occupying Cellar, &c.

LXXXIV. Whenever the Commissioners think it requisite they may require the Owner or Occupier of any Licensed Victualling House to provide and maintain at his Expense, in a proper and convenient Situation near such House, and to keep at the like Expense, duly cleansed, a proper and convenient Urinal; and every such Owner or Occupier who after being thereunto required by the Commissioners wilfully fails to provide to the Satisfaction of the Commissioners, and within such Time as they in that Behalf appoint, or to maintain to their Satisfaction, such a Urinal as required by them, shall for every such Offence forfeit not exceeding Ten Pounds, and an additional Sum not exceeding Forty Shillings for every Day during which the Offence continues; and every such Owner or Occupier who does not once in every Day, to the Satisfaction of the Commissioners, cleanse such Urinal, shall for every such Offence forfeit not exceeding Forty Shillings.

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

LXXXV. On such Evidence as the Commissioners think sufficient that any House or Part of a House occupied by Persons not of the same Family is so overcrowded as to be dangerous to Health, the Commissioners may, under the "Common Lodging House Act, 1851," regulate such House or Part of a House according to the Provisions of that Act, or any other present or future Act touching Common Lodging Houses.

Overcrowded Houses occupied by Persons not of the same Family to come under Common Lodging House Act.

LXXXVI. The Commissioners may, under the Authority of this Act, appoint and remove the Officer of Health, and fix his Salary.

Officer of Health.

LXXXVII. The

Saint Helen's Improvement Act, 1855.

Nuisances
abateable.

LXXXVII. The following shall be Nuisances, and the Cause of Nuisance may be abated and removed under this Act :

Firstly, every House in such a filthy or unwholesome Condition or so out of repair as to be injurious or likely to be injurious to Health or unfit for Human Habitation :

Secondly, every Ditch, Gutter, Watercourse, Privy, Cesspool, Drain, or Ashpit, so foul or offensive, or so made or kept, as to be injurious or likely to be injurious to Health :

Thirdly, all Swine, Cattle, and other Animals, and all Accumulations of Dung, Manure, Offal, Filth, Refuse, or decaying or offensive Matter or Thing so kept as to be injurious or likely to be injurious to Health.

Notices of
Nuisances to
ground Pro-
ceedings of
Commission-
ers.

LXXXVIII. The Commissioners, on any Notice to them of any alleged Nuisance, and if they deem the Complaint reasonable, may enter upon the Lands where the Nuisance is alleged to be, and examine into the Cause of Complaint.

Proceeding
by Commis-
sioners be-
fore Justices.

LXXXIX. Where the Commissioners on any such Entry or Examination, or without such Entry or Examination, on a Certificate thereof in Writing signed by the Medical Officer of the Union or by Two legally qualified Medical Practitioners, think that any Cause of Nuisance exists or did exist when the Notice or Certificate was given, and although since removed or discontinued is likely to recur or to be repeated on the same Lands or any Part thereof, they shall cause Complaint thereof to be made before a Justice, and such Justice shall thereupon issue a Summons requiring the Owner or Occupier of the Lands, or the Person causing the Nuisance, to appear before any Two Justices, and the Justices shall hear the Complaint, and if it be proved to their Satisfaction, or admitted, or the Person summoned fail to appear, the Justices shall make an Order for the Abatement or Discontinuance and Prohibition of the Nuisance.

Justices
Order of
Abatement.

XC. By their Order the Justices may require the Owner or Occupier of the Lands, or the Person causing or permitting the Nuisance, to do in such Manner and within such Time (not being more than Two clear Days, exclusive of *Sunday*, after Service of such Order,) all such Things to be specified in such Order as the Justices think proper for abating the Nuisance.

Order
against
future
Nuisances.

XCI. If the Justices think that such or the like Nuisance is likely to recur, or, if already removed or discontinued, to be repeated, the Justices may prohibit the doing or permitting on the same Lands, or any Part thereof, of anything to be specified in such Order which caused or would in their Opinion cause the Nuisance; and if the Nuisance was or would be such as in their Opinion to render the
House

Saint Helen's Improvement Act, 1855.

House unfit for Human Habitation, they may prohibit the using thereof for that Purpose until it be rendered fit for that Purpose.

XCII. If any such Order be not complied with, every Person against whom it is made shall for every such Offence forfeit not exceeding Ten Shillings a Day during his Default, and if such Non-compliance by the Act or Authority of the Owner of the Lands, every such Owner shall for every such Offence forfeit not exceeding Twenty Shillings a Day during such Default.

Penalty for
Breach of
Order.

XCIII. In every Case of such Non-compliance with any Order of Justices, the Commissioners from Time to Time may enter on the Lands to which such Order relates, and remove or abate the Cause of Nuisance thereby condemned or prohibited, and do all Things necessary for Compliance with such Order.

Commission-
ers to do
Work on
Owners or
Occupiers
default.

XCIV. If it appear to the Justices that there is not an Owner or Occupier of the Lands, or Person causing or permitting the Nuisance, on whom any such Order can be served, or that such Owner, Occupier, or Person is not known or cannot be found, then such Order may be addressed to the Commissioners, and the Works thereby directed may be executed in the first instance by the Commissioners.

Where no
Owner or
Occupier,
Commission-
ers to exe-
cute Order.

XCV. All Animals and Things removed by the Commissioners in pursuance of any such Order may be destroyed or sold, and in case of Sale the Proceeds thereof shall be retained by them and applied in or towards Payment of all Expenses incurred by them with respect to such Nuisance, and the Surplus, if any, shall be paid by them on Demand to the Owner of such Animal or Thing.

Manure, &c.,
to be sold.

XCVI. All reasonable Costs and Expenses from Time to Time incurred in obtaining or carrying into effect any such Order of Justices, or in any way preparatory or incident thereto, shall be paid to the Commissioners by the Person causing the Nuisance, and may be recovered either as Damages or in the Manner by this Act provided for the Recovery of Rates.

Expenses of
Works to be
paid by
Owner or
Occupier.

XCVII. It shall not be lawful at any Time after the passing of this Act to raise or embank any Ground within the Town with any Matter which shall be a Nuisance or the Cause of a Nuisance injurious to Health, and every Person who shall offend contrary to this Enactment shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings, and a further Sum not exceeding Twenty Shillings for every Day during which such Nuisance shall continue unremoved or unabated after Conviction for such Offence.

Noxious
Matter not
to be used
for Embank-
ing.

[*Local.*]

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XCVIII. Any

Saint Helen's Improvement Act, 1855.

Inspection of
Knackers'
Yards.

XCVIII. Any Inspector or other Officer authorized by the Commissioners may at all Times, with or without Assistance, enter into and inspect any Knacker's Yard, House, or Place wheresoever kept or used for slaughtering Horses or Animals not fit for the Food of Man, and any Building, Shed, Yard, or Place belonging thereto, and ascertain the Condition thereof.

Inspection of
bad Meat,
and Order of
Justice
thereon.

XCIX. Provided always, That it shall not be obligatory on any Officer of the Commissioners who finds any Cattle or the Carcase or Part of the Carcase of any Beast which appears unfit for the Food of Man to seize and carry the same before any Justice, in order to the further Inspection or Examination thereof by competent Persons; but any such Officer may of his own Authority seize such Cattle or such Carcase or such Part of a Carcase, and on such Inspection or Examination by competent Persons any Justice may thereupon make such Order in the Premises in like Manner as if such Inspection and Examination had been made under his Order.

Penalty for
Sale &c., of
bad Meat.

C. If any Butcher, Provision Dealer, or other Person sell or offer for Sale, or have in his Possession or in his House, Shop, Stall, Warehouse, Cart, Truck, or Barrow, or elsewhere, for the Purpose of Sale, any unsound or unwholesome Meat, Fowl, or Fish, or any other Provisions unfit for the Food of Man, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds; and such Meat, Fish, Fowl, or other Provisions may be seized, carried away, and dealt with by an Officer of the Commissioners as by this Act is provided touching the seizing and Disposal of unsound Meat; and the Burden of Proof that any such Meat, Fish, Fowl, or other Provisions were not so had or possessed for the Purpose of Sale shall be on the Person charged with the Offence.

Modification
of certain
Clauses of
10 & 11 Vict.
c. 34. as to
the Con-
sumption of
Smoke.

CI. In the Clauses "with respect to the Prevention of Smoke" of "The Towns Improvement Clauses Act, 1847," the Words "consume the Smoke" shall not for the Purposes of this Act be held in all Cases to mean "consume all the Smoke;" and the Justice or Justices before whom any Person is summoned may remit the Penalties under those Clauses if he or they be of opinion that such Person has so constructed or altered his Fireplace or Furnace as to consume as far as possible all the Smoke arising from such Fireplace or Furnace, and has carefully attended to the same, and consumed as far as possible the Smoke arising from such Fireplace or Furnace.

Lighting
Streets,
Markets,
&c.

CII. The Provisions "with respect to lighting the Town or District" of the "Towns Improvement Clauses Act, 1847," apply for the Purposes of this Act, not only to Contracts for lighting Streets, but also to Contracts for lighting the Market Houses, Market Places, Public

Saint Helen's Improvement Act, 1855.

Public Buildings, and Offices in the Town, and for providing such Pipes, Lamps, Lamp-posts, and other Apparatus and Materials as the Commissioners think necessary for such lighting.

CIII. Every Branch or Service Pipe used for such lighting with Gas shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede any Branch or Service Pipe being filled with Gas during the Time the same is lighted. Service Pipes to be kept fully charged.

CIV. For the Purpose of such lighting, the Commissioners, or the Persons with whom they so contract, may break up the Soil or Pavement of any Street, and lay and fix therein such Pipes, Lamp-posts, and other Works as they respectively deem necessary for such lighting, and lay and place against any Houses and Inclosures such Pipes, Lamp-posts, Lamp-irons, and Lamps and other Works as they deem necessary for such Purposes : Provided always, that any Lamp, Lamp-post, Lamp-iron, Pipe, or other Work shall not be laid or continued against or through any private Building, Inclosure, or Land without the Consent of the Owner and Occupier thereof. Power to break up Streets and lay down Pipes, &c.

CV. When the Pavement or Soil of any Street, or when any Sewer or Drain, is opened or broken up for such lighting, the Commissioners or such Person shall, with all convenient Speed, complete the Work on account of which the same is broken up, and fill in the Ground, and make good the Pavement or Soil, Sewer or Drain, so opened or broken up, and carry away the Rubbish occasioned thereby, and shall in the meantime fence and guard the Place where such Pavement or Soil is so opened or broken up, and shall set up and maintain upon or against the Part of the Pavement or Soil so broken up or opened a sufficient Light during every Night that such Pavement or Soil continues open or broken up. Streets broken up to be reinstated without Delay.

CVI. If any Person so contracting make any Delay in completing any such Work, or in so filling in the Ground, or making good the Pavement or Surface so opened or broken up, or in so carrying away the Rubbish so occasioned, or in so fencing, guarding, or lighting the Place where such Pavement or Surface is broken up, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds, and an additional Forty Shillings for every Day such Delay continues after Twenty-four Hours from the Time it commenced. Penalty for Delay in reinstating Streets.

CVII. If any Person wilfully or maliciously take away, destroy, or injure any or any Part of any Pipe, Plug, Post, Lamp, or other Apparatus or Thing belonging to the Commissioners, or wilfully extinguish any Public Lamp or Light, every Person so offending shall for Penalty for damaging Pipes.

Saint Helen's Improvement Act, 1855.

for every such Offence forfeit to the Commissioners not exceeding Five Pounds, and the Amount of the Damage so occasioned.

Persons
carelessly
damaging
Lamps to
make good
the same.

CVIII. If any Person carelessly, negligently, or accidentally break or otherwise damage any such Apparatus or Thing, and do not on Demand make Satisfaction to the Commissioners or to any other Owner thereof (as the Case may be) for the Damage done thereto, any Justice may award such Sum as a Satisfaction for such Damage as he thinks reasonable, not exceeding the Value of the Thing so damaged and the Expense of repairing and replacing the same.

10 & 11 Vict.
c. 89. incor-
porated.

CIX. "The Town Police Clauses Act, 1847," save so far as any of the Clauses thereof are excepted or varied by this Act, is incorporated with this Act.

Power to
Two Justices
to dismiss
Constables,
&c.

CX. Any Two Justices may dismiss or suspend for Neglect of Duty any Constable or Officer appointed under this Act; and any Person suspended or dismissed shall not be re-appointed except with the Consent of Two Justices; and when any Person is so dismissed or suspended, all Powers vested in him as a Constable shall cease or be suspended.

As to Allow-
ance of Gra-
tuities to
Constables.

CXI. The Commissioners may allow to any Constable or other Officer such Gratuities and Rewards for apprehending Felons and other Offenders as the Commissioners think proper, and may defray the Expense of prosecuting any Felon or Offender, and of defending any Constable or Officer in the Execution of his Duty, and may give such Rewards or Compensation to any Constable or Officer disabled in the Execution of his Duty, or to any Constable appointed under this Act who shall be worn out by Length of Service, as the Commissioners think reasonable.

Shutters of
Forges, &c.
to be closed
after Sunset.

CXII. If any Blacksmith, Whitesmith, Anchorsmith, Nailmaker, or other Person using a Forge or Furnace, and having a Door, Window, or Aperture fronting or opening into or towards any Street, do not close such Door or fasten the Shutters or other Fastenings of such Windows, and close such Aperture, every Evening within One Half Hour after Sunset, so as effectually to prevent the Light of such Forge or Furnace from shining through the Doorway, Window, or Aperture into or upon such Street, every Person so offending shall for every such Offence forfeit not exceeding Twenty Shillings; provided that this Enactment does not extend to Forges or Furnaces below the Pavement of the Street.

Mad Dogs.

CXIII. Any Constable or other Officer appointed under this Act may destroy any Dog or other Animal reasonably suspected to be
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Saint Helen's Improvement Act, 1855.

in a rabid State, or to have been bitten by any Dog or other Animal reasonably suspected to be in a rabid State.

CXIV. Any Constable or Officer of Police may at all Times enter into any House or Place where ready-made Tea or Coffee or Refreshments or Provisions of any Kind are drunk, used, or consumed, the Owner or Keeper of which House or Place has within Twelve Months before such Entry been convicted of knowingly permitting or suffering common Prostitutes, reputed Thieves, or drunken or idle and disorderly Persons to assemble at the same and continue therein, or to play therein at any Game with Cards or Dice; and if any Person having or keeping any such House or Place, or any Servant or other Person in his Employ or by his Direction, in any such Case refuse to admit or do not on Application admit, such Constable into such House or Place, every Person so offending shall for every such Offence forfeit not exceeding Forty Shillings.

Houses of convicted Coffee Shop Keepers, &c. to be open to Police at all Times.

CXV. If any Person throw or lay any Dirt, Ashes, Rubbish, foul Water, or solid or fluid Refuse, or any other noxious or offensive Matter or Substance, into or upon any Street, or into any Drain, Well, Pump, Pond, Reservoir, Watercourse, River, or Brook, (except such Nightsoil as may, with the Consent of the Commissioners, be conveyed into any Common Sewer from any Privy or Watercloset,) every Person so offending shall for every such Offence forfeit not exceeding Forty Shillings: Provided always, a Person shall not be liable to such Penalty by reason of any Dirt or Rubbish laid or placed in any Street in the course of building, pulling down, altering, or repairing any House or Work, so that there be left sufficient Space for the passing of Carriages and Foot Passengers, and so that a sufficient Light be set and maintained at the Place where such Dirt or Rubbish is laid from Sunset to Sunrise to prevent Accidents, and such Dirt or Rubbish be inclosed in such Manner and be removed at such Time as the Commissioners or their Surveyor direct.

Penalty on Persons casting Rubbish into the Streets.

CXVI. A Coffin containing a Corpse shall not be buried in any Grave, not being a Vault or Catacomb, without at least Four Feet of Soil between the ordinary Surface of the Burial Ground and the upper Side of the Coffin being immediately after the Burial placed in a permanent Manner in the Grave, so as effectually to close the same; and if any Person having the Preparation or immediate Charge of the Preparation of any Grave to receive any such Coffin, permit, or any Person having the Control of the Burial Ground knowingly permit any such Coffin to be buried in any Grave in which there is not so placed, immediately after the Burial of such Coffin, Four Feet at least of Soil, measuring from the ordinary Surface of the Burial Ground to the upper Surface of such Coffin, every such Person having such

Regulations as to Burials of Corpses.

[Local.]

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immediate

Saint Helen's Improvement Act, 1855.

immediate Charge, and every such Person having such Control, shall respectively for every such Offence forfeit not exceeding Ten Pounds.

Penalty for disturbing Corpses.

CXVII. If any Person having the Preparation of any Grave, not being a Vault or Catacomb, in the course of the Preparation thereof knowingly or wilfully displace or disturb any undecomposed or only partly decomposed Corpse or Part of a Corpse, or any undecomposed or only partly decomposed Coffin or Part of a Coffin, and not being by the Commissioners lawfully authorized so to do, every Person so offending shall for every such Offence forfeit not exceeding Ten Pounds; and any Person having been adjudged to pay any such Penalty, subsequently guilty of a like Offence, shall also for every such subsequent Offence committed by such Person forfeit not exceeding Ten Pounds.

Appointment of Inspectors of Weights and Measures.

CXVIII. The Commissioners may from Time to Time appoint Inspectors of Weights and Measures to act within the Town, and the Town shall be a separate District for the Inspection of Weights and Measures accordingly, and the Commissioners may provide for the Purposes of this Act such Copies of the Imperial Standard Weights and Measures as they think fit; and every Person appointed by the Commissioners an Inspector of Weights and Measures may and shall execute the Duties of his Office with the like Powers, Liberties, and Indemnities, and be subject to the like Provisions, Restrictions, Pains and Penalties, as if he were duly appointed to the Office by the General or Quarter Sessions, and the Town were duly assigned by the General or Quarter Sessions as a separate District for such Inspection: Provided always, that this Enactment shall not affect the Exercise in the Town of any Powers of Inspection and Seizure by any Inspector of Weights and Measures from Time to Time appointed by the General or Quarter Sessions for the County Palatine of *Lancaster* held by Adjournment at *Kirkdale*.

Appointment of Town Crier.

CXIX. The Commissioners from Time to Time may appoint a Town Crier, with such Allowances as the Commissioners think reasonable, and remove such Town Crier at pleasure; and if while any such Town Crier is in Office any Person other than the Town Crier so appointed act as the Town Crier, every Person so acting shall for every such Offence forfeit not exceeding Forty Shillings.

10 & 11 Vict. c. 14. incorporated.

CXX. The "Markets and Fairs Clauses Act, 1847," save so far as any of the Clauses thereof are excepted or varied by this Act, is incorporated with this Act; and the Expression "the Undertakers" in that Act means, for the Purposes of this Act, the Commissioners.

CXXI. The

Saint Helen's Improvement Act, 1855.

CXXI. The Commissioners from Time to Time may maintain and improve the Market Places provided or maintained under the recited Act, and build and provide on such Land as they may from Time to Time purchase or appropriate for the Purpose, and thenceforth maintain and improve as they think fit, any other Market Places, and provide such Market Places respectively with such Stalls, Standings, and other Conveniences and Approaches, not being Public Carriageroads, as the Commissioners think fit, such Market Places respectively to be so maintained for supplying the Inhabitants of the Town and the Neighbourhood thereof with Provisions, Goods, Wares, Merchandises, and all such other marketable Commodities as the Commissioners from Time to Time see fit to allow to be bought and sold therein.

Commissioners empowered to provide Market Places.

CXXII. The Commissioners shall hold the Markets in the Town on *Wednesdays* and *Saturdays*, and also on such other Days and also during such Hours on every Market Day as the Commissioners from Time to Time appoint: Provided always, that a Market shall not be held on *Christmas Day* or *Good Friday*, or on any Day appointed for a Public Fast or Thanksgiving.

Market Days.

CXXIII. The Commissioners may erect on Land belonging to them or otherwise provide a Public Weighing House or Weighing Place in or near the Market Place for weighing or measuring any Meat, Provisions, or other Articles sold by Weight or Measure in the Market, or any Carts, and maintain and improve the same as they think fit.

Weighing and Measuring Houses.

CXXIV. The Commissioners and their Lessees may from Time to Time demand and take from any Person occupying or using any Stall, Shed, or Stand, in any Market Place under the Management of the Commissioners, or bringing therein any Cattle, Animal, Provisions, Article or Thing specified in the Schedule (A.) to this Act annexed, such Stallage, Rents, and Tolls as the Commissioners or their Lessees from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the Schedule.

Tolls for Markets, as in Schedule (A.)

CXXV. The Person appointed to attend the Weighing Houses or Places for weighing or measuring any Articles sold in the Market by Weight or Measure may from Time to Time demand and take the several Tolls in that Behalf specified in the Schedule (A.) to this Act annexed.

Tolls for weighing and measuring.

CXXVI. The Person appointed to attend the Machines for weighing Carts may demand and receive from the Person requiring the same to be weighed such Tolls as the Commissioners appoint, not exceeding the Tolls specified in respect of the same in the Schedule (A.) to this Act

Tolls for weighing Carts.

Saint Helen's Improvement Act, 1855.

Act annexed, and such Tolls shall be paid before any Cart in respect of which the same are payable be weighed.

Power to
lease Mar-
kets, &c. for
Three Years.

CXXVII. The Commissioners may from Time to Time demise and let the Market Places, or any Part thereof, and the Slaughter-houses, Weighing Houses or Places and Machines, or any of them, or the Stallages, Rents, or Tolls, or any of them, for any Period not exceeding Three Years, upon such Terms as are agreed upon between the Commissioners and the Person to whom such Lease is made.

Power to
lease Stand-
ings in the
Markets.

CXXVIII. The Commissioners may let any of the Stalls, Standing-places, Benches, or other Conveniences in the Market Places, to any Person for any Term not exceeding Three Years.

Power to
assign Lease
of Standing.

CXXIX. The Lessee of any such Stall, Standing Place, or other Convenience, his Executors, Administrators, and Assigns, with the Consent of the Commissioners, may assign the same for the Residue of his Term.

Slaughter-
houses.

CXXX. The Commissioners from Time to Time may set apart any Buildings for, or erect on any Land belonging to them, such Slaughter-houses as they from Time to Time think sufficient for the slaughtering of Cattle, Beasts, and Swine for the Supply of the Town and its Neighbourhood, and thenceforth maintain and improve the same as they think fit.

Tolls to be
taken at
Slaughter-
houses, as
in Schedule
(B.)

CXXXI. After any Slaughter-house is opened by the Commissioners for Public Use, they may demand and take from any Person slaughtering any Animal therein such Tolls as the Commissioners think proper, not exceeding the several Sums specified in the Schedule (B.) to this Act annexed.

Incorporation of
Waterworks
Clauses Act,
10 & 11 Vict.
c. 17. incor-
porated.

CXXXII. The "Waterworks Clauses Act, 1847," except the Clauses thereof with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit, and save so far as the Clauses of that Act are varied by this Act, is incorporated with this Act.

Power to
Commission-
ers to main-
tain Water-
works and
supply
Water.

CXXXIII. Subject to the Provisions of this Act, the Commissioners may from Time to Time maintain their existing Waterworks, and make, alter, and discontinue in connexion therewith such Reservoirs, Conduits, Watercourses, Gauges, Mains, Pipes, Apparatus, Works, and Conveniences, as they from Time to Time think fit, and may upon any Lands from Time to Time vested in them for the Purpose of the Waterworks, erect such Buildings and may do all such Things as they from Time to Time think proper for collecting and storing
Water

Saint Helen's Improvement Act, 1855.

Water and supplying Water within the Limits in that Behalf of the said Act, and may sell and dispose of Water as they from Time to Time think fit.

CXXXIV. Whereas the existing Commissioners are Lessees under the *Saint Helen's Waterworks Company* of the *Saint Helen's Waterworks*, Lands, Revenues, Mains, Tubes, and Effects, for a Term of Five thousand Years from the Twenty-fifth Day of *December* One thousand eight hundred and fifty, at the yearly Rent of Six hundred and Ten Pounds: Therefore the Liabilities of the Commissioners under Lease of those Premises shall be deemed Part of the Expenses of carrying this Act with respect to the Supply of Water by the Commissioners into execution.

Commissioners Liabilities under Lease of the *Saint Helen's Waterworks* to be deemed Part of Expense of Water Supply.

CXXXV. The *Saint Helen's Waterworks Company* may enforce the Payment of the Rent and Sums of Money by that Lease reserved or made payable by the Commissioners by the Appointment of a Receiver, and for that Purpose that Company shall be deemed Mortgagees within the Meaning of the Eighth-sixth and Eighty-seventh Sections respectively of the "Commissioners Clauses Act, 1847," and those Sections respectively apply to that Company, and shall be construed to have Effect accordingly: Provided always, that the Amount due from the Commissioners to authorize an Application by that Company for a Receiver shall be One hundred and fifty Pounds or upwards.

Recovery of Rent by *Saint Helen's Waterworks Company*.

CXXXVI. From Time to Time after the Commencement of this Act, the *Liverpool Corporation* may supply from the Reservoirs and other Works of the *Liverpool Corporation* at *Rivington* in the County Palatine of *Lancaster*, and the Commissioners may take and supply to the Inhabitants within the Limits in that Behalf of this Act, such a Quantity of Water as the *Liverpool Corporation* and the Commissioners mutually agree on; and the Commissioners may pay or secure to the *Liverpool Corporation* for such Water such Consideration, whether a gross Sum or yearly or other Rent or otherwise, as the *Liverpool Corporation* and the Commissioners mutually agree on, and such Supply by the *Liverpool Corporation* may be on such Terms and Conditions in all respects as the Parties agree on.

Supply of Water by *Liverpool Corporation* to Commissioners and by Commissioners to Inhabitants.

CXXXVII. The Commissioners and the *Liverpool Corporation* may from Time to Time make and enter into such Contracts, Agreements, and Arrangements for effecting the Purposes of this Act with respect to the Supply of Water as they respectively from Time to Time deem advisable, and subject to such Terms and Conditions as they respectively mutually agree on.

Contracts between Commissioners and Corporation.

Saint Helen's Improvement Act, 1855.

Commissioners to supply Water within Limits.

CXXXVIII. By means of their Waterworks, and subject to the Provisions of this Act, the Commissioners may supply Water within the Limits in that Behalf of this Act.

Rates at which Water is to be supplied for domestic Purposes.

CXXXIX. The Commissioners from Time to Time shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street in which any Pipe of the Commissioners from Time to Time is within the Distance of Twenty-five Yards from such House, or of any Person who under the Provisions of this Act is entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Purposes at a Rate not exceeding Seven Pounds in the Hundred on the yearly Value of the House: Provided always, that the Commissioners shall not be bound to afford a Supply of Water to any House or Part of a House at a less Rate than Twopence a Week for such Supply.

What are domestic Purposes.

CXL. Provided always, That a Supply of Water for domestic Purposes shall not include a Supply of Water for Baths, or Cattle, or for Horses, or washing Carriages, where such Horses or Carriages are kept for Hire, or are the Property of a Dealer, or such like Purposes, or for any Trade or Business whatsoever, but shall include a Supply for Waterclosets.

Water for other than domestic Purposes, &c. to be supplied by Agreement.

CXLI. The Commissioners from Time to Time may supply any Person with Water for trading or manufacturing Purposes, or for any Purposes other than domestic Purposes, at such Rate or Price and upon such Terms and Conditions as are agreed on between the Commissioners and the Persons desirous of having the Supply.

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

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

Commissioners may require Houses to be supplied with Water, &c. in certain Cases.

CXLIII. If upon the Report of the Surveyor of the Commissioners it appears to the Commissioners that any Dwelling House in any Street within the Town in which there shall be a Water Main or Pipe of the Commissioners is without a proper Supply of Water, and that such Supply of Water can be furnished thereto, the Commissioners shall give notice in Writing to the Owner, requiring him within a Time specified therein to obtain such Supply, and do all Works necessary

Saint Helen's Improvement Act, 1855.

necessary for that Purpose ; and if such Notice be not complied with, the Commissioners may do such Works and furnish such Supply accordingly, and make or charge Water Rates upon the Premises as if the Owner or Occupier had demanded a Supply of Water and were willing to pay Water Rates for the same, and the Expenses incurred by them in doing such Work shall be recovered from the Owner, either as Damages, or in the Manner by this Act provided for the Recovery of Rates.

CXLIV. Provided always, That the Commissioners shall not be compelled to supply with Water any Watercloset or private Bath, or the Apparatus or Pipes connected therewith, unless the same be made to the Satisfaction of the Commissioners, and used so as to prevent the Waste or undue Consumption of the Water of the Commissioners, and the Return of foul Air and other noisome or impure Matter into the Mains or Pipes belonging to or connected with the Mains or Pipes of the Commissioners, or any private Bath so constructed as to contain when filled for Use more than Sixty Gallons of Water.

For preventing fouling of Water.

CXLV. If any Person supplied with Water by the Commissioners wilfully do, or cause or knowingly permit to be done, anything in contravention of the Provisions of this Act, with respect to Water Supply, or wilfully neglect to do anything which under those Provisions ought to be done for the Prevention of the Waste, Misuse, undue Consumption, or Contamination of the Water of the Commissioners, the Commissioners may turn off the Water supplied by them to such Person, and cease to supply such Person with Water until the Provisions of this Act be complied with, or proper Measures be taken by and at the Expense of such Person for the Prevention of such Waste, Misuse, undue Consumption, or Contamination of Water, and also may recover from such Person the Amount of any Damage which the Commissioners sustain by reason of any such wilful Act or Neglect.

Water may be cut off in certain Cases.

CXLVI. If any Person, without the Authority or Approval of the Commissioners, extend or enlarge any Pipe, or use any other Means or Device for the Purpose of supplying any Person or any House or Part of a House with any Water from the Works of the Commissioners, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds, and a further Sum not exceeding Forty Shillings for every Day during which such Offence continues.

Penalty for extending or enlarging Pipes of Commissioners.

CXLVII. Every Person convicted under this Act for wrongfully using, taking, wasting, or misapplying any Water of the Commissioners shall, in addition to any Penalty, make full Compensation to the Commissioners with respect to the Water so used, taken, wasted,

Damages occasioned by Waste or Misuse of Water.

or

Saint Helen's Improvement Act, 1855.

or misapplied, and any Justice or Justices authorized to impose such Penalty shall determine and certify the Amount of such Compensation, which Amount the Commissioners may recover as Damages or as Water Rates.

Extension
of 55th
Section of
10 & 11 Vict.
c. 17.

CXLVIII. The Provisions of Section Fifty-five of the Waterworks Clauses Act, 1847, extend, for the Purposes of this Act, to all Pipes, Cocks, or Stopcocks laid down by any Person for conveying Water from the Works of the Commissioners.

Inhabitants
of Town-
ships beyond
Limits of Act
for Water
Supply not
to be pre-
vented from
obtaining
independent
Supply of
Water.

CXLIX. Provided nevertheless, that nothing in this Act contained shall in any manner oblige the Inhabitants of the Township of *Sutton*, or of the Parts of the Townships of *Parr*, *Eccleston*, and *Windle*, lying beyond the Limits of this Act, for Purposes other than Waterworks and Water Supply, or any of them, to take a Supply of Water from the Commissioners, or in any Manner prevent or prejudice such Inhabitants or any of them from or in obtaining an independent Supply from any other Source, or constructing Waterworks for that Purpose.

Commis-
sioners may
accept
Transfer
of Public
Library;

CL. And whereas a Public Library has been provided in *Saint Helen's*, and the Owners thereof are willing to transfer the Property therein to the Commissioners, to the end that the Library may be maintained, extended, and preserved for the Use of Persons residing in the Town and the Neighbourhood thereof: Therefore the Commissioners may accept a Transfer to themselves of the Library on such Terms and Conditions as such Owners and the Commissioners mutually agree on.

and provide
Rooms for
Library.

CLI. For the Purposes of the Library, the Commissioners from Time to Time may provide and appropriate such Rooms and fit them up with such Conveniences as they think fit, and may keep the Library therein, to the end that the Library be thenceforth maintained and used as a Public Library for the Benefit of Persons residing in the Town and the Neighbourhood thereof.

The Com-
missioners
or Com-
mittees of
Manage-
ment may
appoint
Officers and
make Bye-
laws.

CLII. The Commissioners, or such Committees as shall be appointed for all or any such Purposes, from Time to Time may appoint such Officers and Servants, and may make, alter, and repeal Byelaws, Rules, and Regulations, for the Preservation and Use of the Library, and for securing the safe Custody of the Books, and for affording to Persons residing in the Town or the Neighbourhood thereof the Use and Enjoyment of the said Library, and for securing good Order in the Rooms appointed for the Library, as to them shall seem fit, and any such Committee may be appointed in such Manner, for such Times, and be composed of such Persons (whether Commis-
sioners

Saint Helen's Improvement Act, 1855.

sioners or not) as the Terms and Conditions under which the Library shall be accepted may provide, and if no such Provision be made in this Behalf, then as the Commissioners may think fit, and the Commissioners may at any Time dissolve any Committee appointed by them.

CLIII. The Commissioners from Time to Time may pay the Officers and Servants appointed for the Purposes of the Library such Salaries or Remuneration as the Commissioners think fit. Commissioners may pay Officers.

CLIV. The Commissioners from Time to Time may order that any Rate for Sewers shall be levied by Assessments for separate and distinct Districts, and the Rate so levied on any such District shall be paid by the Occupier and applicable only for the Purposes of the Sewers within that District. Rates for Sewers may be levied in Districts.

CLV. Between the Thirty-first Day of *March* One thousand eight hundred and fifty-six, and the Thirty-first Day of *March* One thousand eight hundred fifty-seven, and once, or if need be oftener, in every Year thereafter, computed from the Thirty-first Day of *March* in every Year, the Commissioners may make a Rate, under the Name of "The Highway Rate," on the Occupiers of all such Property whatsoever in the Town as is usually by Law liable to be rated to the Repairs of Highways according to the yearly rateable Value thereof, and the Monies raised by such Rates shall be applicable exclusively for carrying this Act into execution with respect to the Maintenance, cleansing, and Repair of Streets, and all Expenses with respect to Highways. Rate for paving and Highway Purposes.

CLVI. Between the Thirty-first Day of *March* One thousand eight hundred and fifty-six and the Thirty-first Day of *March* One thousand eight hundred and fifty-seven, and once, or if need be oftener, in every Year thereafter, computed from the Thirty-first Day of *March* in every Year, the Commissioners may make a Rate under the Name of "Lighting Rate," on the Occupiers of all Property in the Town rateable under this Act. Lighting Rate.

CLVII. Provided always, that the Occupier of a Dwelling House, the Entrance whereto from the Street is further than One hundred Yards from the nearest Lamp, shall not be liable to the Lighting Rate. Exemption from Lighting Rate.

CLVIII. Between the Thirty-first Day of *March* One thousand eight hundred and fifty-six and the Thirty-first Day of *March* One thousand eight hundred and fifty-seven, and once, or if need be oftener, in every Year thereafter, computed from the Thirty-first Day of *March* Rate for General Purposes.

[*Local.*]

11 P

March

Saint Helen's Improvement Act, 1855.

March in every Year, the Commissioners may make a Rate under the Name of "The Rate for General Purposes" on the Occupiers of all Property in the Town rateable under this Act, and the Monies raised by such Rates shall be applicable for carrying this Act generally into execution.

Exemption
and Reduc-
tion of and
from Light-
ing, Sewer-
ing, and
General
Purposes
Rates.

CLIX. Provided always, That a Person shall not be rated to any Lighting, Sewering, or General Purposes Rate made under this Act, in respect of any Arable, Meadow, Pasture, or Wood Land, or any Coal Mine, or any Stable or Building used for the Purpose of Husbandry only, or any Tithe, or Rentcharge in lieu of Tithe; and as to the same Rates the Owners and Occupiers of any Land covered with Water, or used only as a Canal or Towing-path or as a Railway constructed under the Powers of an Act of Parliament for Public Conveyance, shall be assessed in respect of the same in the Proportion of One Fourth Part only of the net annual Value thereof.

Limit of
Amount of
Rates.

CLX. The Rates for General Sewering and Lighting, and for General Purposes in any District, shall not in the aggregate exceed, without such Consent of Ratepayers as by this Act provided for, in any One Year the Sum of One Shilling in the Pound on the yearly rateable Value of the Property rateable thereto.

Increase of
Amount of
Rates with
Consent of
Ratepayers.

CLXI. Provided always, That if at any Time it appear that the respective Amount of any Rate by this Act authorized is insufficient for the Purposes thereof, the Commissioners may, with the Consent of a Majority of the Ratepayers liable to be rated thereto, increase such Rate above the Amount thereof by this Act limited, and such Consent shall be taken at a Meeting of the respective Ratepayers from Time to Time convened by the Commissioners for the Purpose: Provided also, that Fourteen Days Notice shall be given by Advertisement of the Intention of the Commissioners to propose any such Increase of a Rate, and the Notice shall specify the Amount to which it is proposed to increase the Rate.

Form of
Rate, as in
Schedule(C.)

CLXII. The Form in the Schedule (C.) to this Act annexed, or a Form to the like Effect, with such Alterations, if any, as the Commissioners from Time to Time think requisite, may be used for any Rate made by them under this Act, and shall accordingly be, to all Intents and Purposes, sufficient for such Rate; and it shall not be necessary for any such Rate to use any other Form.

Rates for
more or less
than a Year.

CLXIII. Any Rate made by the Commissioners under this Act may be made in respect of a Period shorter or longer than a Year, but not so as to increase the total Amount payable in or for any Year in respect of any Rate.

CLXIV. Any

Saint Helen's Improvement Act, 1855.

CLXIV. Any Rate made by the Commissioners under this Act may be made either wholly prospectively or wholly retrospectively, or partly prospectively and partly retrospectively.

Rates prospective and retrospective.

CLXV. The Amount of any Rate made by the Commissioners under the Authority of this Act may, if the Commissioners think fit, be such Amount as in their Judgment will be sufficient to raise or discharge not only the Sum in respect of which the Rate is made, but also such a Sum as will in the Judgment of the Commissioners meet the Expenses, or what is in their Judgment a due Proportion of the Expenses incurred and to be incurred in and about making and recovering the Rate.

Amount of Rate may include Expenses of recovering same.

CLXVI. The Owners of all rateable Property, the yearly rateable Value whereof respectively does not exceed Four Pounds, or which is let in separate Apartments, shall be rated to and pay the Rates by this Act directed to be made instead of the Occupiers thereof.

Owners to pay the Rate in certain Cases.

CLXVII. The Property of the Commissioners shall be wholly exempt from all Rates from Time to Time made under or for any of the Purposes of this Act, except the Highway Rate.

Property of Commissioners exempted from Rates under this Act.

CLXVIII. If the Owner of a Dwelling House, the yearly Value whereof does not amount to Six Pounds, or which, whatever the yearly Value, is let to weekly or monthly Tenants or in separate Apartments, be desirous of paying a reduced Water Rent by the Year for the same whether occupied or not, the Commissioners may compound with such Owner for the Payment of the Water Rates for such Dwelling House at any Sum not less than Three Fourths of the yearly Water Rate for the same; and all such Compositions shall be entered in the Books of the Commissioners, and the Amount thereof shall be recoverable as Water Rates.

Owners of small Tenements may compound for Water Rates.

CLXIX. In order that the due Application of the Monies at the Disposal of the Commissioners may appear, they shall keep separate and distinct Accounts of their Receipts, Credits, Payments, and Liabilities for and with respect to the Execution of the several Purposes of this Act, to be called respectively "Highway Account," "Lighting Account," "General Purposes Account," "Waterworks Account," and, as the Case may require, "Special Sewer District Account:" Provided always, that the Commissioners may debit the Highway Account and credit the Waterworks Account with any reasonable Sums for watering and cleansing Streets, and may debit the several Sewer Accounts respectively and credit the Waterworks Account with any reasonable Sums for flushing or cleansing Sewers.

Separate Accounts of Rates to be kept.

CLXX. The

Saint Helen's Improvement Act, 1855.

Depreciation
Fund for
Waterworks.

CLXX. The Commissioners shall set apart every Year, out of the surplus Monies appearing upon the then yearly Balance of the Waterworks Account, a Sum not exceeding Two Pounds Ten Shillings in the Hundred of the total Amount borrowed by the Commissioners under this Act for the Purposes of the Waterworks, and also the Amount of any former Surplus then remaining; and the Sums from Time to Time so set apart shall be carried to an Account to be called "The Depreciation Fund," and the Commissioners shall from Time to Time apply the Monies standing to the Credit of the Depreciation Fund, in or towards the Restoration and Improvement of the Waterworks by this Act authorized, and not to any other Purposes.

Application
of Monies for
Waterworks.

CLXXI. The Commissioners shall apply the Water Rates and Sums received by them for the Supply of Water in Payment of the following Waterworks Liabilities only; to wit, first, the Charges thereon under the Lease from the *Saint Helen's Waterworks Company*; secondly, the Interest from Time to Time payable on the Money borrowed by the Commissioners under the recited Act and this Act respectively for the Purposes of the Waterworks, and not paid off; thirdly, the Costs and Charges and other the Expenditure of the Commissioners of and incident to the Maintenance and Management of the Waterworks and the obtaining and affording of the Supply of Water; fourthly, the yearly Sum to be carried to the Credit of the Depreciation Fund; and, fifthly, the providing of the Sinking Fund by this Act required for paying off the Principal Monies borrowed for the Purposes of the Waterworks; and if in any Year the aggregate Amount received be more than sufficient for all those Purposes, the Commissioners shall make a proportionate Reduction of the Water Rates and Charges for Water for the next Year; and the Commissioners shall from Time to Time so regulate the Water Rates and such Charges as that the aggregate Amount thereof shall be, as nearly as may be, sufficient to pay such Liabilities.

Yearly Account of
Waterworks
to be laid before the
Quarter
Sessions.

CLXXII. The Clerk of the Peace for the County Palatine of *Lancaster* shall lay every yearly Account of the Waterworks sent in accordance with this Act to him, before the Court of Quarter Sessions holden at *Kirkdale* in and for the County Palatine of *Lancaster* next after he receives the Account; and the Court, on the Application of any Person supplied with Water by the Commissioners, may appoint a competent Accountant to examine the Accounts, and all Vouchers, Papers, and Books relating thereto, which Vouchers, Papers, and Books the Commissioners shall freely produce for such Examination; and the Accountant shall report to the Court the Result of such Examination; and the Court may make an Order upon the Commissioners for the Payment of such Sum by way of Remuneration to the

Saint Helen's Improvement Act, 1855.

the Accountant as the Court think fit, and the Commissioners shall forthwith pay the same according to the Terms of the Order.

CLXXIII. The Court may upon Oath examine the Accountant and any other Witnesses touching the Truth of the Report and Accounts, and if it appear to the Court from such Report and Examination that the aggregate Amount received by the Commissioners in and for the Year comprised in the Account in respect of the Water Rates and Charges for Water was more than sufficient to pay the Waterworks Liabilities by this Act provided for, the Court may make an Order upon the Commissioners to make such a Reduction in the Water Rates and Charges or any of them within the Town for the then next Year as to the Court seems reasonable; and the Commissioners shall reduce such Water Rates and Charges accordingly: Provided always, that notwithstanding any such Order, the Commissioners may in any subsequent Year raise such an Amount as is necessary to pay those Liabilities and any extraordinary Expenditure with respect to the Waterworks and the Supply of Water to which the Commissioners may be liable under this Act.

Order of
Court for
Reduction of
Charges.

CLXXIV. If in any Year the Amount standing to the Credit of the Waterworks Account be insufficient for the Payment of the Charges thereon and the Execution of this Act with respect to the Waterworks and the Water Supply, the Deficiency shall be made good by and out of the Monies received from Rents and Tolls of the Market and raised by the Rate for General Purposes, and an adequate Part of those Monies shall be carried to the Credit of the Waterworks Account accordingly: Provided always, that all Monies so carried to the Credit of the Waterworks Account from the Rate for General Purposes shall be deemed an Advance from the General Purposes Account to the Waterworks Account, and shall be repaid, but without Interest, from the Waterworks Account to the General Purposes Account when and as there is any Surplus applicable in that Behalf standing to the Credit of the Waterworks Account.

Deficiency of
Funds of
Waterworks.

CLXXV. Except as by this Act otherwise provided with respect to the Monies carried to the Credit of the Waterworks Account, all Monies from Time to Time received by the Commissioners under this Act otherwise than by borrowing shall be applied, first, in Payment of the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act; secondly, in Payment of the Interest on the Principal Money borrowed under the recited Act; thirdly, in Payment or Satisfaction of the Debts and Liabilities of the existing Commissioners, but exclusive of the Principal Money so borrowed; fourthly, in Payment of the Interest on the Principal Money borrowed under this Act; fifthly, in providing the Sinking Fund by this Act required

Application
of other
Monies.

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Saint Helen's Improvement Act, 1855.

to be provided for paying off those Principal Monies respectively ; and sixthly, in making any Payments not by this Act otherwise provided for, and generally in carrying the several Purposes of this Act into execution ; and the Monies borrowed under this Act shall be applicable for the several Purposes firstly, thirdly, and sixthly specified : Provided always, that the Commissioners shall apportion between the several Accounts to be kept under this Act, and as they think equitable, the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act.

Saving
Rights of
Creditors.

CLXXVI. That the Application of Monies directed by this Act shall not prejudice or affect the Rights or Claims of any Creditor of the Commissioners, but that such Application shall in all respects be subject and without Prejudice to the Debts, Liabilities, and Engagements of the Commissioners.

Power to
borrow on
Mortgage
of Water
Rates.

CLXXVII. The Commissioners from Time to Time may borrow at Interest on Mortgage of the Water Rates and Charges for Water to be received by them under this Act any Sums not exceeding, with any Sums previously borrowed on the Credit thereof, Thirty thousand Pounds, and in the event of any Part of such Sum being repaid by them other than by means of a Sinking Fund, may from Time to Time reborrow the same, and so from Time to Time, but so nevertheless that there be not owing on such Security at any One Time in the whole any more than Thirty thousand Pounds, less the Amount, if any, paid off by means of a Sinking Fund ; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners may mortgage those Rates and Charges to the Persons who advance Money or their Nominees.

Power to
borrow on
Mortgage of
other Rates
and Pro-
perty.

CLXXVIII. The Commissioners from Time to Time after the passing of this Act may borrow at Interest, on the Credit of the Rates to be received by them under this Act and of their Property under this Act (not being Water Rates and Charges for Water or the Waterworks), any Sums not exceeding Ten thousand Pounds in addition to the now existing Mortgages thereon ; and in the event of any Part of the Sums so borrowed and the Sums secured by those Mortgages being repaid by them other than by means of a Sinking Fund, they may from Time to Time reborrow the same, and so from Time to Time, but so nevertheless that there be not owing on such Security at any One Time in the whole any more than the Aggregate of Ten thousand Pounds, and the Sums secured by those Mortgages, less the Amount, if any, paid by a Sinking Fund ; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners may Mortgage such Rates and Property to the Persons who advance such Money or their Nominees.

CLXXIX. Pro-

Saint Helen's Improvement Act, 1855.

CLXXIX. Provided always, That from Time to Time, before the Commissioners borrow any Money under this Act, they shall represent in Writing the Circumstances of the Case to the General Board of Health, and that Board may take such Representation into consideration, and make such Inquiries thereupon as they think fit; and may, as they think fit, by Order under their Seal of Office, approve either absolutely or on such Terms and Conditions as they think fit, and express in such Order or disapprove the borrowing by the Commissioners of all or any Part of the Money proposed to be borrowed: Provided always, that if in any Case that Board fail, for One Month after the making to them by the Commissioners of any such Representation, to make such an Order thereon, then in every such Case after such Failure the Commissioners may borrow such Money as if that Board had by such an Order absolutely approved the borrowing thereof: Provided also, that the Commissioners shall not borrow any Money the borrowing whereof by them that Board so disapprove.

Before borrowing, Commissioners to state in Writing the Circumstances to Board of Health.

CLXXX. Provided always, That the Amounts to be by the Commissioners every Year appropriated and set apart as Sinking Funds shall be One Fortieth Part of the Monies borrowed on the Credit of the Water Rates and Charges and Waterworks, and One Thirtieth Part of the Monies borrowed under the Provisions of the recited Act, or to be borrowed under this Act, on Mortgage of the Rates and Property of the Commissioners not being Water Rates and Charges or Waterworks, instead of One Twentieth Part as directed by Section 84 of "The Towns Improvement Clauses Act, 1845."

Amount of Sinking Fund.

CLXXXI. Provided always, That the Commissioners shall not re-borrow any Part of the Amount from Time to Time paid off by means of any Sinking Fund.

Money paid off by Sinking Fund not to be re-borrowed.

CLXXXII. Such of the Creditors of the existing Commissioners as immediately before the Commencement of this Act are Mortgagees under the recited Act shall, after the Commencement of this Act, be entitled by virtue of their respective Mortgages and this Act, and according to their respective Priority under the recited Act, to the like Security, Rights, and Remedies, as if their respective Mortgages had been granted under this Act; and their respective Mortgages according to such Priority shall have Priority over all Mortgages granted under this Act.

Rights and Priority of existing Mortgagees.

CLXXXIII. The several Mortgagees of the Commissioners may obtain the Payment of the Principal Monies and Interest due on their respective Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be, with respect

Arrears may be enforced by Appointment of a Receiver.

Saint Helen's Improvement Act, 1855.

respect to Mortgages of the Water Rates, Five thousand Pounds, and with respect to other Mortgages Three thousand Pounds.

Commissioners may make Compensation for accidental Damage.

CLXXXIV. In all Cases where, either from Accident or Failure of Works under the Control of the Commissioners, Damage or Loss is occasioned to any Person, the Commissioners may, where they think fit, make such reasonable Compensation as to them seems just for such Damage and Loss, although such Compensation may not be recoverable at Law against them.

Demand of Payment by Commissioners or their Officers.

CLXXXV. Every Demand by the Commissioners of any Money to be paid to them under this Act may be made by their Clerk or Collector or any other Person from Time to Time authorized in that Behalf by the Commissioners.

Occupier to pay and charge Owner.

CLXXXVI. The Commissioners, in the first instance, and whether Demand be made upon the Owner or not, may require the Payment of all or any Part of any Expenses payable under this Act by such Owner from the Person then or at any Time thereafter occupying the Lands in respect of which such Expenses are payable ; and if any such Occupier fail to pay on Demand the Expenses so payable, the same may be recovered as Rates ; and with respect to all such Charges not by this Act expressly made payable by Occupiers, the Owner shall allow every such Occupier all Sums which he so pays or which are levied by Distress of his Goods out of the Rent from Time to Time becoming due to the Owner in respect of the Lands as if the same were actually paid to him as Part of such Rent : Provided always, that any Occupier shall not at any Time be liable to pay any greater Sum for such Expenses than the Amount of the Rent from Time to Time due and actually payable by such Occupier in respect of such Lands.

Amount of Expenses to be repaid by Owners and Occupiers to Commissioners for Work done by them.

CLXXXVII. The Amount of the Expenses from Time to Time payable under this Act by any Owner or Occupier for any Works done by the Commissioners at his Expense, or the Expense whereof such Owner or Occupier is to repay the Commissioners, shall not be only the Amount of the actual Outlay of the Commissioners on the Work, but also a Sum after the yearly Rate of Five Pounds in the Hundred on such actual Outlay, so as to cover Interest on such Outlay during the Progress of the Work, and other incidental Expenses in that Behalf of the Commissioners.

Remedies for Recovery of Rates.

CLXXXVIII. The Commissioners may from Time to Time, as they think fit, recover the whole or any Part of any Rate or other Money payable to them by virtue of this Act in manner provided by the Towns Improvement Clauses Act, 1847, for the Recovery of Rates, or in the County Court, or in any Court of competent Jurisdiction.

CLXXXIX. Any

Saint Helen's Improvement Act, 1855.

CLXXXIX. Any Number of Names and Sums may be included in any Warrant of Distress or Notice for the Purpose of this Act, and may be stated either in the Body of such Warrant of Distress or Notice or in any Schedule thereto.

Several Names in One Warrant.

CXC. A Justice shall not be disqualified for acting in the Execution of this Act by reason of his being liable to the Payment of any Rate under the recited Act or this Act.

Justices not disqualified by Liability to Rates.

CXCI. The Justice or Justices by whom any Penalty is imposed under this Act shall award One Moiety thereof, and may award the whole thereof to be paid to the Commissioners, and where the Penalty is for any Damage to the Commissioners, shall award the whole thereof to be paid to the Commissioners.

Application of Penalties.

CXCII. Provided always, That anything in this Act shall not alter or affect any Lease, Contract, or Agreement, either written or parole, between Landlord and Tenant, relating to the Payment of any Taxes, Assessments, or Impositions.

Contracts between Landlords and Tenants as to Taxes, &c., not to be affected.

CXCIII. Provided always, That, except as is by this Act expressly provided, this Act or anything therein shall not take away, lessen, prejudice, or alter any of the Estates, Rights, Privileges, Powers, or Authorities of the *Saint Helen's* Canal and Railway Company under the Acts relating to that Company, or of the *Saint Helen's* Waterworks Company under an Act of the Sixth Year of Her present Majesty, for better supplying with Water the Town of *Saint Helen's*, or of the *Saint Helen's* Gaslight Company, under an Act of the Second Year of *William* the Fourth relative to that Company, of the Lord of the Manor of *Windle*, or of the Lord of the Manor of the Hamlet of *Hardshaw*, or of the Lord of the Manor of *Sutton*, or of the Lord of the Manor of *Eccleston*, or to prejudice, diminish, or affect any of the Rights of the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*.

Saving Rights of the *Saint Helen's* Canal and Railway, Waterworks and Gaslight Companies, &c.

CXCIV. That in the event of the Waters or Springs of Water heretofore enjoyed by the *British* Plate Glass Company being in anywise interfered with or injuriously affected by the Exercise of any of the Powers of this Act, the *British* Plate Glass Company shall be entitled to Compensation for the same, the Amount thereof to be settled, in case of any Difference, by Arbitration, in the Manner provided by the Lands Clauses Consolidation Act, 1845.

Commissioners to pay Compensation for any Damage to Springs of *British* Plate Glass Company.

The SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

MARKET TOLLS PAYABLE.

For every covered or uncovered Shed, Stall, Bulk, Block, Trestle, Standing Place, or Station used by any Person for exposing to Sale Flesh Meat, Cheese, Bacon, Pickled Pork, Fish, or any other live or dead Victuals, Fruit, Glass, Earthenware, or other Goods, Article, Commodity, or Thing whatsoever (except as herein otherwise specifically charged), the following Tolls per Day shall be taken :

Not exceeding Six Feet by Five Feet, Sixpence :

Not exceeding Nine Feet by Five Feet, Ninepence :

Not exceeding Twelve Feet by Five Feet, One Shilling :

And for every Three Feet above, for Stations only, One Penny Halfpenny in addition :

On uncovered Stalls the same Excess of Tolls for an Increase of Width beyond Five Feet as in the Case of covered Stalls.

CARTS.

For every Cart used by any Person for exposing, or in which shall be exposed for Sale any Article, Commodity, or Thing, the following Tolls per Day :

If drawn by One Horse, Ninepence ; by Two Horses, One Shilling ; Waggon used for the like Purpose, One Shilling and Ninepence per Day :

If drawn by One Ass, Sixpence ; by Two Asses, Ninepence.

BUTTER.

For every Basket, Parcel, or Quantity of Butter not exceeding Twelve Pounds Weight, One Penny per Day :

For each additional Six Pounds Weight, One Penny per Day.

POULTRY AND PIGS.

For Poultry, including Fowls, Chickens, and Ducks, Wild Fowls, Pigeons, and Rabbits; (videlicet,)

Not exceeding Three Couple, One Penny per Day :

For each additional Three Couple, One Penny per Day :

For every Turkey, Goose, Hog, or Pig, One Penny per Day.

EGGS.

Saint Helen's Improvement Act, 1855.

EGGS.

For every Basket, Parcel, or Quantity of Eggs under Two Dozen,
One Halfpenny.

For each additional Dozen, One Halfpenny.

WEIGHING AND MEASURING.

For weighing every Piece of Meat or Thing weighing not more than
Twenty Pounds Avoirdupois, One Halfpenny.

For weighing every Piece of Meat or Thing weighing more than
Twenty Pounds and not exceeding One hundred Pounds, One
Penny:

And so in proportion for any greater or smaller Quantity than One
hundred Pounds Weight over and above One hundred Pounds
Weight.

For measuring any Quantity of Goods and Things sold by Measure,
not exceeding One Bushel, One Halfpenny.

For measuring every Quantity more than a Bushel and not exceeding
Two Bushels, One Penny:

And for every Bushel beyond Two Bushels, One Halfpenny.

WEIGHING MACHINES.

For weighing any Cart, Waggon, or other Carriage, not exceeding
One Ton, Threepence:

And so in proportion for any greater or smaller Weight than One
Ton.

GENERAL TOLLS.

For every Basket, Hamper, Parcel, or Quantity of any other Goods,
Commodity, Article, or Thing exposed or offered for Sale there,
not before specifically charged or enumerated or falling within
any of the preceding Heads; (that is to say,)

Not containing more than One Bushel, One Penny:

Every additional Half Bushel, One Halfpenny.

SCHEDULE (B.)

TOLLS to be taken for the Use of SLAUGHTER-HOUSE.

			s.	d.
For every Bull or Cow or Bullock, the Sum of	-	-	1	0
For every Calf, the Sum of	-	-	0	6
For every Sheep or Lamb, the Sum of	-	-	0	3
For every Head of Swine, the Sum of	-	-	0	4
For every other Beast, the Sum of	-	-	1	0

Saint Helen's Improvement Act, 1855.

SCHEDULE (C.)

Form of Rate.

ST. HELEN'S IMPROVEMENT ACT, 1855.

A Rate for (General Purposes or Lighting, &c.) made this Day of .

Name of Owner.	Name of Occupier.	Name of Person rated.	Description of Property rated.	Name or Situation of Property rated.	Estimated Extent.	Gross Es- timated Rental.	Rateable Value.	Rate at Sixpence in the Pound.
					A. R. P.	£ s. d.	£ s. d.	£ s. d.
John Smith -	James Smith	James Smith	Land and Buildings.	West Farm -	40 0 0	60 0 0	50 0 0	1 5 0
Owner - -	Occupier -	Occupier -	House - -	In West Street	0 1 2	30 0 0	25 0 0	0 12 6
Thomas Smith	George Smith	Thomas Smith	Cottage -	— Street -	- - -	4 0 0	3 6 8	0 1 8

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.