



### CHAPTER cclviii.

An Act to authorise the construction of tramways in and near the Borough of St. Helens to extend the boundaries of that borough and to confer further powers on the Corporation of St. Helens in regard to streets buildings sewers and drains and the health local government and improvement of the borough and for other purposes.

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[12th August 1898.]

**W**HEREAS the borough of St. Helens in the county of Lancaster is a municipal borough under the management and local government of the mayor aldermen and burgesses of the borough of St. Helens (in this Act called "the Corporation") who acting by the council are also the urban sanitary authority for the existing borough :

And whereas the existing borough is a county borough within the meaning of the Local Government Act 1888 :

And whereas extensive powers with regard to gas water tramways electric lighting and the improvement and government of the borough have been conferred upon the Corporation by the Acts and Orders specified in the First Schedule to this Act :

And whereas under and by virtue of certain Acts and Orders mentioned in the First Schedule to this Act certain tramways have been constructed in and near the borough and such tramways are now vested in the Corporation and it is expedient that the Corporation should be empowered to construct and maintain the additional tramways in this Act described and that further provisions should be made as in this Act mentioned in regard to the motive power to be used on the Corporation tramways and as to the working by the Corporation of those tramways :

And whereas the Corporation are by the Act of 1893 empowered to construct certain street improvements and it is expedient that the time limited by that Act for the construction of the same should be extended :

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And whereas it is expedient that the municipal boundary of the borough should be extended so as to include the area described in the Third Schedule to this Act and inasmuch as there are no parliamentary voters within the said area it is expedient that the parliamentary boundary should also be extended :

And whereas it is expedient that better provision should be made with reference to streets buildings sewers and drains within the borough and that the powers of the Corporation in relation to their gas water electric lighting and market undertakings and the health local government and improvement of the borough should be enlarged as by this Act provided :

And whereas it is expedient that the Corporation should be empowered to borrow money as in this Act mentioned and that better provision should be made as in this Act mentioned in regard to the loans of the Corporation the securities upon which they are charged the discharge of borrowed money and other financial matters :

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

And whereas estimates have been prepared by the Corporation for the following purpose namely :—

For the construction of the tramways by this Act	
authorised	£50,000

And whereas the works included in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875 :

And whereas an absolute majority of the whole number of the Council at a meeting held on the eighth day of December one thousand eight hundred and ninety-seven after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the *St. Helens Newspaper* a local newspaper published and circulating in the borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and borough rate or other the fund or revenue (if any) properly applicable thereto :

And whereas such resolution was published twice in the said *St. Helens Newspaper* and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Council at a further special meeting held in pursuance of a similar notice on the second day of February one thousand eight

hundred and ninety-eight being not less than fourteen days after the deposit of the Bill in Parliament: A.D. 1898.

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

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also books of reference to the plans were duly deposited with the clerk of the peace for the county palatine of Lancaster and are in this Act respectively referred to as the deposited plans sections and books of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

#### PART I.—PRELIMINARY.

1. This Act may be cited as the *St. Helens Corporation Act* Short title. 1898.

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

- Part I.—Preliminary.
- Part II.—Tramways.
- Part III.—Street improvements.
- Part IV.—Extension of borough.
- Part V.—Streets buildings sewers and drains.
- Part VI.—Sanitary provisions.
- Part VII.—Infectious disease.
- Part VIII.—Common lodging-houses.
- Part IX.—Gas.
- Part X.—Water.
- Part XI.—Electricity.
- Part XII.—Recreation grounds.
- Part XIII.—Financial provisions.
- Part XIV.—Street advertisements.
- Part XV.—Miscellaneous.

Subdivision  
of Act into  
Parts.

3. This Act shall except so far as is otherwise provided come into operation on the passing thereof. Commence-  
ment of Act.

4. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) and Parts II. and III. of the Tramways Act 1870 and section 19 (Local authority may lease or take tolls) of that Act (so far as the same are applicable for the Incorpora-  
tion of Acts.

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Provided that the provisions of section 30 of the Tramways Act 1870 shall apply in relation to any alteration of or interference with any telegraphic line of the Postmaster-General subject to the following condition (that is to say) That all works executed by the Corporation in pursuance of that section in relation to any lowering or alteration of the telegraphic lines of the Postmaster-General or to the provision of telegraphic lines for the use of the Postmaster-General shall if the Postmaster-General so desire be executed by the Postmaster-General or his officers at the expense of the Corporation The expression "telegraphic line" in this Act has the same meaning as in the Telegraph Act 1878.

Interpreta-  
tion.

5. In this Act the following words and expressions have the meanings hereby assigned to them unless the subject or context otherwise require :—

"The Corporation" means the mayor aldermen and burgesses of the borough of St. Helens :

"The existing borough" means the borough of St. Helens as existing immediately before the passing of this Act :

"The added area" means the area added to the existing borough by this Act :

"The borough" means the existing borough or the borough as extended by this Act as the case may require :

"The council" means the council of the borough :

"The town clerk" "the treasurer" "the engineer" "the surveyor" and "the medical officer of health" mean respectively the town clerk the treasurer the engineer the surveyor and the medical officer of health of the borough :

"The borough fund" "borough rate" and "highway rate" mean respectively the borough fund borough rate and highway rate of the borough :

"The county council" means the county council of the county palatine of Lancaster :

"The tramways" means the tramways by this Act authorised :

"The Corporation tramways" means the tramways now owned by the Corporation and the tramways authorised by this Act :

"Mechanical power" includes steam electric and every other motive power not being animal power :

"Engine" includes motor :

"Closet accommodation" means any receptacle for human excreta and the fittings and apparatus connected therewith :

"Watercloset" means closet accommodation on the water-carriage system flushed by means of clean water supply from any

source reasonably available and constructed in accordance with byelaws made by the Corporation in pursuance of this Act: A.D. 1898.

“Waste watercloset” means closet accommodation on the water-carriage system flushed with slops or waste liquids of the household or rain-water and constructed in accordance with byelaws made by the Corporation in pursuance of this Act:

“House” and “premises” have the same meanings respectively as in the Public Health Act 1875:

“Daily penalty” means penalty for each day on which any offence is continued by a person after conviction:

“The recited Acts” means the unrepealed provisions of the local Acts specified in the First Schedule to this Act and the Provisional Orders relating to the borough confirmed by the Acts also specified in the same schedule and each of the said Acts and Orders is in this Act referred to as the Act or Order of the year in which it was passed or confirmed:

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed:

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money (except any security of the Corporation) and any mortgage bond stock debenture debenture stock annuity rentcharge rent or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 except as before excepted and except securities payable to bearer:

“Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and rates or contributions leviable by or on the precept of the Corporation:

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Words and expressions to which meanings are assigned by the Acts of 1869 and 1893 have in this Act the same respective meanings unless the subject or context otherwise requires.

Execution of Act.

6. This Act shall be carried into execution by the Corporation acting by the Council.

## PART II.—TRAMWAYS.

Power to make tramways.

7. Subject to the provisions of this Act the Corporation may make form lay down use and maintain the tramways herein-after described in the lines and according to the levels and in all respects in accordance with the deposited plans and sections with all proper rails plates sleepers channels passages junctions turntables turnouts crossings and passing places stables carriage-houses sheds buildings engines works and conveniences connected therewith respectively :

The tramways herein-before referred to and authorised by this Act are as follows :—

Tramway No. 1 (4 furlongs 4·30 chains in length whereof 4 furlongs 0·80 chain is single line and 3·50 chains is double line) situate in the township of Prescot commencing in High Street by a junction with and at the termination of the existing tramway in that street opposite to Moss Street thence proceeding in a westerly direction along High Street and Derby Street and terminating in that street at the north-easterly side or end of Brook Bridge provided that no part of the tramway shall be laid on or over any part of the said bridge :

Tramway No. 2 (2 miles 0 furlong 5·10 chains in length whereof 1 mile 7 furlongs 1·10 chains is single line and 1 furlong 4·00 chains is double line) commencing in the borough in Prescot Road by a junction with the existing tramway in that road at a point thirty-three yards from Owen Street measured in a northerly direction thence proceeding in a southerly direction along Lugsmore Lane Thatto Heath Road Nutgrove Road Rainhill Road and New Road and terminating in the township of Rainhill at a point in Warrington Road twenty yards from New Road measured in a westerly direction Tramway No. 2 will be situate within the borough and the townships of Eccleston and Rainhill :

Tramway No. 3 (1 mile 5 furlongs 5·50 chains in length whereof 1 mile 4 furlongs 8·50 chains is single line and 7·00 chains is double line) commencing in the township of Rainhill in Warrington Road by a junction with Tramway No. 2 at its termination proceeding thence in a westerly direction along Warrington Road to and terminating in the township of

Prescot by a junction with the existing tramway at the eastern end thereof Tramway No. 3 will be situate within the townships of Rainhill Whiston and Prescot: A.D. 1898.

Tramway No. 3A (9·40 chains in length whereof 5·90 chains is single line and 3·50 chains is double line) situate in the township of Rainhill commencing in Warrington Road by a junction with and at the commencement of Tramway No. 3 thence along Warrington Road in a south-easterly direction and (notwithstanding anything shown upon the deposited plans and sections) terminating opposite the west side of Station Street provided that no part of this tramway shall be constructed except with the consent in writing of the Whiston Rural District Council:

Tramway No. 4 (7 furlongs 3·60 chains in length whereof 6 furlongs 6·60 chains is single line and 7·00 chains is double line) situate within the borough commencing in Baldwin Street by a junction with the existing tramway in that street at a point fifteen yards south of Duke Street thence proceeding in a northerly direction along North Road City Road and Moss Bank Road to and terminating at the junction of Moss Bank Road with Hard Lane:

Tramway No. 5 (6 furlongs 3·90 chains in length whereof 5 furlongs 6·90 chains is single line and 7·00 chains is double line) situate in the township of Haydock commencing in Clipsley Lane by a junction with and at the eastern termination of the existing tramway in that lane thence proceeding in an easterly direction along that lane and Church Road to and terminating in that road at a point thirty-three yards east of Kenyon's Lane Provided that the Corporation or any lessees or owners for the time being of Tramway No. 5 or any persons travelling over the same or sending goods thereby shall have no claim whatever for any delay which shall not exceed seven minutes on any occasion which may occur in the passage of any engines and carriages along the said tramway by reason of the user of certain colliery lines of railway which cross the road on the level:

Tramway No. 6 (1 mile 2 furlongs 1·05 chains in length whereof 1 mile 0 furlong 3·55 chains is single line and 1 furlong 7·50 chains is double line) situate in the borough commencing in Higher Parr Street by a junction with the existing tramway in that street at a point sixty yards measured in a westerly direction from Ashton Street thence proceeding in an easterly direction along Higher Parr Street Ashcroft Street Parr Stocks Road Chancery Lane Broad Oak Road and Derbyshire Hill

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Road and terminating at the junction of that road with Newton Road:

Tramway No. 7 (1 mile 2 furlongs 6·60 chains in length whereof 1 mile 1 furlong 6·10 chains is single line and 1 furlong 0·50 chain is double line) situate within the borough commencing in Peasley Cross Lane by a junction with and at the southern end of the existing tramway in that lane thence proceeding in a southerly direction along Marshall's Cross Road and Robin's Lane to and terminating in Station Road at a point two hundred and eleven yards east of Pecker's Hill Road:

Tramway No. 8 (3 furlongs 2 chains in length whereof 2 furlongs 8·50 chains is single line and 3·50 chains is double line) situate within the borough commencing in Parr Stocks Road by a junction with Tramway No. 6 at a point three furlongs one chain from the commencement of that tramway thence proceeding in a southerly direction along Ramford Street and Hammond Street to and terminating at the Parr depôt of the Corporation:

Tramway No. 9 a single line (1 furlong 4·10 chains in length) situate within the borough commencing in Westfield Street by a junction with the existing tramway in that street at a point twelve yards from Eccleston Street measured in a north-easterly direction thence in a north-westerly direction along Eccleston Street and Lawrenson Street and terminating in Lawrenson Street at a point seventy-four yards from Eccleston Street measured in a southerly direction.

Period for completion of tramways.

8. If the tramways be not completed within a period of seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for making and completing the tramways or otherwise in relation thereto shall cease except as to so much of the tramways respectively as is then completed.

Tramways not to be opened until certified by Board of Trade.

9. No part of the tramways shall be opened for public traffic until the same has been inspected and certified to be fit for such traffic by the Board of Trade.

As to rails of tramways.

10. The rails of the tramways shall be such as the Board of Trade approve.

Further provision as to construction of tramways.

11. In addition to the requirements of section 26 of the Tramways Act 1870 the Corporation before they proceed to open or break up any road for the purpose of constructing laying down maintaining and renewing any of the tramways shall lay before the Board of Trade and the county council with regard to any main road a plan



showing the proposed mode of constructing laying down maintaining and renewing such tramways and a statement of the materials intended to be used therein and the Corporation shall not commence the construction laying down maintenance and renewal of any of the tramways or part of any of the tramways respectively except for the purpose of necessary repairs until such plan and statement have been approved by the Board of Trade and the county council and after such approval the works shall be executed in accordance in all respects with such plan and statement.

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**12.** If any road authority hereafter alter the level of any road along or across which any of the tramways is laid or authorised to be laid the Corporation may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Tramways to be kept on a level with surface of road.

**13.** The following sections of the Act of 1879 (that is to say):—

Section 60 (Periodical revision of tolls);

Section 61 (Regulating number of carriages to be run daily);

Section 62 (Cheap fares for labouring classes);

shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Act extend and apply mutatis mutandis to and in relation to the tramways by this Act authorised and in construing the said sections for the purposes of this Act the expression "the company" shall mean the Corporation.

Incorporation of provisions from Act of 1879.

**14.** Subject to the provisions of this Act the tramways shall form part of the tramway undertaking of the Corporation and the Corporation their lessees and licencees may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds as they are by the Acts of 1879 and 1883 authorised to demand and take in respect of the existing tramways of the Corporation.

Tramways to form part of tramway undertaking.

**15.** It shall not be lawful for the Corporation or any person working or using the tramways to take or demand on Sunday or any Bank Holiday or other public holiday any higher tolls or charges than those levied by them on ordinary working days.

Fares on Sundays or public holidays not to be raised.

**16.** Sections 31 (Carriages may be moved by animal steam or mechanical power) 32 (As to use of steam power within the borough) 33 (Engines to be approved by Corporation) 34 (Company to adopt improvements in steam engines &c.) 35 (Penalty for using steam or mechanical power contrary to Act or regulations) 39 (Orders and byelaws) 40 (As to contracts with road authority where steam or mechanical power is used) 41 (Where steam or mechanical power is used contract with road authority not to be for longer

Repeal of sections 31 to 35 and 39 to 42 of Act of 1883 and of section 101 of Act of 1893.

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than two years at a time) and 42 (Company not to be relieved from certain liability) of the Act of 1883 and section 101 (Amendment of section 41 of Tramway Act of 1883) of the Act of 1893 are hereby repealed.

Provisions  
as to motive  
power.

17. The carriages used on the Corporation tramways may be moved by animal power or subject to the following provisions by mechanical power (that is to say):—

(1) The mechanical power shall not be used except with the consent of and according to a system approved by the Board of Trade :

(2) The Board of Trade may make regulations (in this Act referred to as “the Board of Trade regulations”) for securing to the public all reasonable protection against danger arising from the use under this Act of mechanical power on the Corporation tramways and for regulating the use of electric power :

(3) The Corporation or any company or person using any mechanical power on the Corporation tramways contrary to the provisions of this Act or of the Board of Trade regulations shall for every such offence be liable to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence is continued after conviction thereof :

(4) The Board of Trade if they are of opinion—

(a) That the Corporation or any company or person using mechanical power have or has made default in complying with the provisions of this Act or of the Board of Trade regulations whether a penalty in respect of such non-compliance has or has not been recovered ; or

(b) That the use of mechanical power as authorised under this Act is a danger to the passengers or the public ;

may by order either direct the Corporation company or person to cease to use such mechanical power or permit the same to be continued only subject to such conditions as the Board of Trade may impose and the Corporation company or person shall comply with every such order. In every such case the Board of Trade shall make a special report to Parliament notifying the making of such order.

Construction  
of electric  
works and  
generating  
station.

18.—(1.) For the purpose of working any of the Corporation tramways or other tramways for the time being belonging to the Corporation they may erect construct maintain and use dynamos and other electrical apparatus steam engines works and buildings and may construct erect lay down make and maintain on above or below the surface of any street posts electric conductors

wires apparatus subways tunnels cables tubes and openings and may with the consent of the owners and occupiers affix to any house or building and maintain posts brackets electric conductors wires and apparatus Provided that every post and bracket and every overhead wire laid on any main road within the jurisdiction of the county council shall be of such a pattern material and strength and shall be securely fixed in such manner and position as the county council or their surveyor shall approve.

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(2.) The Corporation may upon the lands described in the Second Schedule to this Act (but not elsewhere) construct a station or stations for generating electric power and may thereon (either in connexion with or separate from their electric lighting works) provide and use dynamos engines and other apparatus and things necessary or proper for the generation of electricity.

19. The following provisions shall apply to the use of electric power under this Act, unless such power is entirely contained in and carried along with the carriages:—

Special provisions as to use of electric power.

- (1) The Corporation shall employ either insulated returns or uninsulated metallic returns of low resistance :
- (2) The Corporation shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electric power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus :
- (3) The Corporation shall be deemed to take all reasonable precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Corporation either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Board of Trade regulations and in prescribing such means the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking :
- (4) At the expiration of two years from the passing of this Act the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wire line or apparatus or the currents therein

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unless in the construction erection maintaining and working of such wire line and apparatus all reasonable precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents :

- (5) If any difference arises between the Corporation and any other party with respect to anything herein-before in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be :
- (6) The electric power shall be used only in accordance with the Board of Trade regulations and in such regulations provision shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :
- (7) The expression "the Corporation" in this section shall include lessees and licencees and any person owning working or running carriages over any tramway of the Corporation.

For protection of the Postmaster-General.

**20.** In the event of any of the Corporation tramways being worked by electricity the following provisions shall have effect:—

- (1) The Corporation shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by the Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein. If any question arise as to whether the Corporation have constructed their electric lines or other works or work their undertaking in contravention of this subsection such question shall be determined by arbitration and the Corporation shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator :
- (2) If any telegraphic line of the Postmaster-General be injuriously affected by the construction by the Corporation of their electric lines and works or by the working of the

undertaking of the Corporation the Corporation shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection :

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(3)--(a) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs or the laying of lines crossing the line of the Postmaster-General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Corporation or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Corporation and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work ;

(b) Any difference which arises between the Postmaster-General and the Corporation and their agents with respect to any requirements so made shall be determined by arbitration :

(4) In the event of any contravention of or wilful non-compliance with this section by the Corporation or their agents the Corporation shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :

(5) Provided that nothing in this section shall subject the Corporation or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice :

(6) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any

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manner affected by such act or work or by any use made of such work :

- (7) For the purposes of this section and subject as therein provided sections 2 8 9 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act as if the Corporation were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section 7 of the Telegraph Act 1878 in relation to the matters mentioned in that section :
- (8) The expression " electric line " has the same meaning in this section as in the Electric Lighting Act 1882 :
- (9) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Corporation or their agents were a company within the meaning of that Act :
- (10) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Corporation by indictment action or otherwise in relation to any of the matters aforesaid :
- (11) In this section the expression " the Corporation " includes their lessees and licencees and any person owning working or running carriages over any tramway of the Corporation.

Byelaws.

**21.** Subject to the provisions of this Act the Board of Trade may make byelaws with regard to any of the Corporation tramways upon which mechanical power may be used for all or any of the following purposes (that is to say) :--

For regulating the use of any bell whistle or other warning apparatus fixed to the engine or carriages ;

For regulating the emission of smoke or steam from engines used on the tramways ;

For providing that engines and carriages shall be brought to a stand at the intersection of cross streets and at such places and in such cases of horses being frightened or of impending danger as the Board of Trade may deem proper for securing safety ;

For regulating the entrance to exit from and accommodation in the carriages used on the tramways and the protection of

passengers from the machinery of any engine used for drawing or propelling such carriages; A.D. 1898.

For providing for the due publicity of all byelaws and Board of Trade regulations in force for the time being in relation to the tramways by exhibition of the same in conspicuous places on the carriages and elsewhere:

Any person offending against or committing a breach of any of the byelaws made by the Board of Trade under the authority of this Act shall be liable to a penalty not exceeding forty shillings.

**22.** Where the Corporation tramways or any part thereof are or is laid as a single line the Corporation may at any time take up such tramway or part thereof and reconstruct the same as a double line and if at any time after the construction of any tramway belonging to the Corporation the road in which the same or any part thereof is laid has been or shall be altered or widened the Corporation may take up and remove such tramway or part thereof and reconstruct the same in such position as they may think fit Provided that in the exercise of the powers of this section no rail shall be laid so that a less space than nine feet six inches shall intervene between the said rail and the outside of the footpath on either side of the road. Reconstruction of tramways.

**23.** Section 57 (Company not to carry animals and goods) of the Act of 1879 is hereby repealed And it is hereby enacted that the Corporation and with the consent of the Corporation their lessees or licencees may demand and take in respect of any animals goods materials articles or things conveyed by them on the Corporation tramways including every expense incidental to the conveyance any rates or charges not exceeding the following :— Repeal of section 57 of Act of 1879— Charges for animals and goods.

*Animals.*

For every horse mule or other beast of draught or burden eightpence per head per mile;

For every ox cow bull or head of cattle sixpence per head per mile;

For calves pigs sheep and small animals threepence per head per mile.

*Goods.*

For all coals coke culm charcoal cannel limestone chalk lime salt sand fireclay cinders dung compost and all sorts of manure and all undressed materials for the repair of public roads or highways fourpence per ton per mile;

For all iron ironstone iron ore pig iron bar iron rod iron sheet iron hoop iron plates of iron slabs billets and rolled iron bricks

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slag and stone stones for building pitching and paving tiles slates and clay (except fireclay) and for wrought iron not otherwise specially classed herein and for heavy iron castings including railway chairs fivepence per ton per mile ;

For all sugar grain corn flour hides dyewoods earthenware timber staves deals and metals (except iron) nails anvils vices and chains and for light iron castings sixpence per ton per mile ;

For cotton wools drugs manufactured goods and all other wares merchandise fish articles vegetables matters or things not otherwise specially classed herein eightpence per ton per mile.

*For the Carriage of Single Articles of Great Weight.*

For the carriage of any iron boiler cylinder or single piece of machinery or single piece of timber or stone or other single article the weight of which including the carriage shall exceed four tons but shall not exceed eight tons such sum as the Corporation their lessees or licencees may think fit not exceeding four shillings per ton per mile ;

For the carriage of any single piece of timber stone machinery or other single article the weight of which with the carriage shall exceed eight tons such sum as the Corporation their lessees and licencees may think fit.

*Regulations as to Rates.*

For articles or animals conveyed on the Corporation tramways for a less distance than two miles the Corporation their lessees and licencees may demand rates and charges as for two miles ;

For the fraction of a ton the Corporation their lessees and licencees may demand rates according to the number of quarters of a ton in such fraction and if there be the fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton ;

With respect to all articles except stone and timber the weight shall be determined according to the avoirdupois weight ;

With respect to stone and timber fourteen cubic feet of stone forty cubic feet of oak mahogany teak beech or ash and fifty cubic feet of any other timber shall be deemed one ton weight and so in proportion for any smaller quantity.

Corporation  
&c. not  
bound to  
carry goods  
&c.

24. The Corporation their lessees and licencees shall not be bound unless they think fit to carry passengers luggage exceeding twenty-eight pounds in weight nor any parcel animal or goods.

Amendment  
of section 58

25. Notwithstanding anything in section 58 (Company to carry small parcels) of the Act of 1879 contained small parcels may with



the consent of the Corporation be carried on the same car as passengers provided that proper convenience be made therefor and that the regular and punctual service for passengers be not delayed thereby.

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of Act of  
1879.

**26.** The Conveyance of Mails Act 1893 shall extend and apply to the existing tramways of the Corporation as if such tramways had been authorised by an Act of Parliament passed after the first day of January one thousand eight hundred and ninety-three.

Conveyance  
of mails.

**27.** The Corporation may by agreement purchase take on lease and acquire for the purposes of their tramway undertaking any lands not exceeding in the whole twenty acres and may sell or dispose of any such lands which may not be necessary for such purposes provided that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands.

Power to use  
and purchase  
lands by  
agreement.

**28.**—(1.) The Corporation shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

Restriction  
on taking  
houses of  
labouring  
class.

(2.) For the purposes of this section the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

**29.**—(1.) Sub-section (2) of section 99 (Power for Corporation to work tramways in certain events) of the Act of 1893 is hereby repealed and it is hereby enacted as follows Subject to the provisions of any lease thereof for the time being subsisting and to the provisions of this Act the Corporation may notwithstanding anything in the Tramways Act 1870 or any other Act or Order to the contrary place or run carriages on and may work and may demand and take tolls and charges in respect of any of the Corporation tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks harness engines machinery apparatus horses steam cable electric and other plant appliances and conveniences as may be necessary for such working as aforesaid and may sell exchange or dispose of such of the before-

Power to  
Corporation  
to work  
tramways.

A.D. 1898. mentioned articles and things as from time to time may no longer be required.

(2.) The byelaws and regulations authorised by the Tramways Act 1870 to be made by the promoters of any tramway and their lessees may with respect to any tramways or portion of tramways for the time being belonging to and worked by the Corporation be made by the Corporation and the provisions of section 46 of the Tramways Act 1870 shall apply to the making and enforcement of byelaws made by the Corporation under this section.

(3.) Subject as aforesaid the provisions for the time being in force with respect to the working of the said tramways and the taking of tolls rates and charges therefor shall extend and apply to the tramways for the time being so worked by the Corporation and to the Corporation in relation thereto.

As to paving material in county roads.

**30.** Any paving metalling or material excavated by the Corporation in the construction of the tramways from any road under the jurisdiction or control of the county council may be applied by the Corporation so far as may be necessary in or towards the reinstating of the road and the maintenance for six months after completion of any of the tramways of so much of the roadway on either side of such tramways as the Corporation are by section 28 of the Tramways Act 1870 and this Act required to maintain and the Corporation shall if so required by the county council deliver the surplus paving metalling or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of the county council or to such person or persons as he may appoint to receive the same at such place or places to be appointed by such surveyor not being further distant than one mile from the place where such surplus paving metalling or material may at the time of the making of such requirements by the county council be lying. Provided that if within seven days after the setting aside of the surplus arising from the excavation of any such paving metalling or material and notice duly given such surplus is not removed by such surveyor or by some person named by him for that purpose such surplus paving metalling or material shall absolutely vest in and belong to the Corporation and may be dealt with removed and disposed of by them in such manner as they think fit.

As to paving county roads.

**31.** The Corporation shall at their own expense pave so much of any road repairable by the inhabitants of the county of Lancaster or of any hundred therein whereon any of the tramways are laid as lies between the rails and as extends eighteen inches beyond the rails of and on each side of such tramway with granite cubes or setts or such other paving as the county council may approve and in all

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cases where the nearest rail of such tramway is of less distance than nine feet six inches from the outer edge or kerb of the footpath or boundary of the road the whole of the intervening space between such nearest tramrail and the footpath or boundary of the road shall be paved in like manner to the satisfaction of the said county council and the Corporation shall for ever thereafter keep and maintain so much of the said road as lies between the rails and as extends eighteen inches beyond the rails of and on each side of the tramway in good repair and condition and all works and materials used in the construction maintenance or alteration of the said road lying adjacent to the said tramway shall be approved by the said county council and in the event of any subsequent deviation or alteration of the said tramway the consent of the said county council shall be obtained before such deviation or alteration is made.

**32.** The Corporation shall on demand pay to the county council the costs of the repair and reinstatement of so much of the main road along which the tramways are laid as may be injured or damaged by reason of the traffic being concentrated thereon during the construction alteration or repair of the tramways or any part or parts thereof.

As to damage of main roads during construction of tramways.

**33.** Any difference which may arise between the Corporation and the county council under any of the provisions of this Part of this Act shall be deemed a matter in difference within section 33 of the Tramways Act 1870 and the provisions as to arbitration of the said section shall apply accordingly.

Arbitration.

**34.** In constructing and maintaining the tramways and in constructing and maintaining any works for the purpose of working the Corporation tramways by mechanical power where the same are intended to cross any bridge carrying any road over any of the railways of the London and North Western Railway Company (herein-after called "the railway company") or to pass under any railway bridge of the railway company the following provisions shall have full force and effect and be binding upon the Corporation:—

For protection of London and North Western Railway.

(1) The Corporation shall not in any way vary alter or interfere with the structure of any such bridge or the approaches thereto and they shall so construct and maintain the tramway and works over such bridge and approaches or under such bridge as the case may be as not injuriously to affect the same:

(2) In the event of any injury being caused to such bridge or approaches by the construction maintenance repairing use or removal of the said tramway and works the railway company may at the expense of the Corporation restore such bridges and approaches or the part or parts thereof which may

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be injured to as good a state and condition as they were in before such injury was occasioned and the Corporation shall indemnify the railway company against all sums costs and expenses which they may pay or be put to in repairing or maintaining so much of the road over such bridge or approaches as the Corporation are liable to maintain and repair under the 28th section of the Tramways Act 1870 and the railway company may recover from the Corporation all such sums costs and expenses :

- (3) Whenever and so often as the railway company shall require to widen lengthen strengthen reconstruct alter or repair any such bridge or approaches or to widen or alter their railways thereunder or to lift or support any such bridge or approaches owing to the subsidence thereof caused by the minerals thereunder having been or being worked or gotten and shall find it necessary for effecting any of such purposes that the working and user of the tramway over any such bridge or approaches shall be wholly or partially stopped or delayed or that the tramway should be temporarily diverted or be wholly or in part taken up or removed and shall except in case of emergency give to the Corporation seven clear days notice in writing requiring such stoppage delay or diversion taking up or removal the working and user of such tramway shall be stopped or delayed or the said tramway shall be diverted or taken up or removed accordingly at the expense of the Corporation and under the superintendence of their engineer if such engineer give such superintendence but only for so long as the railway company may find to be absolutely necessary for effecting such purposes and without their being liable for any compensation claims demands damages costs and expenses for or in respect of such stoppage or delay or in any way relating thereto ;

And in case the principal engineer of the railway company or in case of difference an engineer to be appointed by the Board of Trade on the application of either the railway company or the Corporation shall be of opinion that any such strengthening reconstruction or alteration is desirable or necessary owing to the carriages or other vehicles used on any such tramway being or intended to be moved by steam or any mechanical power such strengthening reconstruction or alteration shall be effected in all things at the expense of the Corporation who shall also pay to the railway company any additional expense which they may incur or be put to in effecting any such strengthening reconstruction or alterations or any widening lengthening repairs lifting or supporting by

reason of the existence of the tramways or any of the works connected therewith: A.D. 1898.

(4) Whenever such tramway on either side of such bridge or approaches is a single line there shall only be a single line over such bridge or approaches and no turnouts or passing places shall be constructed thereon:

(5) All works which may be necessary in constructing and maintaining any tramway or for working the Corporation tramways by mechanical powers over any such bridge and approaches shall be constructed and maintained in all things at the expense of the Corporation and to the reasonable satisfaction of the principal engineer of the railway company or in case of difference of an engineer to be appointed by the Board of Trade on the application of either the railway company or the Corporation:

(6) With respect to Tramway No. 2 where the same will pass in front of the entrances to the Thatto Heath Station of the railway company no additional crossing passing place siding junction or other work shall be made for or in connexion therewith for the distance thereon extending in front of the said entrances to that station and for a length of ten yards at each end of such distance and without the consent of the railway company under their common seal no tramcar or other vehicle or carriage used on that tramway shall be stopped or permitted to be stopped within such distance and lengths except for and only for so long as shall be absolutely necessary for the purposes of discharging and taking up passengers.

**35.**—(A.) All works to be executed by the Corporation in any street or road for working the Corporation tramways by mechanical power in pursuance of the powers of this Act shall for the purpose of protecting the waterworks of the mayor aldermen and citizens of the city of Liverpool (herein-after called the corporation of Liverpool) and their rights and privileges be deemed to be works of a tramway to which the provisions of sections 30 and 32 of the Tramways Act 1870 shall apply as if they had been therein expressly mentioned. For the protection of the corporation of Liverpool.

(B.) Notwithstanding anything in section 30 of the Tramways Act 1870 contained the Corporation shall not alter the position or in any way interfere with the Rivington Aqueduct or the Vyrnwy Aqueduct which form part of the waterworks of the Liverpool Corporation except with the consent of that Corporation.

**36.** The power conferred on the Corporation by the Tramways Act 1870 to purchase tramways within the borough by agreement is hereby extended so as to authorise the Corporation by agreement to Power to purchase or lease tramways outside borough.

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purchase or to take upon lease any authorised tramways outside the borough which form continuations of authorised tramways at any time existing within the borough or which can be worked in connexion therewith.

Application of revenue.

**37.**—(1.) The Corporation shall apply all moneys from time to time received by them on revenue account in respect of their tramway undertaking (1) in payment of the working and establishment expenses and cost of maintenance (2) in payment of the interest on moneys borrowed by them for tramway purposes and for providing the requisite instalments or sinking fund payments in respect of the borrowed moneys and (3) if they think fit in providing a reserve fund by setting aside such money as they from time to time think reasonable and investing the same in statutory securities which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Corporation from their tramway undertaking or to meet any extraordinary claim demand or liability at any time arising against or upon the Corporation in respect of that undertaking.

(2.) And the Corporation shall carry to the credit of the borough fund so much of any balance thereafter remaining in any year as may in the opinion of the Corporation not be required for carrying on their tramway undertaking and paying the current expenses connected therewith.

(3.) Any deficiency in the revenue of the tramway undertaking of the Corporation shall be from time to time made good as follows (that is to say):—

As to the extent of the value of the maintenance and repair of any streets and highways in the borough chargeable to and paid from the tramway revenue account out of the highway rate made next or next but one after each such deficiency is ascertained:

As to any further deficiency out of the borough fund.

Board of Trade may make Provisional Orders authorising tramways outside borough.

**38.** The Board of Trade are hereby empowered on the application of the Corporation if it appears to the Board expedient and proper to settle and make Provisional Orders for the construction and laying down of tramways beyond the borough provided that such tramways will form a connexion with any tramways of the Corporation within or beyond the borough and the provisions of the Tramways Act 1870 shall apply to and in respect of any such Provisional Orders.

#### PART III.—STREET IMPROVEMENTS.

Extension of time for completion

**39.** The time limited by the Act of 1893 for the completion of the street improvements and other works authorised by that Act

and described in section 39 thereof is hereby extended for seven years from the passing of this Act and on the expiration of that period the powers for the execution of the said street improvements and works shall cease except as to so much thereof as is then completed.

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of street  
improvements.

40. The time limited by section 46 of the Act of 1893 for the compulsory purchase of land under that Act is hereby extended for the period of four years from the passing of this Act and on the expiration of that period the powers for such compulsory purchase shall cease.

Extension of  
time for  
compulsory  
purchase of  
land.

#### PART IV.—EXTENSION OF BOROUGH.

41. This Part of this Act shall in respect of all proceedings connected with the preparation and completion of lists and registers of electors or of lists of burgesses and for all proceedings preliminary to and for the purposes of the municipal elections to be held on the ordinary day of election in the year one thousand eight hundred and ninety-eight come into operation on its passing and for all other purposes (save as expressly provided) from and after the thirty-first day of March one thousand eight hundred and ninety-nine which last-mentioned day is in this Part of this Act referred to as the commencement of this Act.

Commence-  
ment of  
this Part of  
Act.

42.—(1.) The boundary of the parliamentary borough and of the existing borough and township of St. Helens is hereby extended so as to comprise and the parliamentary borough and the borough and township shall accordingly comprise in addition to the parliamentary borough the existing borough and township the added area described in the Third Schedule to this Act.

Extension of  
borough.

(2.) The added area shall for all purposes including the election of guardians be added to and form part of the South Eccleston Ward of the borough and township of St. Helens respectively but nothing in this Act shall take away or affect the power to alter the number or boundaries of the wards of the borough or township respectively under the provisions of any general Act.

(3.) From and after the commencement of this Act the added area shall cease to form part of the township of Eccleston or of the Whiston rural district or of the Whiston county electoral division or of the administrative county of Lancaster.

43. All the powers rights privileges authorities and duties of the Corporation as a municipal body and of the Corporation acting by the Council as the urban sanitary authority for the existing borough and of the Corporation acting in the execution of the recited Acts or other local Act or Order confirmed by Parliament

Authority  
of Cor-  
poration  
extended.

A.D. 1898. in force within the existing borough or otherwise and the powers rights privileges authorities and duties of the mayor of the borough auditors and of the officers and servants of the Corporation in their respective official capacities shall extend to and throughout the extended borough.

Extension of jurisdiction of the justices and police constables.

44. The jurisdiction powers rights privileges and duties of the justices of the peace appointed for the borough and of the police constables and other police officers of the borough shall extend and apply throughout the extended borough.

Acts charters and byelaws to apply to extended borough.

45. The recited Acts and all other local and general Acts and Orders confirmed by Parliament and all charters and all byelaws and regulations made by the Corporation which at the commencement of this Act are in force within the existing borough shall extend and apply to the extended borough (subject as regards such byelaws and regulations to revocation or alteration by the Corporation in the manner in which the same can be made by the Corporation) and byelaws and regulations made by the Lancashire County Council the Whiston Rural District Council or the Eccleston Parish Council and in force within the added area at the commencement of this Act shall cease to be in force or to have any effect therein. Provided that any person may be punished for any offence against the same committed before the commencement of this Act as if this Act had not been passed.

Exemption from liability to county and other rates and collection of arrears.

46. The added area shall as respects contributions to county expenditure be as if it had always formed part of the existing borough and subject to the provisions of the Local Government Act 1888 relating to county boroughs lands and other property in the added area shall not be liable to contribute or to be rated to any expenditure of the county of Lancaster nor shall any such lands or property be liable to any rate made pursuant to the precept or order of any district or parish council but precepts or orders respecting any county or other such rate or rates made before the commencement of this Act and all arrears of any such rates existing at the commencement of this Act may be enforced collected and recovered as if this Act had not been passed.

Added area to be part of borough for all purposes.

47. The added area shall form and for all intents and purposes be part of the borough and all the rights privileges benefits and advantages enjoyed by the burgesses and inhabitants of the existing borough shall be and the same are hereby extended to the burgesses and inhabitants of the extended borough.

Corporation property.

48. All estates and property of every description vested in the Corporation at the commencement of this Act for the benefit of the existing borough shall continue vested in the Corporation for the



benefit of the extended borough and the Corporation shall hold enjoy and exercise for the benefit of the extended borough all the property powers rights and privileges which at the commencement of this Act are vested in the Corporation for the benefit of the existing borough but subject to all debts liabilities and engagements affecting the same.

A.D. 1898.

49. The town clerk treasurer and all other officers and servants of the Corporation shall continue to be the town clerk treasurer officers and servants of the Corporation respectively and shall hold their offices and situations by the same tenure as at the commencement of this Act.

Officers of Corporation continued.

50. A plan of the borough as extended by this Act signed in duplicate by Sir Henry Stafford Northcote Baronet the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (in this Act called "the borough plan") shall within two weeks after the passing of this Act be deposited in the Private Bill Office of the House of Commons and with the town clerk at his office and copies thereof certified by the town clerk shall be sent as soon as may be after such deposit to the Director-General of Her Majesty's Ordnance Survey to the Local Government Board to the Board of Agriculture to the Inland Revenue Department and to the clerk of the peace of the county of Lancaster In case of any discrepancy between the description of the added area referred to and set forth in the Third Schedule to this Act and in the borough plan the latter shall prevail.

Deposit of plan of extended borough.

51. Copies of the borough plan or any extract therefrom certified by the town clerk to be true shall be received in the Supreme Court and in all other courts and proceedings as *prima facie* evidence of the contents of such plan and such plan shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any person shall be entitled to a copy of or extract from such plan certified by the town clerk on payment of a reasonable fee for every such copy or extract and all sums received under this section shall be carried to the credit of the borough fund.

Copies of deposited plan of borough to be evidence.

52.—(1.) Notwithstanding anything contained in the Local Government Act 1888 or in the Local Taxation (Customs and Excise) Act 1890 the county council shall not make any claim against the Corporation and the Corporation shall not make any claim against the county council for compensation or otherwise in respect of any matter or thing arising out of the extension of the borough affected by this Act.

As to relations between county council and Corporation.

A.D. 1898.

(2.) The rateable or assessable value of the townships of Eccleston and St. Helens as fixed by the joint county rate committee for Lancashire on the thirtieth day of July one thousand eight hundred and ninety-seven shall remain in force until a new basis has been prepared and confirmed by the said committee :

Provided that on such new basis coming into operation an account shall be taken between the county council the Corporation and the township of Eccleston and any sum found to be due from any one of the said parties to any other of the said parties shall be paid accordingly.

As to relations between Corporation and district and parish councils.

**53.** As between any district or parish council and the Corporation an equitable apportionment and adjustment of any property income debts liabilities rates obligations and expenses so far as the same are or will be affected by the extension of the boundary of the borough as authorised by this Act shall if required by any such council or the Corporation be made by agreement between them or in default of agreement by arbitration in accordance with the Arbitration Act 1889.

Representation of extended ward to continue the same.

**54.** The South Eccleston ward of the borough shall continue to be represented by three councillors notwithstanding the extension of the boundaries of such ward and the existing councillors of such ward shall represent the increased ward and for the same periods respectively for which they would have held office if this Act had not been passed.

Eccleston Parish Council.

**55.** The parish council for the township of Eccleston shall continue and shall be deemed to have been elected for and shall be the parish council of the township of Eccleston as diminished by this Part of this Act and the said parish council shall cease to exercise any powers or duties within any part of the added area.

Parish burgess lists burgess roll &c.

**56.** For the purpose of the parish burgess lists the ward rolls and the burgess roll the county electors lists the parochial electors lists and registers of parliamentary voters and burgesses to be made next after the passing of this Act under the Municipal Corporations Act 1882 and the Registration of Electors Acts 1843 to 1891 and in relation to the functions and offices of the mayor town clerk and other officers under those Acts the added area shall be deemed to have always been part of the borough and ward respectively Provided that no such lists or ward or burgess roll or registers so to be made as aforesaid shall be deemed to be invalid by reason only that the same shall not have been made and published or any notice or notices given at the time or times required prior to the passing of this Act if such lists roll or registers or notice or notices

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be made given or published so soon after the passing of this Act as may be practicable and if any difficulty arises in making out revising or otherwise dealing with such lists rolls or registers the Local Government Board may make such order as may appear to them to be necessary to give effect to the provisions of this Act. A.D. 1898.

57. Subject to the provisions of this Act all elections vacations of office and rotations shall be governed by the Municipal Corporations Act 1882 and any Act amending the same. Provisions of Municipal Corporations Acts to apply to elections.

58. Until new valuation lists are made the portion of the valuation lists of the township of Eccleston which relate to hereditaments in the added area shall be deemed to form part of the valuation list of the township of St. Helens. Valuation lists.

59. For the purposes of the lists and registers of persons entitled to vote at an election of members of Parliament of the register of parochial electors and of jury lists the townships or parishes affected by this Part of this Act shall be deemed to continue unaltered until the new lists and registers come into operation. Saving for existing lists of parliamentary voters &c.

60. Every person who has acquired or who on or before the commencement of this Part of this Act shall acquire a settlement in either of the existing townships or parishes affected by this Part of this Act shall be deemed to have acquired a settlement in the township or parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in both townships or parishes such settlement shall be in the township or parish comprising the place of residence of such person at the time of acquiring such settlement. Settlement of paupers.

61. Any person who shall have acquired a status of irremovability from either of the existing townships or parishes affected by this Part of this Act shall be deemed to have acquired a status of irremovability from the township or parish comprising the area in which he shall reside at the commencement of this Part of this Act or (if he shall then be in receipt of relief) from the township or parish comprising the area in which he was residing at the time of becoming chargeable. Irremovability of paupers.

62. Notwithstanding the alteration in the areas of townships or parishes effected by this Act all contribution orders made by the guardians of the poor of the Prescot Union before the commencement of this Part of this Act shall be as valid in law as if this Act had not been passed. Saving for contribution orders and precepts.

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Arrears of rates.

**63.** All arrears of rates due at the commencement of this Part of this Act in the added area shall be collected and recovered by the overseers of the existing township of Eccleston as if this Act had not been passed and all such arrears of rates in the added area made for the purposes of the Public Health Act 1875 or the Highway Acts shall when collected and recovered be applied towards the discharge of any precept of the Whiston Rural District Council which at that date shall be in force and not satisfied.

PART V.—STREETS BUILDINGS SEWERS AND DRAINS.

Repeal and re-enactment of section 105 of Act of 1869

**64.** Section 105 (Exemption of incumbent or minister of any church or chapel &c. from new street expenses) of the Act of 1869 is hereby repealed and in lieu thereof it is hereby enacted as follows Any incumbent or minister of any church or chapel consecrated or licensed or any minister or trustee of any chapel or meeting-house appropriated to public religious worship and certified and recorded as such according to law or of any churchyard or burial ground or of any premises appropriated to the purposes of a Sunday school and whether or not used on weekdays as a public elementary or secondary school or of any buildings wholly used in connexion with any of the aforesaid premises respectively and not for purposes of profit or any premises appropriated partly to one and partly to other of the aforesaid purposes shall not be liable to any new street expenses as owner of such church chapel meeting-house churchyard burial ground premises or building as aforesaid situate in any street or court nor shall any new street expenses be a charge on such church chapel meeting-house churchyard burial ground premises or building as aforesaid or subject the same to distress execution or other legal process and the expenses from which any such incumbent minister or trustee is hereby exempted shall be borne and paid by the Corporation.

Crossings for horses and vehicles.

**65.** Every person desirous of forming a communication for horses or vehicles across any footway so as to afford access to any premises from a street repairable by the inhabitants at large shall first give notice in writing of such desire to the Corporation and shall if so required by them submit to them for their reasonable approval a plan of the proposed communication showing where it will cut the footway and what provision (if any) is made for kerbing for gullies and for a paved crossing and the dimensions and gradients of necessary works and shall execute the works at his own expense under the supervision and to the reasonable satisfaction of the surveyor and in case a plan shall have been required then in

accordance with the plan so approved and not otherwise And if any person drives or permits or causes to be driven any horse or vehicle across any footway unless and until such communication as aforesaid has been so made he shall for each such offence be liable to a penalty not exceeding forty shillings in addition to the amount of the damage (if any) thereby done to such footway.

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**66.** The owners or occupiers of all lands abutting upon any public street and the owners or occupiers of all lands abutting upon or adjoining any private street communicating with any public street shall so fence off channel or embank their lands as to prevent the soil and sand of such lands from falling upon or being washed or carried into any public street sewer or gully in such quantities as will obstruct the highway or choke up such sewer or gully and any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings:

For preventing soil and sand from being washed into streets.

For the purpose of this section "public street" means a street repairable by the inhabitants at large and "private street" means a street not so repairable:

Provided that such owner or occupier shall not be responsible for any soil and sand from land other than his own although such soil and sand may have passed over the land of such owner or occupier Provided further that this section shall not apply to any lands of a bonâ fide agricultural character.

**67.** No person shall in any new street commence to erect any new building or to excavate for the foundation thereof (except with the consent of the Corporation) until the street shall have been sewered and kerbed to the satisfaction of the Corporation and no kerbstone after it has been laid down shall be taken up or removed without the previous consent of the Corporation and any person who shall offend against this enactment shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

New streets to be sewered and kerbed before built upon.

**68.** The Corporation may put up continue remove or discontinue drinking fountains and cattle troughs with proper conveniences for the gratuitous supply of water for drinking and for watering of cattle and horses at such fountains or troughs respectively and may furnish or discontinue such gratuitous supply (but for such drinking and watering only) in such public places as the Corporation may think fit and every person who shall wilfully use any water so gratuitously supplied elsewhere or otherwise than as herein-before mentioned or foul such water shall for every such offence be liable

Public drinking fountains.

A.D. 1898. — to a penalty not exceeding forty shillings which penalty may be recovered by the Corporation.

Amendment of section 124 of Act of 1869.

**69.** Section 124 (Rules as to erection &c. of dwelling-houses) of the Act of 1869 shall be amended by the substitution of twenty-one feet for fifteen feet and by adding after the words "centre of any street" the words "and the land within such twenty-one feet shall be and remain part of such street" Provided that the Corporation may if they think fit dispense with the requirements of this section Provided also that for the purposes of the section the centre of the street shall be taken to be the centre of the original street.

Provision for preventing formation of cul-de-sac.

**70.** The Corporation may (if in the circumstances of the case they think it expedient so to do) make it a condition of approving the plans of any new street that such street shall be so laid out and formed that the same shall not terminate with a dead end or cul-de-sac and in any such case the street shall not be laid out and formed except in accordance with such condition and any person who shall offend against this enactment shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

What to be deemed new buildings.

**71.** From and after the passing of this Act—

The re-erection wholly or partially on the same site of any building so far pulled down or burned down as to leave only the ground storey thereof; and

The conversion of a dwelling-house into any other building not intended for human habitation;

shall for all the purposes of the Acts of 1869 and 1893 of this Act and of the Public Health Acts and of any byelaws made thereunder respectively be deemed to be the erection of a new building.

Retention of plans &c. deposited with Corporation.

**72.** The Corporation may retain any drawings plans sections specifications and written particulars descriptions or details deposited with the Corporation in pursuance of any enactment for the time being in force in the borough or of any byelaw made thereunder.

Water or stack-pipes not to be used as ventilating shafts.

**73.** No water pipe stack-pipe or down spout for conveying surface water from any premises shall be used or be permitted to serve or to act as a ventilating shaft to any drain Any person who shall offend against this section after fourteen days from the service upon him by the Corporation of notice of such offence shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Corporation may order

**74.** If it appear to the Corporation that two or more houses may be drained more economically or advantageously in combination

than separately and a sewer of sufficient size already exists or is about to be constructed within one hundred feet of any part of such houses the Corporation may order that such houses be drained by a combined drain to be constructed either by the Corporation if they so decide or by the owners in such manner as the Corporation shall direct and the costs and expenses of such combined drain and the repair and maintenance thereof shall be apportioned between the owners or occupiers of such houses in such manner as the Corporation shall determine and if constructed by the Corporation may be recovered by the Corporation from such owners or occupiers in a summary manner before a court of summary jurisdiction.

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—  
houses &c. to  
be drained by  
a combined  
operation.

**75.** Where under the provisions of the recited Acts or the Public Health Acts the Corporation have the power to require any street to be sewered by reason of such street not having theretofore been sewered to their satisfaction they may require the provision of separate sewers for the reception of surface water and of sewage respectively And where they may consider it advisable the Corporation may from time to time by resolution declare that any sewer or sewers for the time being belonging to them shall be appropriated and used for surface water only or for sewage only.

As to  
separate  
sewers.

Where in any street provision has been made for separate sewers for surface water and for sewage as aforesaid no sewage shall be allowed to pass into the surface-water sewer and so far as practicable no surface or storm water shall be allowed to pass into the sewage sewers Any person offending against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings Provided that in the case of any house or premises existing at the time of the provision of separate sewers as aforesaid the drains whereof were already connected with a sewer and would but for the provisions of this section have been sufficient to effectually drain such house or premises the Corporation shall at their own expense make all necessary alterations to the drains and pipes of such house or premises in order to keep separate the sewage and surface-water drainage thereof and pending any such alteration the said penalty shall not apply.

**76.** Section 54 (Intersecting streets) of the Act of 1893 shall be read and have effect as if one hundred yards were inserted in lieu of one hundred and fifty yards in that section.

Amendment of  
section 54 of Act  
of 1893 as to  
intersecting  
streets.

**77.** Section 108 (Lands thrown into street to be public highway) of the Act of 1869 is hereby repealed and it is hereby enacted that any land acquired under and used for any purpose mentioned in section 106 (Power to acquire lands and buildings for street and

Repeal of  
section 108  
of Act of  
1869.

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other improvements) of the Act of 1869 shall not be deemed to alter the character of the highway or the liability of the frontagers to repair the same.

Exemption of Government property from building regulations.

78. Without prejudice to any existing right of Her Majesty there shall be exempted from so much of the provisions of this Act as relates to buildings and structures every building structure or work vested in or in the occupation of Her Majesty either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services also any building structure or work vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service.

#### PART VI.—SANITARY PROVISIONS.

Power to require waterclosets or earth-closets or privies for new buildings.

79.—(1.) Notwithstanding anything in the recited Acts and the Public Health Acts the Corporation may on the erection of any new building when a sewer and water supply sufficient for the purpose are reasonably available by written notice require that such new building shall be provided with proper and sufficient water-closets and waste-waterclosets or with one or more of either class of closet according as circumstances may require.

(2.) On the erection of any new building the Corporation may when a sewer and water supply sufficient for a watercloset or a waste-watercloset are not reasonably available by written notice require one or more proper and sufficient earth-closets or privies and ashpits to be provided at or in connexion with such building.

(3.) Any person offending against any requirement of the Corporation under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Power to require water or waste-water-closets in existing buildings.

80.—(1.) If on the report of the surveyor or the medical officer of health the Corporation are satisfied that any house has not sufficient closet accommodation provided thereat or in connexion therewith the Corporation (notwithstanding anything in the recited Acts and the Public Health Acts) may when a sewer and water supply sufficient for the purpose are reasonably available by written notice to the owner or owners require that such building shall be provided with proper and sufficient waterclosets and waste-water-closets or with one or more of either class of closet according as circumstances may require.

(2.) When a sewer and water supply sufficient for the purpose are reasonably available the Corporation may from time to time by written notice to the owner or owners of any building require any existing closet accommodation (other than a watercloset or a



waste-watercloset) provided at or in connexion with such building to be altered so as to be converted into a watercloset or waste-watercloset which shall comply with the byelaws for the time being in force and shall communicate with a sewer and they may also require a separate receptacle for ashes and house refuse to be provided at or in connexion with such building.

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(3.) If the owner or owners of any such building fail in any respect to comply with a notice from the Corporation under this section the Corporation may at the expiration of a time to be specified in the notice (not being less than fourteen days after the service of the notice) do the work specified in such notice and may recover in a summary manner from the owner or owners the expenses incurred by the Corporation in so doing.

Provided that if in any case of conversion as aforesaid the alteration shall be required in respect of any existing closet accommodation which prior to the service of the notice shall have been on the system known as the tub and pail system or the ashpit system known as the No. 2 system and shall not have been certified by the medical officer of health to be insufficient for the necessities of the inhabitants of the building or to be in such state as to create a nuisance or to be injurious to health then one half of the expenses so incurred by the Corporation as aforesaid shall be borne by them.

(4.) The notice under the provisions of this section shall state the provisions of this section.

**81.** The last two preceding sections of this Act shall not come into operation until the Local Government Board shall have given the approval required by section 52 of the Act of 1893 and any writing purporting to be under the hand of the Secretary to the Local Government Board signifying such approval shall be conclusive evidence in all courts of such approval.

Postponement of operation of last two sections.

**82.** Where under the provisions of this Part of this Act the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners the expenses which under this Act are recoverable by the Corporation from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor or in case of dispute by a court of summary jurisdiction.

Work done on two or more properties.

**83.** The Corporation may from time to time make byelaws with respect to waterclosets and waste-waterclosets and may by means of such byelaws prescribe the description or nature size materials position and level thereof and of the apparatus and the manner of flushing the same and the means to be provided for protection of

Byelaws as to closet accommodation.

A.D. 1898. — the same from frost and for the prevention of the improper use of such closets and of the blocking of the pipes therefrom The Corporation may also make byelaws as to the description nature size material position and level of all other closet accommodation and for the prevention of the improper use thereof.

Entry. **84.** Any officer or servant of the Corporation if duly authorised in writing by the Corporation and any other person if so authorised shall on production of such authority be admitted into any premises for the purposes of this Part of this Act and the provisions of sections 391 and 392 of the Act of 1869 and 70 of the Act of 1893 shall (*mutatis mutandis*) apply to such admission.

As to nuisances.

**85.** For the purposes of the Public Health Act 1875—

(A) Any cistern used for the supply of water for domestic purposes so placed constructed or kept as to render the water therein liable to contamination causing or likely to cause risk to health ;

(B) Any gutter shoot stack pipe or down spout of a building which by reason of its insufficiency or its defective condition shall cause damp in an adjoining building ;

(C) Any deposit of material in or on any building or land which shall cause damp in an adjoining building ;

shall be deemed to be a nuisance within the meaning of the said Act.

Public conveniences and lavatories.

**86.** The powers of the Corporation under section 39 of the Public Health Act 1875 shall extend to authorise them to provide and maintain closet accommodation urinals and lavatories in or under any street for the use of the public and to employ and pay attendants and to make reasonable charges for the use of any closet accommodation or of any lavatory so provided and the Corporation may make byelaws for the management of such closet accommodation urinals and lavatories and as to the conduct of persons frequenting the same and may let any such closet accommodation and lavatories for such periods and upon and subject to such terms and conditions as they may think fit.

Provision as to filling up of cesspools.

**87.** If it shall appear to the Corporation by the report of the surveyor inspector of nuisances or medical officer of health that any cesspool or other receptacle used or formerly used as a receptacle for excreta or for the whole or any part of the drainage of a house or any ashpit or any well disused or otherwise belonging to any such house or part of a house is prejudicial to health or otherwise objectionable for sanitary reasons and that it is desirable that the same should be filled up or removed or so altered as to

remove any such objection as aforesaid the Corporation may if they think fit by notice in writing require the owner or occupier of such house or part of a house within a reasonable time to be specified in the notice to cause such cesspool ashpit or well to be filled up or removed and any drain communicating with such cesspool to be effectually disconnected destroyed and taken away And in case it appears that any such cesspool ashpit or well is used in common by the occupiers of two or more houses or parts of houses the notice for the filling up or removal of any such cesspool ashpit or well may be served on any one or more of the owners or occupiers of such houses and it shall not be necessary to serve such notice upon all such owners or occupiers If default is made in complying with the notice under this section the Corporation may themselves carry out the requisitions of the notice and may recover the expenses incurred by them in so doing from the owners or occupiers in default in a summary manner.

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**88.** If any trade refuse or any building materials or rubbish of a like description be deposited in any watercloset waste-water-closet privy cesspool ashpit or ashtub the Corporation may make a reasonable charge for the removal of the same which charge shall be paid to the Corporation by the occupier of the premises in respect of which the charge is made and may be recovered in a summary manner.

Charge for emptying privies of trade refuse.

**89.** Whenever the medical officer of health or surveyor has reasonable grounds for believing that the drains connected with any building are defective so as to cause risk to health he may after twenty-four hours notice and with the consent (except in the case of houses let in separate dwellings) of the owner or occupier of such building or in the event of objection by any such owner or occupier after obtaining the order of a court of summary jurisdiction apply such test as he may consider efficient to such drains for the purpose of discovering any defects therein Any owner or occupier who refuses notwithstanding such order to allow such test to be made or to give all reasonable facilities for making such test shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Owners &c. to permit application of test to drains.

If the drains be found defective the owner of the premises shall be bound (subject to the terms of any lease or other contract) on receiving notice from the Corporation to that effect specifying generally the nature of the defect to carry out all necessary operations for remedying the same within a reasonable time to be named in such notice and if he makes default in so doing the Corporation may enter and execute the work and recover the expenses thereof from the owner or other person liable under the

A.D. 1898. — lease or contract in a summary manner or where the owner is the person liable as private improvement expenses are recoverable under the Public Health Acts.

Recon-  
struction of  
drains.

**90.** It shall not be lawful for any person to reconstruct or alter the course of any drain communicating with any sewer of the Corporation except in accordance with the provisions of the byelaws relating to the drainage of new buildings.

Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding five shillings.

#### PART VII.—INFECTIOUS DISEASE.

Milk of cow  
affected with  
tuberculosis  
not to be sold.

**91.** Every dairyman who shall sell the milk of any cow to his knowledge affected with tuberculosis or milk (or parturient) fever shall be liable to a penalty not exceeding forty shillings.

Dairymen  
&c. to notify  
cases of  
tuberculosis.

**92.** Every dairyman occupying any dairy in or supplying milk in the borough shall notify to the Corporation all cases of tuberculosis or milk fever to his knowledge occurring in his dairy and in default shall be liable to a penalty not exceeding forty shillings.

Protection  
against  
infection of  
books from  
lending  
library.

**93.** No person shall return to any public library any book which has been to his knowledge exposed to infection from any infectious disease but shall at once give notice thereof and leave the book at the office of the medical officer of health whose duty it shall be to cause the same to be disinfected and then returned to the librarian. If any person offends against this enactment he shall be liable to a penalty not exceeding forty shillings.

Byelaws  
regulating  
hospitals.

**94.** The Corporation may make byelaws for regulating the admission to and discharge of patients from any hospital temporarily or otherwise provided by them and the conduct of patients therein and for preventing persons from entering such hospitals or the grounds thereof except with the consent of and subject to such conditions as may be imposed by the Corporation.

Articles of  
bed and  
body cloth-  
ing to be  
purified.

**95.** Where on the certificate of the medical officer of health it appears to the Corporation that any articles of bed or body clothing in any house or part thereof are in such a filthy and dangerous or unwholesome condition that health is affected or endangered thereby or that the cleansing or purifying or destroying of any such articles is requisite to prevent risk of or to check infectious disease the Corporation may if they think fit cause any such articles of bed or body clothing in any such house or part thereof to be at their own expense cleansed or purified or they may destroy the same.

If any owner suffer any unnecessary damage the Corporation shall compensate him for the same and the Corporation shall also reasonably compensate the owner for any articles destroyed and the amount of compensation shall be recoverable in a summary manner.

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**96.** Whenever any scholar who attends any school within the borough shall be suffering from any infectious disease the principal or person in charge of such school or (if such school is divided into separate departments and there is no principal or person in charge of the whole school) the person in charge of the department which such scholar attends shall forthwith send notice thereof to the medical officer of health and shall furnish to the Corporation at their request a list of the pupils attending thereat together with their addresses and in default thereof shall be liable to a penalty not exceeding forty shillings. The Corporation shall pay to the person furnishing any such list as aforesaid for such list the sum of sixpence and after the rate of sixpence for every twenty-five pupils named therein.

Principal of school to furnish list of pupils in certain cases.

**97.** Public notice of this Part of this Act shall be given forthwith after the passing of this Act by advertisement in two newspapers published and circulating in the borough and by a notice affixed outside the town hall and by such further means as the Corporation deem reasonable for conveying notice of the provisions of this Part of this Act to persons affected or likely to be affected thereby. A copy of the newspapers containing the advertisement shall be conclusive evidence that the provisions of this section have been complied with.

Public notice to be given of provisions of this Part of Act.

#### PART VIII.—COMMON LODGING HOUSES.

**98.** Every common lodging house whether registered before or after the passing of this Act shall be provided with sufficient closet and urinal accommodation having regard to the number of lodgers who may be received into such common lodging house and all waterclosets and urinals shall be provided with a proper water supply laid on for flushing purposes. Any keeper of a common lodging house who shall make default for twenty-eight days in complying with a notice from the Corporation requiring him to comply with the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings. Notice of the provisions of this section shall be given by the Corporation to the keeper of every common lodging house within three months from the passing of this Act and before any proceedings are taken under this section.

Sanitary conveniences to be provided for inmates of common lodging houses.

A.D. 1898.  
Provision as  
to night  
shelters.

**99.** The provisions of the Public Health Acts the Act of 1893 and this Act with reference to common lodging houses shall extend and apply to all homes refuges night shelters houses and buildings (other than union workhouses) used for the temporary reception or relief of the poor the destitute or the indigent and wherein such persons are allowed to sleep Notice of the provisions of this section shall be given by the Corporation to the keeper of every shelter or other building to which this section relates within three months from the passing of this Act and before any proceedings are taken under this section.

#### PART IX.—GAS.

Power to  
Corporation  
to establish  
reserve fund.

**100.**—(1.) The Corporation may provide a reserve fund for their gas undertaking if they think fit by setting aside such money from the revenue of that undertaking as they from time to time think reasonable and investing the same and the resulting income thereof in any statutory securities and accumulating the same at compound interest until the fund so formed amounts to twenty-five thousand pounds which fund shall be applicable from time to time to answer any deficiency at any time happening in the revenue of the Corporation from their gas undertaking or to meet any extraordinary claim demand or liability at any time arising against or upon the Corporation in respect of that undertaking and so that if that fund is at any time reduced it may thereafter be again restored to the sum of twenty-five thousand pounds and so from time to time as often as such reduction happens.

(2.) The Corporation shall carry to the gas revenue account the interest on the reserve fund when such fund amounts to twenty-five thousand pounds.

Corporation  
may contract  
for supply of  
gas in bulk.

**101.** The Corporation may contract with any local authority company or person beyond the Corporation's gas limits of supply (but only with the consent in writing of the local authority of and of any company authorised by Parliament to supply gas within the district within which the supply is to be given) for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as shall be agreed upon.

Byelaws  
as to gas  
fittings &c.

**102.** The Council may make byelaws with respect to the size of service and other pipes for the supply of gas supplied by the Corporation.

#### PART X.—WATER.

Power to  
Corporation

**103.** Section 67 (Power to Corporation to form a depreciation fund) the last two paragraphs of section 339 (Application of water

rent) and section 340 (Reduction of water rent to be made proportionately) of the Act of 1869 are hereby repealed and in lieu thereof be it enacted as follows (that is to say):—

A.D. 1898.

—  
to establish  
reserve fund.

(1) The Corporation may if they think fit provide a reserve fund for their water undertaking by setting aside from the revenue of that undertaking such money as they from time to time think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same at compound interest until the fund so formed amounts to twenty thousand pounds which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Corporation from their water undertaking or to meet any extraordinary claim demand or liability at any time arising against or upon the Corporation in respect of that undertaking and so that if that fund is at any time reduced it may thereafter be again restored to the sum of twenty thousand pounds and so from time to time as often as such reduction happens:

(2) The Corporation shall carry to the "water account" the interest on the reserve fund when such fund amounts to twenty thousand pounds:

(3) All moneys which at the passing of this Act shall be standing to the credit of the depreciation fund established under section 67 of the Act of 1869 shall be transferred to the credit of the reserve fund under this section and for "depreciation fund" in the unrepealed parts of the said section 339 shall be read "reserve fund."

**104.** The Corporation may if requested by any person furnish to him and from time to time repair or alter any such pipes valves meters cocks cisterns baths soil-pans waterclosets apparatus fittings and receptacles as are required or permitted for the supply of water and may provide all materials and do all work necessary or proper in that behalf at the expense of the person making the request to them.

Power to  
Corporation  
to supply  
fittings.

**105.** All rates or rents payable to the Corporation for a supply of water and all sums payable to the Corporation under any agreement with respect to the supply of water shall be recoverable by the Corporation in like manner as the rates leviable by the Corporation or at the option of the Corporation as a civil debt.

Payment of  
water rent.

All rates or rents payable to the Corporation for the supply of water and all sums payable to the Corporation under any such agreement as aforesaid shall be deemed to be parochial or other local rates within the meaning of section 1 (1) (a) of the Preferential Payments in Bankruptcy Act 1888.

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Provided that this section shall not apply to any sums payable to the Corporation for fittings supplied and work done in respect thereof.

Byelaws for preventing waste &c. of water.

**106.** For preventing waste misuse undue consumption or contamination of the water of the Corporation the following provisions shall have effect (that is to say) :—

(1) The Corporation may make byelaws for the purpose of preventing the waste undue consumption or misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connexion disconnexion alteration and repair of the pipes meters cocks ferrules valves soil-pans waterclosets baths tanks cisterns and other apparatus fittings means contrivances receptacles or appliances whatsoever to be used and forbid any arrangements and the use of the several things before-mentioned or any of them which may allow or tend to waste or undue consumption misuse erroneous measurement or contamination :

(2) Such byelaws shall apply only in the case of premises to which the Corporation are bound to afford and do in fact afford or are prepared on demand to afford a constant supply :

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Corporation may if they think fit after twenty-four hours notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any pipe meter valve cock ferrule tank cistern bath soil-pan watercloset or other apparatus means contrivance or receptacle fittings or appliances belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be repaid to the Corporation by the person on whose credit the water is supplied and may be recovered by them as water rates are recoverable :

Section 54 (Regulations for preventing waste of water) of the Act of 1869 is as from the thirty-first day of March one thousand eight hundred and ninety-nine hereby repealed and all directions given under that section shall as from the said date be annulled.

Maintenance of common pipe.

**107.** When several houses or parts of houses in the occupation of several persons are supplied by one common pipe the several owners or occupiers of such houses or parts of houses shall be liable to contribute the amount of any expenses from time to time incurred by the Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the water engineer of the borough.



**108.**—(1.) The Corporation may for the purposes of their water undertaking construct lay down erect and maintain such conduits mains pipes culverts sluices wells tanks cisterns engines machinery buildings works and conveniences as they may from time to time deem necessary.

A.D. 1898.  
Application  
of provisions  
of Public  
Health Acts  
as to water-  
works.

(2.) The Corporation shall in carrying out the provisions of sub-section (1) of this section have the powers of a local authority under section 54 of the Public Health Act 1875 in respect to the carrying of water mains within and without their district and for the purposes of that section the water limits shall be deemed to be the district of the Corporation.

(3.) In the exercise of the powers of this section the Corporation shall be subject to the provisions so far as they are applicable of the Public Health Acts in the same manner and to the same extent as if such powers were conferred by those Acts.

**109.** A consumer of water of the Corporation shall be deemed to be a consumer until he shall have given notice of discontinuance of such supply and such notice shall not be of any effect unless it is in writing and left or sent by post to the office of the Corporation.

Notice of dis-  
continuance  
of supply.

**110.** In cases in which the Corporation supply water by measure the following provisions shall have effect :—

Provisions  
where supply  
is by  
measure.

- (1) Any person who requires to take or to discontinue a supply of the water of the Corporation shall give not less than twenty-four hours notice in writing to the water department of the Corporation of such requirement :
- (2) If any person not being an officer or agent of the Corporation connects or disconnects any meter or executes any alterations and repairs thereof he shall for every such offence be liable to a penalty not exceeding forty shillings :
- (3) The Corporation shall supply fix keep in good order and repair for correctly registering water and remove all meters whereby any water of the Corporation is registered and the consumer shall pay to the Corporation a reasonable annual rent in respect thereof and also the cost of all damages and repairs occasioned by and due to his neglect or omission or his failure to comply with the reasonable requirements of the Corporation with respect thereto or for the safe custody thereof and the Corporation shall at all reasonable times have access to and be at liberty to take off remove test inspect and replace any such meter and the said rents and costs to be borne by the consumer as aforesaid shall be recoverable from him summarily by the Corporation :

A.D. 1898.

(4) The register of any meter shall be *prima facie* evidence of the quantity of water consumed by any customer of the Corporation in respect of which any water rate or rent is charged and sought to be recovered by the Corporation.

Fraudulently  
injuring  
meters &c.

**111.**—(1.) Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Corporation or who fraudulently alters the index to any meter or other instrument for measuring water or fraudulently prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Corporation shall (without prejudice to any other right or remedy for the protection of the Corporation or the punishment of the offender) for every such offence be liable to a penalty not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage by them sustained and the Corporation may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for insuring the proper registering by such meter or instrument of the quantity of water supplied by means thereof and the expenses so incurred by the Corporation shall be repaid to them by the offender.

(2.) The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Corporation when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be *prima facie* evidence that such injury alteration prevention abstraction consumption or use as the case may be has been wilfully and fraudulently caused by the consumer using such pipe meter instrument or fittings.

For further  
protection of  
London  
and North  
Western  
Railway  
Company.

**112.** In the exercise of the powers contained in this Part of this Act the following provisions for the protection of the London and North Western Railway Company (herein-after referred to as "the railway company") shall be in force and have effect and be binding on the Corporation:—

In laying down and executing or in effecting the repairs (other than urgent repairs in case of accident) and renewals of any mains pipes or other works upon across over under or in any way affecting the railways now or hereafter belonging to or worked by the railway company or the bridges approaches viaducts stations or other works or any level crossings of or repairable or used by any such railway company the same shall be done under the superintendence and to the reasonable

satisfaction of the principal engineer of the railway company and only according to plans submitted to and in such manner as shall previously be reasonably approved by him and in all things by and at the expense of the Corporation who shall also restore and make good the roads over any such bridges level crossings and approaches which such railway company is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Corporation and all such works matters and things shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations or works or interruption to the passage or conduct of the traffic over such railways or at any station thereon. A.D. 1898.

#### PART XI.—ELECTRICITY.

**113.** If the local authority for the Whiston rural district or for any district adjoining that district is or shall be authorised by Provisional Order confirmed by Parliament to supply electrical energy and is or shall be also authorised by the Provisional Order to transfer their undertaking to any company or person the Corporation may with the approval of the Board of Trade accept such transfer and may raise money for the purposes of the undertaking and transfer under the provisions of the Electric Lighting Acts 1882 and 1888 in like manner as if such district were part of the area of supply of the Corporation and sections 52 and 53 of the *St. Helens Corporation Electric Lighting Order 1894* shall apply to the undertaking so transferred in lieu of any provisions in the first-mentioned Provisional Order similar to the provisions of those sections or the Corporation may enter into and carry into effect agreements with any such local authority for the supply of electrical energy in bulk to such authority. Supply of electricity to district councils.

**114.** Any wires apparatus and fittings in any building or premises supplied with electric energy by the Corporation shall be subject to such regulations and conditions for securing the safety of the inhabitants and for the prevention of fire as the Corporation may reasonably require. Conditions with respect to electric fittings.

**115.** The Corporation may provide sell let for hire and fix set up alter repair and remove lamps meters electric lines fittings apparatus and things for lighting and motive power and for all other purposes for which electric energy can or may be used or otherwise necessary or proper for the supply distribution consumption or use of electric energy and may provide all materials and do all work necessary or proper in that behalf and may Power to supply electric fittings.

A.D. 1898.

require and take such remuneration in money or such rents and charges for and make such terms and conditions with respect to the sale letting fixing setting up altering repairing or removing of such lamps meters electric lines fittings apparatus and things as aforesaid and for securing (both as regards the consumer and third parties) their safety and return to the Corporation as the Corporation may think fit or as may be agreed upon between them and the person to or for whom the same are sold supplied let fixed set up altered repaired or removed.

## PART XII.—RECREATION GROUNDS.

Power to enclose lakes for skating and to charge for admission.

**116.** The Corporation during times of frost may for the purpose of protecting ice for skating on all or any part of any lake or piece of water in any park or recreation ground enclose such parts of such parks and places as may be necessary to effect such purpose and charge for admission to any part so enclosed.

Power to erect maintain and let conservatories refreshment rooms &c.

**117.** The Corporation may erect maintain furnish and equip and may remove conservatories refreshment rooms and other temporary or permanent buildings erections and conveniences in any park or recreation ground for the time being belonging to or under the control of the Corporation as may be required or convenient for the purpose thereof and for the public resorting thereto and may let any refreshment rooms or other buildings with their appurtenances belonging to them or under their control to such person for such term not exceeding three years at any one time at such rent payable at such times and under such covenants and on such conditions and with under and subject to such rights powers privileges and authorities relating thereto respectively as the Corporation may think fit.

Setting apart and closing of recreation grounds for games.

**118.—(1.)** The Corporation may permit the use of the whole or set apart any part or parts of the recreation grounds for cricket football golf lawn tennis and other games and sports for gymnastics for the drill of any military or police force for concerts and other amusements and for any purposes tending to promote the health amusement and enjoyment of the inhabitants of the borough and the public.

**(2.)** The Corporation may when the recreation grounds or any part thereof are used or set apart as in this section mentioned close the same or such part thereof against the public and may demand and take or permit to be demanded and taken reasonable sums for the exclusive occupation of such recreation ground or part thereof or for the admission of persons vehicles goods and things into such recreation ground or part thereof so used or set apart

and may exclude therefrom all persons vehicles goods and things unless payment be made of the reasonable sums demanded. A.D. 1898.

(3.) The expression "recreation grounds" in this section means the lands situate in the borough in Boundary Road and in Parr respectively and acquired or about to be acquired by the Corporation and purchased out of funds raised in commemoration of Her Majesty's Diamond Jubilee and any other lands which may hereafter be acquired by the Corporation for recreation by gift or otherwise than by purchase.

### PART XIII.—FINANCIAL.

**119.**—(1.) The Corporation may from time to time independently of any other borrowing powers borrow at interest for the purposes herein-after mentioned the sums of money following (that is to say):— Borrowing powers.

(A) For the construction of the tramways by this Act authorised fifty thousand pounds ;

(B) For paying the costs and expenses of this Act as herein-after provided the sum requisite for that purpose.

(2.) The Corporation may with the sanction of the Local Government Board (herein-after in this Part of this Act referred to as "the Board") borrow such further moneys as they may think fit for any of the purposes of this Act other than for the purposes of Part II. Tramways and they may borrow such further sums for the last-mentioned purposes as the Board of Trade may sanction.

(3.) In order to provide for the repayment of moneys borrowed under this section and the payment of interest thereon the revenue of the tramway undertaking as to moneys borrowed for tramway purposes (including one half of the costs and expenses of this Act) and the borough fund and borough rate as to other moneys are hereby respectively specially made liable and such moneys are hereby primarily made chargeable accordingly.

**120.** The Corporation shall pay off all moneys borrowed by them under this Act within the respective periods following (that is to say):— Periods for payment off of money borrowed.

As to moneys borrowed for tramway purposes within such periods not exceeding thirty years from the date or dates of the borrowing of the same as shall be sanctioned by the Board of Trade ;

As to moneys borrowed for the payment of the costs and expenses of this Act within five years from the date of the borrowing of the same ;

As to any other moneys within the periods sanctioned by the Board.

A.D. 1898.

Inquiries by  
and expenses  
of Local  
Government  
Board.

**121.** The Board may direct any inquiries to be held by their inspectors which they may deem necessary for giving effect to any of the provisions of this Act and the inspectors of the Board shall have all such powers as they have for purposes of inquiries directed by the Board under the Public Health Act 1875.

The Corporation shall pay to the Board any expenses incurred by the Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by the Board not exceeding three guineas a day for the services of such inspector.

Certain  
regulations  
of Public  
Health Act  
as to bor-  
rowing not  
to apply.

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

Provisions of  
Acts of 1869  
and 1893 as  
to mortgages  
to apply.

**123.** The following sections of the Acts of 1869 and 1893 shall extend and apply to mortgages granted under this Act (that is to say):—

*Act of 1869.*

- Section 378 Protection to lenders from inquiry as to application of money.
- Section 385 Regulations as to mortgages.
- Section 386 Transfers of mortgages.
- Section 388 Power to mortgagees to obtain a receiver.
- Section 389 Accounts open to mortgagees.

*Act of 1893.*

Section 110 Annual return to Local Government Board with respect to sinking fund.

Provided that section 378 of the Act of 1869 shall be read and have effect as if the words "or entitled" were omitted from that section and any application for a receiver under section 388 of the said Act shall be made to the High Court and the court may appoint a receiver upon such terms as they think fit.

Application  
of money  
borrowed.

**124.** Moneys borrowed by the Corporation under this Act shall be applied only for purposes for which they are respectively authorised to be borrowed and to which capital is properly applicable.

Security for  
principal  
moneys.

**125.** All moneys borrowed or to be borrowed by the Corporation under any statutory borrowing power (including borrowing powers under this Act) and not raised by the issue of Corporation stock or by the exercise of the powers of the section of this Act whereof

the marginal note is "Power to use redemption fund instead of exercising borrowing powers" (all such moneys being herein-after referred to as "the principal moneys") shall be charged indifferently upon all the revenues of the Corporation and the interest for the time being payable thereon shall rank equally with interest or dividends on all other securities of the Corporation created or granted in pursuance of any statutory borrowing power and such interest and dividends shall be the first charge on all the revenues of the Corporation. Provided, however that the provisions of this Part of this Act shall not apply to or affect moneys (if any) borrowed under the provisions of the Order of 1897 nor moneys borrowed as set out in Part IV. of the Fourth Schedule to this Act and further that such provisions shall not prejudicially affect the rights of any existing mortgagee of the Corporation who shall have the same rights and remedies as if this Act had not been passed.

The forms contained in the Fifth Schedule to this Act or forms to the like effect varied as circumstances may require may be used and shall be sufficient for the purposes of this section.

**126.**—(1.) For payment of interest on the principal moneys there shall be established and formed a fund called the loans (interest) fund (herein-after referred to as "the interest fund").

Interest fund.

(2.) In each year the Corporation shall pay into the interest fund a sum or sums equal to the aggregate amount of interest payable in that year on the principal moneys.

(3.) The amount of such sum or sums in the case of principal moneys in respect of which provision for repayment is made by the payment of equal annual instalments of principal or of principal and interest combined shall be the amount provided by the bond creating the charge and in the case of principal moneys in respect of which provision for repayment is made by means of a sinking fund shall be the amount ascertained to be required in that behalf by apportionment of the aggregate amount of interest payable on such last-mentioned principal moneys among the several revenues of the Corporation according to the respective amounts of those principal moneys the interest whereon is properly payable out of such revenues respectively.

**127.** The Corporation shall from time to time apply the interest fund in paying the interest on the principal moneys.

Application of interest fund.

**128.** As parts of the general account of the interest fund the Corporation shall keep separate accounts distinguishing and showing in relation to each undertaking or purpose for or in respect of which any of the principal moneys are borrowed by them all moneys paid

Account of interest fund.

A.D. 1898. — into the interest fund from the revenues of the Corporation in respect of the interest on the several amounts of the principal moneys chargeable to that undertaking or purpose.

Repeal as to repayment of principal moneys.

**129.** All provisions subsisting at the passing of this Act prescribing the time at which or the method by which any of the principal moneys shall be repaid shall be as regards the said moneys repealed. Provided always that this repeal shall not operate in respect of the principal moneys mentioned in sub-section (B) of the next succeeding section hereof so far as regards the period for repayment of such principal moneys.

Periods for repayment of principal moneys.

**130.** The Corporation shall provide for the repayment of the principal moneys within the following periods (herein-after referred to as "the prescribed periods") (that is to say):—

(A) The several principal sums mentioned in column eight of Parts I. II. and III. of the Fourth Schedule of this Act within the periods set opposite to such sums respectively in column ten of the said parts of the said schedule:

(B) Principal moneys borrowed since the thirty-first day of March one thousand eight hundred and ninety-eight or to be hereafter borrowed under any statutory borrowing power within the period by such statutory borrowing power prescribed.

Method of repayment of principal moneys.

**131.—(1.)** The Corporation shall provide for the repayment within the prescribed periods of the principal moneys or any of them either by the payment of equal annual instalments of principal or of principal and interest combined or by means of a sinking fund.

(2.) In case the Corporation decide to repay any of the principal moneys by means of a sinking fund they shall transfer to such fund the sums in respect of any such principal moneys set out in column nine of Parts I. II. and III. of the Fourth Schedule to this Act and shall each year throughout the prescribed periods respectively pay into such fund a sum or sums equal to the aggregate amount of all sums payable in that year for the purpose of providing within the prescribed periods respectively sums equal in amount to the respective amounts of the principal moneys for the repayment of which the fund is established.

(3.) The yearly sums to be paid into the fund in respect of each amount of the principal moneys for the repayment of which the fund is established shall be:—

(A) The equal annual sum which if accumulated at compound interest at a rate not exceeding three per centum per annum would be sufficient after payment of all expenses to repay that amount in the prescribed period:



(B) Accumulations of the said equal annual sums at compound interest at the rate per centum on which the said equal annual sum is calculated : A.D. 1898.

The said yearly payments in respect of each amount of the principal moneys shall be continued throughout the prescribed period.

(4.) If it appear to the Board at any time that the said several yearly sum or sums as aforesaid or any of them are insufficient to provide within the prescribed periods sums equal in amount to the amount of the principal moneys in respect of which such yearly sum or sums respectively are paid the amount of such yearly sum or sums shall be increased to such extent as the Board may determine and the Corporation with the consent of the Board may at any time reduce such yearly sum or sums either temporarily or permanently in any case in which it appears to the Board that such yearly sum or sums would if maintained be more than sufficient to provide within the prescribed period a sum equal in amount to the amount of the principal moneys in respect of which such yearly sum or sums are required to be paid and if the amount paid into the sinking fund at any time in respect of any particular amount of the principal moneys is in the opinion of the Board sufficient with the accumulations to arise thereon to provide within the prescribed period a sum equal in amount to the amount of such principal money the Corporation with the consent of the Board may discontinue the payment of the yearly sum or sums to the sinking fund in respect of that amount of the principal moneys.

**132.** Unless the Board otherwise direct the Corporation shall pay into the sinking fund and shall carry to the proper separate account forming part of the general account of the sinking fund all such money being capital or in the nature of capital and not being wholly or in part otherwise appropriated or required to be otherwise applied as shall from time to time arise from any sale lease or other disposition of land or other property of the Corporation in respect of or for which any of the principal moneys have been borrowed and as shall from time to time arise from any other source. Payment of  
sale money  
&c. to  
sinking fund.

**133.** The Corporation may at any time apply the whole or any part of the sinking fund as follows (that is to say):— Application  
of sinking  
fund.

(1) In or towards the discharge of the principal moneys or any of them for the repayment of which the fund is established provided that the yearly sums to be paid to the fund shall not be affected by such application :

(2) Where the Corporation are authorised by any statutory borrowing power to raise money for any purpose they may instead of exercising such borrowing power by the issue of any

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fresh security in respect thereof, exercise the said power and raise the said money either wholly or partially by using for such purpose any money for the time being forming part of the sinking fund and moneys so raised shall for the purposes of this Act be deemed to be moneys borrowed under a statutory borrowing power. Provided that when exercising this power the Corporation shall—

- (A) Withdraw from the sinking fund a sum equal to the amount of the statutory borrowing power proposed to be exercised by the user of moneys from such sinking fund;
  - (B) Credit such account or accounts in the sinking fund as the Corporation may determine with the repayment of an amount of the principal moneys for the repayment of which the fund is established equal to the sum withdrawn from the sinking fund and thereupon the amount so credited shall be deemed to be discharged principal moneys by application of the sinking fund under subsection (1) of this section;
  - (c) Debit the account of the statutory borrowing power proposed to be exercised with an amount of the principal moneys equal to the sum withdrawn from the sinking fund and thereupon the statutory borrowing power shall be deemed to have been exercised as fully as if the said amount had been raised by the issue of a fresh security and the provisions of this Part of this Act as to repayment and reborrowing shall apply thereto accordingly:
- (3) When any of the principal moneys are discharged by the application of any part of the sinking fund the principal moneys so discharged shall be deemed to be in respect of such one or more of the statutory borrowing powers under which the principal moneys for the repayment of which the sinking fund is established were borrowed and if in respect of more than one in such proportions as the Corporation shall determine. Provided that the amount of principal moneys deemed to be discharged in respect of any statutory borrowing power shall not exceed the amount of the contributions paid into the sinking fund in respect of that borrowing power and the accumulations (if any) thereon.

Investment  
of sinking  
fund.

**134.** Pending or in default of any such application of the sinking fund as aforesaid the Corporation shall invest the same in any statutory security and the dividends income and annual proceeds thereof may be applied towards paying the yearly sums required to be paid to the sinking fund under the section of this Act with the marginal note "Method of repayment of principal moneys."

**135.**—(1.) As parts of the general account of the sinking fund the Corporation shall keep :— A.D. 1898.

Account of  
sinking fund.

(a) An account showing the securities on which all sums paid into the sinking fund are from time to time invested ; and

(b) Separate accounts relative to each undertaking or purpose for or in respect of which any principal moneys for the repayment of which the sinking fund is established were borrowed ; and

(c) Separate accounts relative to such last-mentioned principal moneys in respect of each statutory borrowing power so exercised.

(2.) Those separate accounts shall distinguish and show—

(d) The amounts of principal moneys outstanding for the time being chargeable to each undertaking or purpose and respectively attributable to the exercise of the several statutory borrowing powers if more than one relating to that undertaking or purpose ; and

(e) The several amounts of principal moneys discharged by application of the sinking fund.

(3.) Those separate accounts shall further distinguish and show in relation to each undertaking or purpose—

(f) All money being capital or in the nature of capital paid into the sinking fund and in the judgment of the Corporation properly attributable to that undertaking or purpose ; and

(g) All money and securities transferred to the sinking fund as having formed part of any other sinking fund ; and

(h) All money paid into the sinking fund as contributions from the revenues of the Corporation in respect of the discharge of those several amounts of principal moneys.

**136.**—(1.) The yearly sum or sums to be provided under the provisions of this Part of this Act shall be provided by contributions from the several revenues of the Corporation (if any) specially made liable to provide the same by or under any statutory borrowing power or by any resolution of the Corporation having reference to the respective borrowing powers and if as regards any statutory borrowing power there is no such specific liability then from the several revenues out of which the respective contributions would be properly payable and in default thereof or subject thereto out of the borough fund and borough rate. Payments to  
interest and  
sinking  
funds how  
to be pro-  
vided.

(2.) The Corporation shall from time to time in order to raise the amounts of the several contributions as aforesaid out of their several revenues do all such acts exercise all such powers collect all such moneys and make and levy all such rates as they lawfully can or ought to do exercise collect make and levy for the purpose of or

A.D. 1898. — in relation to the respective statutory borrowing powers in exercise whereof the several principal moneys are raised.

(3.) If by reason of any limit of rate or for any other reason there is a deficiency in any revenue in respect of any required contribution the Corporation shall advance the amount of the deficiency out of the borough fund and borough rate.

(4.) The amount so advanced shall be a debt due from the revenue in which the deficiency existed to the borough fund and borough rate and interest shall be payable thereon until repayment at a rate not exceeding three pounds per centum per annum and the same debt and interest shall as soon as in the judgment of the Corporation reasonably may be raised and paid out of the revenue in which the deficiency existed.

Determina-  
tion as to  
charge of  
moneys.

**137.** For the purposes of any contribution or account under this Part of this Act the Corporation if they think fit having regard to all the circumstances of the case and subject to the terms on which any principal moneys were borrowed may from time to time determine and declare on which of the Corporation revenues any of such principal moneys is or shall be deemed to be primarily or collaterally charged or determine and declare that any such principal moneys shall be apportioned as regards the charge thereof between or among any of the Corporation revenues and every such determination and declaration shall be effectual to all intents.

Power to  
reborrow.

**138.** If the Corporation pay off any of the principal moneys raised by them otherwise than by instalments or from and out of a sinking fund or out of the proceeds of the sale of land or other property or out of fines or premiums on leases or out of other moneys received on capital account not being principal moneys they may from time to time reborrow or raise the same but for all moneys so reborrowed or raised provision shall be made for repayment within the prescribed periods as aforesaid and such moneys shall be deemed to form the same principal moneys as the moneys originally raised and the obligations of the Corporation with respect to the repayment of the principal money and to the provision to be made for such repayment shall not be diminished by reason thereof.

Consolida-  
tion of loans.

**139.** The Board may at any time and from time to time approve a scheme for the consolidation for the purpose of the repayment thereof of all or any of the principal moneys to which the section of this Act with the marginal note "Periods for repayment of principal moneys" applies and any such scheme shall fix the equal annual payments to be made to the sinking fund or the period or periods within which the principal moneys so consolidated shall be

discharged and for that purpose may extend or vary any period allowed for repayment of such principal moneys under any statutory borrowing power. A.D. 1898.

**140.**—(1.) Where the Corporation are authorised by any statutory borrowing power to raise money for any purpose and are also authorised to exercise such borrowing power by the creation and issue of Corporation stock the Corporation instead of exercising such borrowing power by the creation and issue of additional Corporation stock may exercise the said power and raise the said money either wholly or partially by using for such purpose any money for the time being forming part of any stock (redemption) fund. Power to use redemption fund instead of exercising borrowing powers.

(2.) The Corporation when exercising the power conferred on them by sub-section (1) of this section shall—

(A) Withdraw from the redemption fund a sum equal to the amount of the borrowing power proposed to be exercised by the user of moneys in the redemption fund and shall determine from which account in the redemption fund having amounts to its credit the said sum shall be deemed to be withdrawn ;

(B) Transfer stock at par value equal to the sum withdrawn from the redemption fund from the last-named account to the account in respect of which the borrowing power is exercised.

(3.) The provisions which apply to the Corporation stock shall apply to the moneys used from a redemption fund and to the stock so transferred as aforesaid as though such money had been raised by the issue of further stock and to such transferred stock as though it were originally issued stock.

(4.) In case the Corporation use any redemption fund money and transfer stock in respect thereof as aforesaid the original loan shall pro tanto be deemed to have been paid off as if the amount of stock transferred had been redeemed out of redemption funds.

(5.) On every transfer of stock as aforesaid when the whole amount of stock standing to the debit of the particular account is not transferred and throughout the period for the continuance of the original loan of which it forms part the amounts payable to the redemption fund in respect of the stock not transferred shall continue the same as for the original loan and interest on an amount equal to the amount of the stock transferred shall be paid into the redemption fund.

**141.**—(1.) Nothing in this Part of this Act shall affect any power or duty of the Corporation to sell lease or otherwise dispose of any land or property of the Corporation or to apply any purchase money or other money arising thereby in discharge of any charge on that Saving for power to sell lands &c.

A.D. 1898. — land or property or the revenues thereof (other than the charge of principal moneys created under this Act) or affect any claim of any person under such first-mentioned charge.

(2.) That land or property shall in the hands of the purchaser or other person taking the same under the sale lease or other disposition be by virtue of this Act absolutely freed from the charge of principal moneys created under this Act and he shall not be concerned to see to the application of that purchase money or other money or be answerable for any loss or misapplication thereof.

Information  
and return  
to Board.

**142.** The Corporation shall furnish all such information and returns (if any) to the Board with regard to the exercise of the powers contained in this Part of this Act as the Board shall from time to time require. And in particular the treasurer of the borough shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for the sinking fund or any instalment is required to be paid in respect of any of the principal moneys transmit to the Board a return in such form as may be prescribed by the Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year together with such further information (if any) as the Board shall require and in the event of any wilful default in making such return the treasurer shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Board and shall be recoverable by the Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act.

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

**143.** Section 113 (Superannuation and provident fund) of the Act of 1893 shall be amended so as to provide as follows:—

A.D. 1898.  
—  
Amendment  
of section 113  
of Act of  
1893 as to  
superannua-  
tion.

(1) Any contributing member leaving the service of the Corporation in consequence of any reduction or alterations in the establishment or from his services being discontinued from any cause other than fraud or dishonesty or misconduct which involves pecuniary loss to the Corporation shall be entitled to payment as follows. If by way of gross sum the total amount of the contributions made by him to the fund and of the equivalent contributions made by the Corporation with interest thereon and if by way of an annuity such an amount as shall be determined by actuarial calculation to be of equal value to such gross sum as aforesaid and the first sub-paragraph of the said section is hereby repealed:

(2) That any scheme made under the said section may instead of and by way of alternative to the provision for payment to contributing members contained in the last paragraph of sub-section 4 of such section contain a provision to the effect that any contributing member who shall become entitled to superannuation shall be entitled to the payment of an annuity of such an amount as shall be equal to not less than one sixtieth of the salary of such member at the time of his retirement multiplied by the number of years for which he shall have been in the service of the Corporation provided however that such annuity shall not exceed two thirds of his said salary:

(3) In any such case the provisions of sub-section 5 of the said section shall not apply to the scheme and if the amount of the annuities so to be provided as aforesaid shall in any year exceed the amount to be paid and received under sub-sections 2 and 7 of the said section and in respect of any dividends income and annual proceeds from invested moneys of the fund the difference shall be made good by the Corporation from their several funds or rates in the proportions in which contributions in the said year under the provision of sub-section 7 shall be made from the said funds and rates and no other payment shall be required to be made under the provisions of sub-section 11 of the said section.

**144.** The Corporation may from time to time appoint and pay one or more chartered accountants or members of the Incorporated Society of Accountants and Auditors to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct in addition to the auditors appointed under the Municipal Corporations Act 1882.

Paid  
auditors.

A.D. 1898.  
—  
Overseers of  
St. Helens  
may be  
required to  
collect high-  
way and  
borough  
rates.

145.—(1.) The Corporation may from time to time if they so resolve make an order on the overseers of the township of St. Helens requiring them to assess levy or collect the highway rate and borough rate or either of those rates and so long as any such order is in force the overseers shall have and exercise all or any of the powers of the Corporation and their officers under the Act of 1869 for assessing levying or collecting the said rates or either of them as the Corporation shall by resolution delegate to them and in default of compliance with any such order of the Corporation the overseers shall be subject to all provisions and penalties provided by law concerning nonpayment of contributions to a borough rate. Provided that any order made by the Corporation as aforesaid may be rescinded by a resolution of the Corporation and so from time to time.

(2.) The overseers may if and so long as they are required to collect the highway rate pay the amount required by the Corporation in respect of that rate out of the poor rate and may accordingly make the necessary increase in the poor rate.

(3.) So long as any order of the Corporation under this section is in force the accounts of the overseers relating to the highway rate (when levied as a separate rate) and the borough rate or either of them shall be submitted to and be audited by the district auditor in the manner provided by Section 37 of the Divided Parishes and Poor Law Amendment Act 1876 and such rates shall be deemed to be rates within the meaning of such section.

(4.) The overseers shall prepare and submit to the district auditor at every audit of their accounts a financial statement in duplicate in the form and containing the particulars from time to time prescribed by the Local Government Board in respect of the highway rate (when levied as a separate rate) and the borough rate or either of them made and levied as aforesaid one of such duplicates shall have the stamp duty chargeable according to the scale contained in the District Auditors Act 1879 affixed thereon and calculated according to the total of the sums paid to the Corporation during the period to which the statement relates and the provisions of the District Auditors Act 1879 as to the duties of the auditor with reference to such duplicates shall apply as if the said duplicates were prepared and submitted under that Act.

(5.) The Corporation shall repay to the said overseers the amount of any stamp duty which may be paid by them upon any financial statement pursuant to the provisions of this Act and also so much of the remuneration of the assistant overseers and of all other the costs and expenses as are incurred by the overseers in respect of the assessment levying and collection of the highway rate (when levied as a separate rate) and of the borough rate.



(6.) The provisions of sections 5 and 6 of the District Auditors Act 1879 shall apply to the accounts of the overseers and collectors and to the stamp duty on such financial statements as aforesaid and any overseer who shall fail to comply with the provisions of this Act with respect to a financial statement shall be liable to the penalty provided in section 7 of the last-mentioned Act. A.D. 1898.

(7.) The accounts of the overseers and the collectors in regard to the highway rate and borough rate so made by them shall be made up to the twenty-fifth day of March and the twenty-ninth day of September in each year or to such other date as the Local Government Board shall from time to time prescribe.

**146.** Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made may be defrayed by the Corporation out of the borough fund and rate or other funds or revenue as the Corporation may in their discretion having regard to the object of the expenditure deem just. Expenses of execution of Act.

#### PART XIV.—STREET ADVERTISEMENTS.

**147.—(1.)** Every hoarding or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Corporation. Provision as to hoardings and other structures used for advertising purposes.

(2.) It shall not be lawful after the passing of this Act to erect any hoarding or similar structure to be used either wholly or partly for advertising purposes in or abutting on or adjoining any street without the consent of the Corporation and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoarding as the Corporation may determine.

(3.) The owner or other person using any hoarding wall or other structure for advertising purposes whether erected before or after the passing of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Corporation and in the event of any papers affixed for advertising purposes to such hoarding wall or other structure falling off or becoming detached shall forthwith remove and clear away such papers.

(4.) Any person who acts in contravention of any of the provisions of this section or who violates any conditions or the terms of any consent given in pursuance of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(5.) Any consent or condition made under this section may be under the hand of the town clerk or the surveyor.

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PART XV.—MISCELLANEOUS.

Notice of processions to be given.

**148.** Any person or persons intending to organise or form a circus procession or procession of wild animals through the streets of the borough shall give written notice thereof and of the route proposed to be taken and of the time at which it will take place to the Corporation by leaving such notice at the police office at the town hall twenty-four hours at least (exclusive of Sundays) previous to the time fixed for such procession to pass through the streets. If any such procession passes through the streets of the borough without such notice having been previously given or otherwise than in accordance with such notice the person or persons organising or conducting such procession or any or either of them shall be liable to a penalty not exceeding five pounds each.

Power to accept and apply gifts of lands for charitable and public purposes.

**149.** The Corporation may accept gifts of lands or buildings made to them for purposes of parks hospitals infirmaries schools or other public useful or charitable objects for the benefit of the inhabitants of the borough and its neighbourhood and may execute the trusts and purposes declared by the donors or otherwise attaching to any such gifts so far as such trusts and purposes shall not be repugnant to the laws of England and do all acts necessary or proper for that purpose.

Power to appropriate lands for purposes of Act.

**150.** The Corporation may with the approval of the Local Government Board appropriate and use for any of the purposes of this Act or for any of the purposes of the recited Acts the Public Health Acts and Municipal Corporations Act 1882 any lands or property for the time being vested in them which are not wanted for the purpose for which such lands or property were originally acquired but nothing in this section shall authorise the Corporation to create or permit the creation or continuance of any nuisance on any such lands.

Power to close baths and charge for exclusive use thereof.

**151.** The Corporation may close to the public and reserve the exclusive use of any swimming bath belonging to them and may grant the use thereof to any company body or persons either gratuitously or for payment for swimming contests practices or exhibitions of aquatic exercises and may demand and take such sums for the exclusive use of such baths or for the admission of persons thereto as they may think fit. Provided that no such swimming bath shall be closed under the powers of this section for more than six hours on any one day or on more than two days in any one week.

Forfeiture of articles left in markets.

**152.** Every animal or article brought into any market and left therein after the hour of closing (except such as may be left in charge of the superintendent or inspector of the market) may be

taken possession of by the superintendent or inspector In the case of any animal or non-perishable article so left if it be not claimed within one week the Corporation may proceed to sell the same and they shall return to the owner on demand the surplus proceeds of such sale after deducting any unpaid stallage rent or toll due in respect thereof together with the expenses of detention and sale In the case of any article of a perishable nature so left if it be not claimed within one hour the Corporation may proceed to sell the same and they shall return to the owner on demand the surplus proceeds of such sale after deducting any unpaid stallage rent or toll due in respect of the same together with the expenses of detention and sale If in any such case as herein-before mentioned no demand shall be made by an owner within one month of a sale for the return of any surplus arising from a sale the proceeds of such sale shall be forfeited to the Corporation.

A.D. 1898.

**153.** If any tenant shall not after any toll rent or charge has become due and payable to the Corporation in respect of any shop stall booth stand pen shed hiring fixture or property in any market fair or slaughter-house and after demand has subsequently been made therefor pay the same within three days of the demand the Corporation may enter upon and take possession of any such shop stall booth stand pen shed hiring fixture or property and re-let the same without prejudice to any other remedy for the recovery of such toll rent or charge.

Power to take possession of stalls for non-payment of rent.

**154.** The following sections of the Act of 1893 are incorporated with and shall apply to this Act as though the same were repeated herein (that is to say) Sections 120 (Compensation how to be determined) 122 (As to appeal) 123 (Recovery of penalties &c.) 124 (Authentication and service of notices) and 126 (Judges not disqualified).

Certain sections of Act of 1893 to apply.

**155.** All the provisions with respect to byelaws contained in sections 182 to 185 of the Public Health Act 1875 (except so much thereof as relates to byelaws of a rural sanitary authority) shall unless by this Act otherwise provided apply to all byelaws from time to time made by the Corporation under the powers of this Act.

General provisions as to byelaws.

**156.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation and may be paid in the first instance out of any moneys in their hands but shall be charged to and recouped by the moneys which the Corporation are authorised to borrow under the powers of this Act.

Costs of Act.

A.D. 1898.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

THE RECITED ACTS.

Session and chapter.	Title or Short title.
<i>Local Acts.</i>	
6 Vict. c. xxiii.	An Act for better supplying with water the town of Saint Helens and several hamlets and places adjacent thereto all in the parish of Prescott in the county Palatine of Lancaster.
15 Vict. c. lxix.	The Saint Helens Gas Act 1852.
32 & 33 Vict. c. cxx.	The St. Helens Improvement Act 1869.
33 & 34 Vict. c. cxxxvii.	The Saint Helens Gas Act 1870.
42 & 43 Vict. c. excii.	The Saint Helens and District Tramways Act 1879.
45 & 46 Vict. c. cxlix.	The Saint Helens (Corporation) Water Act 1882.
46 & 47 Vict. c. cxxvi.	The Saint Helens and District Tramways Act 1883.
52 & 53 Vict. c. lix.	The Saint Helens Corporation Act 1889.
56 & 57 Vict. c. ccxv.	The St. Helens Corporation Act 1893.
<i>Acts confirming Provisional Orders.</i>	
40 & 41 Vict. c. cxxxii.	The Local Government Board's Provisional Orders Confirmation (Belper Union &c.) Act 1877 and the Order relating to the Borough.
41 Vict. c. xxxvii.	The Local Government Board's Provisional Orders Confirmation (Abingdon &c.) Act 1878 and the Order relating to the Borough.
42 & 43 Vict. c. ciii.	The Local Government Board's Provisional Orders Confirmation (Abergavenny Union &c.) Act 1879 and the Order relating to the Borough.
45 & 46 Vict. c. lx.	The Local Government Board's Provisional Orders Confirmation (No. 2) Act 1882 and the Order relating to the Borough.
50 Vict. session 2. c. xlix.	The Local Government Board's Provisional Orders Confirmation Act 1887 and the Order relating to the Borough.
54 & 55 Vict. c. lxix.	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1891 and the Order relating to the Borough.
57 & 58 Vict. c. xlix.	The Electric Lighting Orders Confirmation (No. 1) Act 1894 and the Order relating to the Borough.
57 & 58 Vict. c. exciii.	The Local Government Board's Provisional Orders Confirmation (No. 15) Act 1894 and the Order relating to the Borough.
60 & 61 Vict. c. cxli.	The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1897 and the Order relating to the Borough.

THE SECOND SCHEDULE.

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A.D. 1898.

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DESCRIPTION OF LANDS ON WHICH STATIONS FOR GENERATING  
ELECTRIC POWER MAY BE ERECTED.

(1.) A piece of land bounded on the western side by Warrington Old Road on the north-easterly side by Warrington New Road and on the other side by gasworks and lands of the Corporation and which piece of land comprises 6,557 square yards or thereabouts.

(2.) A piece of land situate off Boundary Road and bounded on the western side by the said road on the northern side by lands and buildings of several owners viz. Pilkington Brothers Limited William Hampson Foster and the executors of William G. Pascoe on the eastern side by lands of the trustees of the Hardshaw estates in the county of Lancaster and on the southern side by the Eccleston Branch of the London and North Western Railway and which said piece of land comprises 19,367 square yards or thereabouts.

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THE THIRD SCHEDULE.

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DESCRIPTION OF THE ADDED AREA.

All that portion of the township of Eccleston lying between Rainhill Road and the present boundary of the borough where such boundary runs through the grounds of the Rainhill (old) County Asylum.

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A.D. 1898.

THE FOURTH SCHEDULE.

STATEMENT AS TO LOANS.

Act Order or Sanction under which Borrowing Powers have been exercised.	Purpose.	Borrowing Power sanctioned.	Amount borrowed.			Mortgage Debt.			
			(4) Total.	(5) Raised by or converted into Stock.	(6) Mortgage Debt.	(7) Amount extinguished.	(8) Amount outstanding.	(9) Amount in Sinking Fund in respect of 31st March 1898.	(10) Period allowed for repayment from 31st March 1898.
St. Helens Improvement Act 1869 (as amended).	Water supply -	30,000	29,895	-	29,895	18,370	11,525	636	38 years.
Public Health Act Sanction 14th November 1877.	do.	35,000	35,000	17,123	17,877	15,527	2,350	16	
Saint Helens Corporation Water Act 1882.	do.	95,000	68,424	20,297	48,127	5,513	42,614	6	
Do. Sanction 5th April 1893 -	do.	3,000	3,000	1,500	1,500	-	1,500	174	
St. Helens Corporation Act 1893 Sanction 25th November 1895.	Eccleston engines	3,000	3,000	-	3,000	-	3,000	233	
Do. do. 9th April 1896 -	Water mains -	7,000	4,900	-	4,900	-	4,900	218	
							65,889	1,283	

THE FOURTH SCHEDULE—continued.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
St. Helens Improvement Act 1869 (as amended) Sanction 17th December 1880.	Gasworks purposes	6,150	6,150	PART II. —	6,150	1,250	4,900	1	33 years.
Do. do. 26th March 1886	do.	22,945	22,945	12,968	9,977	4,197	5,780	437	
Do. do. 2nd June 1893	do.	1,150	1,150	—	1,150	—	1,150	232	
Do. do. 2nd June 1893	do.	1,350	1,350	—	1,350	—	1,350	157	
St. Helens Corporation Act 1893 Sanction 22nd September 1893.	do.	6,900	6,900	—	6,900	—	6,900	348	
							20,080	1,175	
St. Helens Improvement Act 1869 (as amended).	Purposes of Act	64,369	64,369	PART III. —	64,369	38,356	26,013	536	19 years.
Do. Sanction 9th April 1885	Police station	1,650	1,650	—	1,650	450	1,200	56	
Do. do. 2nd January 1889	Market roof	4,450	4,450	—	4,450	600	3,850	504	
Do. do. 7th July 1891	Town hall	350	350	—	350	—	350	104	
Do. do. 7th July 1891	Street improvement	100	100	—	100	—	100	29	
Do. do. 7th July 1891	Police station	300	300	—	300	40	260	10	
Do. do. 7th July 1891	Street improvement	300	300	—	300	50	250	9	
Do. do. 9th December 1891	Do.	50	50	—	50	—	50	—	
Do. do. 20th February 1892	Town hall ventilation	200	200	—	200	—	200	71	
Do. do. 20th February 1892	Town hall lighting	1,500	1,500	—	1,500	700	800	151	
Do. do. 27th April 1893	Parr library	850	850	—	850	—	850	99	
Do. do. 25th September 1895	Market roof	1,146	1,146	—	1,146	—	1,146	101	
St. Helens Corporation Act 1893 Sanction 6th April 1895.	Storm water sewer	950	950	—	950	—	950	65	

A.D. 1898.

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THE FOURTH SCHEDULE—continued.

Act Order or Sanction under which Borrowing Powers have been exercised.	Purpose.	Borrowing Power sanctioned.	Amount borrowed.			Mortgage Debt.				Period allowed for repayment from 31st March 1898.	
			Total.	Raised by or converted into Stock.	Mortgage Debt.	Amount extinguished.	Amount outstanding.	Amount in Sinking Fund in respect of 31st March 1898.	(10)		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)		
			PART III.—continued.								
Public Health Act 1875 Sanction 17th September 1878.	Street improvement	2,945	2,945	—	2,945	1,145	1,800	876	19 years.		
Do. do. 1st September 1880	Do.	3,000	3,000	—	3,000	1,400	1,600	—			
Do. do. 30th March 1881	Borough survey	2,750	2,750	—	2,750	1,150	1,600	251			
Do. do. 1st April 1881	Street improvement	3,200	3,200	—	3,200	2,200	1,000	215			
Do. do. 17th May 1881	Do.	2,511	2,511	—	2,511	1,011	1,500	76			
Do. do. 3rd June 1881	Do.	700	700	—	700	300	400	48			
Do. do. 3rd June 1881	Hospital	2,450	2,450	—	2,450	900	1,550	160			
Do. do. 23rd January 1882	Street improvement	2,896	2,896	—	2,896	2,196	700	176			
Do. do. 19th October 1882	Asherofts Bridge	1,000	1,000	660	2,040	1,740	300	92			
Do. do. 19th October 1882	Do.	1,700	1,700	—	11,000	2,940	8,060	429			
Do. do. 26th March 1886	Victoria Park	11,000	11,000	—	3,500	950	2,550	19			
Do. do. 29th June 1887	Do.	3,500	3,500	—	814	164	650	38			
Do. do. 24th July 1888	Do.	814	814	—	1,250	300	950	241			
Do. do. 20th August 1888	Thatto Heath Improvement.	1,250	1,250	—	1,302	172	1,130	115			
Do. do. 17th January 1889	Street improvement	1,302	1,302	—	700	—	700	25			
Do. do. 29th November 1890	Boundary Road Baths	700	700	—	355	—	355	97			
Do. do. 5th January 1891	Do.	355	355	—	—	—	—	—			



THE FOURTH SCHEDULE—continued.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
Public Health Act 1875 Sanction 29th November 1890.	Open space -	1,000	1,000	—	1,000	—	1,000	85	} 19 years.	
Do. do. 11th December 1890	Thatto Heath Lodge -	600	600	—	600	—	600	116		
Do. do. 2nd June 1891	Hospital extension -	100	100	—	100	—	100	17		
Do. do. 11th July 1892	Boundary Road stables -	3,000	3,000	—	3,000	420	2,580	2		
Do. do. 12th December 1892	Thatto Heath Park -	1,275	1,375	—	1,375	185	1,190	9		
Do. do. 12th May 1893	Hospital extension -	4,000	4,000	1,400	2,600	—	2,600	301		
Do. do. 22nd July 1895	Do. -	974	974	—	974	—	974	96		
Do. do. 22nd July 1895	Depôts -	1,114	1,114	—	1,114	—	1,114	123		
Do. do. 25th September 1895	Parks -	905	905	—	905	—	905	47		
Do. do. 25th September 1895	Street improvements -	1,602	1,602	—	1,602	—	1,602	232		
Do. do. 1st February 1896	Paving -	3,200	3,200	—	3,200	—	3,200	77		
Do. do. 13th June 1896	Storm water sewer -	600	600	—	600	—	600	14		
St. Helens Improvement Act 1869 Sanction 23rd November 1897.	Town hall extension -	2,500	2,500	—	2,500	—	2,500	—		
							79,829	5,712		
				PART IV.						
St. Helens Improvement Act 1869 Sanction 29th November 1877.	Gasworks -	142,500	143,435	—	143,435	17,435	126,000	16,125		
Public Health Act 1875 Sanction 5th February 1890.	Street improvement -	568	568	—	568	318	250	186		
St. Helens Corporation Act 1893 -	Costs of Act -	2,412	2,412	—	2,412	1,550	862	701		
							128,312	17,012		

A.D. 1898.

THE FIFTH SCHEDULE.

FORM OF MORTGAGE.

County Borough of St. Helens—St. Helens Corporation Act 1898.

By virtue of the St. Helens Corporation Act 1898 and of other their powers in that behalf them enabling the mayor aldermen and burgesses of the borough of St. Helens (herein-after referred to as "the Corporation") in consideration of the sum of \_\_\_\_\_ pounds paid to the treasurer of the borough by \_\_\_\_\_ (herein-after called "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Corporation in the said Act defined as the said sum of \_\_\_\_\_ pounds doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the said sum of \_\_\_\_\_ pounds shall be fully paid to [him] [or them] with interest for the same [subject as herein-after provided] after the rate of \_\_\_\_\_ per centum per annum from the \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and ninety \_\_\_\_\_ until payment of the said principal sum such interest to be paid half-yearly [to the bearer of the coupons or interest warrants hereunto annexed or to be hereafter annexed hereto on the days and at the place therein mentioned] [on the \_\_\_\_\_ day of \_\_\_\_\_ and the \_\_\_\_\_ day of \_\_\_\_\_ in each year]:

And it is hereby agreed that the said principal sum of \_\_\_\_\_ pounds shall be repaid at the town hall in the said borough [ (subject as herein-after provided) on the \_\_\_\_\_ day of \_\_\_\_\_ one thousand \_\_\_\_\_ hundred and \_\_\_\_\_ ] [by \_\_\_\_\_ ]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be mentioned and specified in an endorsement to be made hereon under the hands of the mayor and town clerk of the said borough for the time being respectively and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest the provisions hereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Corporation have caused their common seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and ninety \_\_\_\_\_ .

Passed under the common seal of the Corporation in the presence of

Mayor.

This mortgage is duly registered in the register of mortgages kept by me A.D. 1898.  
pursuant to the provisions in that behalf.

Dated this                      day of                      one thousand eight hundred  
and ninety

Town Clerk.

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*The Endorsement within referred to.*

The within-named                      consenting the within-mentioned time for  
repayment of the within-mentioned principal sum of                      is hereby  
extended to the                      day of                      one thousand eight hundred  
and                      [and the interest to be paid thereon on and from the  
                    day of                      one thousand eight hundred and  
is hereby declared to be after the rate of                      per centum per  
annum].

Dated this                      day of                      one thousand eight hundred  
and

Witness

Mayor.  
Town Clerk.

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FORM OF TRANSFER OF MORTGAGE.

County Borough of St. Helens.—St. Helens Corporation Act 1898.

I [the within-named] *A.B.* [of                      ] in consideration of the sum  
of                      pounds paid to me by                      of                      (herein-  
after called "the transferee") do hereby transfer to the transferee [his]  
executors administrators and assigns [the within written security] [the  
mortgage number                      of the revenues of the Corporation of the  
borough of St. Helens at the yearly rate of                      in the hundred  
bearing date the                      day of                      ] and all my right and  
interest under the same subject to the several conditions on which I hold the  
same at the time of the execution hereof and I the transferee for myself my  
executors administrators and assigns do hereby agree to take the said  
mortgage security subject to the same conditions.

Dated this                      day of                      one thousand eight hundred  
and ninety

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FOR

T. DIGBY PIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

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