ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

****

Cap. xxxvi.

An Act to extend the Powers of an Act of His present Majesty, for supplying the Town of *Liverpool* in the County Palatine of *Lancaster* with Water, to *Harrington* and *Toxteth Park* in the said County. [28th *May* 1827.]

WHEREAS an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to repeal so much of an Act of the Twenty-sixth Year of His late Majesty as relates to the supplying the Town of* 3 G. 4. c. 77.
Liverpool *in the County Palatine of* Lancaster *with Water; and to grant other Powers for supplying the said Town and Port, and the Shipping resorting thereto, with Water:* And whereas by the said Act it was enacted, that certain Persons therein named and described, together with such other Persons, Bodies Politic, Corporate, or Collegiate, as should at any Time thereafter be possessed of One or more Share or Shares in the said Undertaking, and the several and respective Successors, Executors, Administrators, and Assigns of such several Persons, should be and they were thereby united into a Company for the completing and maintaining the said Waterworks then already made, and for making, establishing, completing, and maintaining the Works, Matters, and Things to be made or done under that Act, according to the Rules, Orders, and Directions therein-after expressed, for supplying the Inhabitants of the said Town and Port of *Liverpool*, and the Liberties thereof, and the Shipping resorting thereto, with

fresh and wholesome Water, and should for that Purpose be One Body Politic and Corporate, by the Name and Style of "The Company of Proprietors of the *Liverpool* Corporation Waterworks," and by that Name should have perpetual Succession and a Common Seal, and by that Name should sue and be sued; and that the said Company of Proprietors should have Power and Authority to purchase, hold, and enjoy Springs, Lands, Tenements, and Hereditaments, to them and their Successors and Assigns, where the same should be necessary, for the Uses and Purposes of the said Act, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; and in and by the said Act various Powers and Authorities were given and granted to the said Company of Proprietors for making and completing such Works, and for the Purchase of Springs of Water, Wells, and Lands for the Purpose thereof, and for laying Mains and Pipes, and for the general Management and Conduct of the said Works, and for the several Purposes therein enacted and expressed: And whereas the said Company of Proprietors, in pursuance of the Authorities given them in and by the said recited Act, have expended large Sums of Money in sinking, boring, and tunnelling for Springs of Water, in erecting Buildings and Engines, and in laying Mains and Pipes, and in other Works for the supplying the said Town and Port of *Liverpool*, and the Shipping resorting thereto, with Water: And whereas the Township of *Toxteth Park*, including the Town or Village of *Harrington*, adjoins and is immediately contiguous to the Town of *Liverpool*, and is become very populous, and the Inhabitants thereof are in great Want of Water, and it would much tend to their Comfort and Accommodation, if Provision were made for the Supply thereof: And whereas the said Company of Proprietors have already Mains and Pipes connected with their present Works, very nearly adjacent to *Harrington* and *Toxteth Park* aforesaid, from whence a Part of *Harrington* and *Toxteth Park* might be conveniently supplied with Water, if Authority were given to the said Company of Proprietors to supply the same; and the said Company of Proprietors are willing, at their own Expence, to continue Mains and Pipes to communicate from their present Works into *Harrington* and *Toxteth Park*, and to make Reservoirs, Wells, and other Works, and to lay Mains and Pipes, and do other Things necessary for supplying the Inhabitants of *Harrington* and *Toxteth Park* aforesaid, as well as *Liverpool*, and the Shipping resorting thereto respectively, with Water, and are desirous to obtain the Aid of Parliament in granting them further Powers and Authorities in addition to those now vested in them by the said recited Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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, That the said recited Act of the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisoes, Authorities, Matters, and Things therein contained, (save and except such of them, or such Part or Parts thereof, as are expressly varied, altered, or repealed,) shall remain and continue in full Force and Effect, and be as good, valid, and effectual to all Intents and Purposes for carrying this Act into execution, as if the same had respectively been repeated and re-enacted in the Body of this

Powers of recited Act extended to this Act.

this Act, or as if *Harrington* and *Toxteth Park* had been originally comprehended in that Act, and within the several Provisions and Enactments thereof; save and except, that every Remedy, Matter, and Thing directed and authorized to be done or exercised by or before any Justice of the Peace by the said recited Act, shall, for or in respect of any and every Offence, Matter, or Thing to arise within *Harrington* or *Toxteth Park* aforesaid, and every Penalty to be levied for or in respect of any and every such Offence, Matter, or Thing, be by and before and under the Authority of some Justice or Justices of the Peace for the County of *Lancaster*, and not by or before a Justice or Justices of the Peace of the Borough of *Liverpool*; and save and except, that nothing herein contained shall give or be construed to give a Right to any Proprietor of a Share or Shares in the said Waterworks, to nominate any Dwelling House to be supplied with Water from the said Works for domestic Purposes only, without any Payment for the same, or to be entitled to any Payment or Satisfaction in lieu thereof, further or other than such Nomination, and Privilege or Satisfaction in lieu thereof, as such Proprietor was entitled to prior to the passing of this Act.

Name and Style of Company altered.

II. And whereas the said Company of Proprietors are desirous that their Name and Style should henceforth be "The Company of Proprietors of the *Liverpool* and *Harrington* Waterworks;" be it therefore enacted, That from and after the passing of this Act the Name and Style of the said Company shall be "The Company of Proprietors of the *Liverpool* and *Harrington* Waterworks," and by that Name shall have perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued for and concerning all Matters and Things whatsoever, as well made, done, or suffered before, as to be made, done, or suffered at any Time or Times after the passing of this Act; and that the Name and Style of the said Company described in the said recited Act shall from and after the passing of this Act cease and be no longer used by them: Provided always, that no Act, Deed, Matter, or Thing whatsoever, made, done, executed, or commenced before the passing of this Act, by or against the said Company, shall be in any Manner prejudiced or affected by such Change in the Name and Style of the said Company.

Company may contract for Springs, &c. and make Reservoirs, &c. and lay Pipes for supplying Water in Toxteth Park.

III. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the said Company of Proprietors to contract and agree with the Owners or Proprietors of any Lands or Grounds situate and lying within the Township of *Toxteth Park*, including *Harrington* aforesaid, for the Liberty of digging for and collecting Springs and Water in such Lands or Grounds, and making, sinking, and completing Wells, Dams, Ponds, Cisterns, Engines, Buildings, or any other Matters or Things whatsoever, for the procuring and raising Water, and for conducting and conveying the same into and through the present and future Streets, Squares, Lanes, public Passages and Places in *Harrington* and *Toxteth Park*, as well as *Liverpool* aforesaid, for the Use and Benefit of the Inhabitants of those respective Places, and for the Shipping resorting thereto respectively, and for laying any Main or Mains, Pipe or Pipes, and for making and perfecting all such Works, Matters, and Things as may

may be necessary for carrying into effect and completing all and every or any of the several Purposes aforesaid, and for altering, varying, changing, repairing, and continuing the same from Time to Time, subject to the several Provisions herein-after and in the said recited Act mentioned, so far as the Provisions in the said recited Act contained are applicable thereto, and are not hereby expressly varied or repealed.

Map or Plan and Book of Reference to remain with the Clerk of the Peace.

IV. And whereas a Map or Plan, describing or mentioning the Lines of Pipes and Works, and the Lands through which the same are respectively intended to be carried, together with a Book of Reference, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the County of *Lancaster*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies and Extracts therefrom at their Will and Pleasure, paying to such Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Company in making such respective Lines shall not deviate more than One hundred Yards from the respective Lines thereof described or mentioned in the said Map or Plan.

Lands marked in the Plan may be used notwithstanding Errors in the Book of Reference.

V. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said respective Lines in the Directions respectively laid down and described or mentioned in the said Map or Plan as aforesaid, although the Name or Names of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through or over whose Lands the same shall be set out, may happen to be erroneously described or omitted in the said Book of Reference so as aforesaid deposited with the said Map or Plan, in case it shall appear to any Two or more Justices of the Peace for the said County of *Lancaster*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or was not wilful; and such Certificate shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County.

Company may break up Highways.

VI. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, their Successors and Assigns, at any Time or Times, by themselves, their Deputies, Engineers, Officers, Agents, Workmen, and Servants, for all or any of the Purposes of this Act, to break up and remove the Soil, Posts, Kirbs, Bulkheads, Bars, Sewers, Drains, Pavements, Flags, and gravelled and other Ways of any of the present or future public Roads, Highways, Streets, Squares, Lanes, Passages, Alleys, Weints, Courts, Footways, Quays, and other public Places in *Harrington* and *Toxteth Park* aforesaid, and to dig and sink Trenches and lay Pipes therein, and put and affix Stopcocks, Chambercocks, Firecocks, Fireplugs, and Branches from such Pipes, and to do all such Matters and Things at such Times and in such Manner as they shall judge necessary for distributing

distributing and conveying such Water in the most ample and convenient Manner to and into the respective Houses, Offices, and other Buildings of the Inhabitants of *Harrington* and *Toxteth Park*, and *Liverpool* respectively, and for supplying the Shipping resorting thereto respectively with Water, and from Time to Time, as Occasion may require, to alter, vary, and change the Position of, and repair, relay, and maintain all such Pipes, Cocks, Plugs, and Machinery, and to do all such other Acts, Matters, and Things as they shall from Time to Time deem necessary or proper, for amending, repairing, completing, improving, using, and perfecting all and every the Works already established or made, or hereafter to be established or made, under the Authority of the said recited Act or of this Act respectively, they the said Company of Proprietors, their Deputies, Engineers, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted; and this Act shall be sufficient to indemnify the said Company of Proprietors, and their Deputies, Engineers, Servants, Agents, Workmen, and all other Persons whomsoever, for all Acts, Matters, and Things they or any of them shall do by virtue hereof, subject to such Provisoes or Restrictions as are herein and in the said recited Act contained: Provided always, that nothing in this Act contained shall authorize or empower the said Company of Proprietors, or any Person acting under their Authority, to make any Reservoir, Aqueduct, Tunnel, Feeder, or other Works for the Supply of Water, across or over, or to enter into or upon the private Lands or Grounds of any Body Politic, Corporate, or Collegiate, or of any Person or Persons whomsoever, without the Consent of the Owner or Owners and Occupier and Occupiers thereof.

Company laying Pipes to make good the Pavement.

VII. Provided always, and be it further enacted, That the said Company, in laying or repairing any such Pipes, Plugs, Cocks, or Branches, shall do as little Damage as may be, and shall forthwith fill in the Trenches, and make good the Pavements and Roads, and carry away the Rubbish occasioned thereby; and the said Company shall in the meantime fence or guard, and affix Lights during the Night at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, or Carriages: Provided also, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or any of their Agents or Servants, or any Person or Persons acting by or under their Authority, in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads, or in case the same shall be imperfectly repaired, or in case the Ground so opened shall not be fenced or guarded and lighted, then and in every such Case it shall be lawful for the Person or Persons, or Body or Bodies Politic or Corporate, in whom the Right of Soil of such Pavements or Roads shall be, or to or for the Surveyor for the Time being of the Trustees of the *Liverpool* Docks, as far as may relate to the Quays of any Dock or Docks to be made in *Harrington* or *Toxteth Park* aforesaid, and for the Surveyors of Highways of *Harrington* and *Toxteth Park* aforesaid, as far as respects any other Part of *Harrington* or *Toxteth Park*, to fill in such Grounds, or remove any such Rubbish, and to repair and make good the Pavement of any Street, Square, Highway, Quay,

Quay, Bridge, Market Place, Court, Yard, Road, Way, Lane, Passage, or other Place so broken up, and properly to fence or guard any such Trench or Excavation, and to place and maintain such Light or Lights during the Nights as to him or them shall seem necessary, and the reasonable Costs and Charges thereof shall be paid by the said Company or their Treasurer or Treasurers; and in default of Payment thereof for Thirty Days next after Demand made for the Payment thereof (Proof of such Demand being made by the Oath or Affirmation of One or more credible Witness or Witnesses before One or more Justice or Justices of the Peace for the said County of *Lancaster*), all such Costs, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Penalties, Costs, Charges, and Expences shall be paid to such Surveyor or Surveyors as aforesaid: Provided always, that if after such Pavements or Roads shall have been so repaired and made good the same shall within Six Calendar Months thereafter give way, or require relaying or repairing, in consequence of such Pavements or Roads having been broken up for the Purpose of carrying this Act into execution, the same shall be forthwith done and performed by and at the Expence of the said Company.

If any Question arise as to Sufficiency of Pavements, to be referred to Justices, &c.

VIII. Provided always, and be it further enacted, That if any Question shall arise between the said Company of Proprietors and any of the Parties aforesaid, relative to the proper Reinstatement, sufficient or insufficient Repair or Maintenance of the Pavement under the Provisions of this Act, of any of the Highways or Places wherein the said Company may have laid any Pipes or constructed any Works, it shall and may be lawful to and for any Justice of the Peace of the said County of *Lancaster*, upon Information and Complaint before him, to hear and determine the Matter in a summary Way, and to award and adjudge such Sum of Money, by way of Damages, against the said Company, together with such Costs and Charges, as to such Justice shall seem proper; and the Amount of such Damages, so awarded and adjudged shall and may be recovered from the said Company by Distress and Sale of their Goods and Chattels: Provided always, that it shall not be competent for any Justice of the Peace to hear or determine any such Question as aforesaid, unless Two full Days Notice by the complaining Party shall have been given to the said Company, of the intended Application to such Justice, with the Grounds of such Complaint.

Company to give Notice of laying Pipes on Dock Quays, &c.

IX. Provided always, and be it further enacted, That if the said Company of Proprietors shall be desirous of entering into or upon any of the present or future Docks, Quays, or Wharfs in *Harrington* or *Toxteth Park* aforesaid, for the Purposes of this Act, the said Company of Proprietors shall cause Thirty Days Notice to be given in Writing to the Trustees of the *Liverpool* Docks, or their Secretary or Surveyor for the Time being, describing the Line or Lines, Place

or Places, in which they propose to lay or place any Pipes, Pumps, or other Works; and if the said Trustees shall require the Line or Lines, Place or Places thereof to be varied, then the said Company of Proprietors, their Successors or Assigns, shall cause such Pipes, Pumps, or other Works to be laid or placed in such other Place or Places suitable for the Purpose, as the said Trustees, or their Surveyor for the Time being, shall, previous to the Expiration of such Thirty Days, describe and point out.

Public Sewers not to be altered without the Consent of the Surveyors of Highways.

X. Provided always, and be it further enacted, That the Course and Direction of any present or future public Sewers and Drains in *Harrington* and *Toxteth Park* aforesaid shall not be altered or changed, nor shall they be broken into, disturbed, or interfered with by the said Company of Proprietors, without the previous Consent of the Surveyors of Highways of *Harrington* and *Toxteth Park* aforesaid for the Time being, to be signified in Writing under the Hand of the Surveyor; and that if any Alteration shall be made (with such Consent), then such Sewers and Drains shall be again made good, to the Satisfaction of the said Surveyors respectively, by and at the Expence of the said Company of Proprietors as soon as conveniently may be: Provided also, that no Alteration shall be made in the present or future Tunnels used for cleansing any of the present or future public or private Docks in *Harrington* or *Toxteth Park* aforesaid, nor shall they in anywise be interfered with, broken into, or disturbed, without the previous Consent of the Trustees of the *Liverpool* Docks, to be signified in Writing under the Hand of the Surveyor for the Time being of the said Trustees, or with the Consent in Writing of the Owner or Occupier for the Time being of any private Dock, as the Case may be; and that if any Alteration shall be made (with such Consent), then the said Tunnels shall be again made good, to the Satisfaction of the Surveyor of the said Trustees, or other Parties interested, by and at the Expence of the said Company of Proprietors, as soon as conveniently may be.

Dock Tunnels not to be altered without the Consent of Trustees.

Purchase of Land in Harrington or Toxteth Park.

XI. Provided always, and be it further enacted, That the said Company of Proprietors shall, immediately after the passing of this Act, purchase and obtain Land in *Harrington* or *Toxteth Park*, suitable and sufficient for the Site of a Station from whence Springs of Water may be obtained, and shall, within the Space of Three Years from the passing of this Act, dig or sink, or cause to be dug or sunk, in some Part of the said Land so to be purchased as aforesaid, a Well or Wells of sufficient Depth, Capacity, and Dimensions, and erect or cause to be erected on the said Land a Steam Engine or Engines, and make and provide all proper Apparatus, Machinery, Contrivances, and Works necessary for raising and supplying good and wholesome Water, so that such Wells, Engines, and Works shall within the Period of Three Years be complete and in working Condition, and shall be sufficient and kept and continued sufficient for the regular Supply of Water for the present and future Population of *Harrington*: Provided always, that it shall not be lawful for the said Company of Proprietors to hold, for any of the Purposes of the said recited Act or this Act, more than Five Statute Acres of Land at any one Time.

XII. And

Water may be used generally.

XII. And be it further enacted, That the Water to be from Time to Time raised and obtained from such Station and Works so to be erected as aforesaid, and also the Water to be raised and obtained from any future Stations, Wells, Springs of Water, or Works hereafter to be erected or obtained by the said Company in *Harrington* or *Toxteth Park* aforesaid, as well as the Water which may now or at any future Time be raised or obtained by the said Company in *Liverpool*, shall and may be used for the general and reciprocal Use and Benefit of *Liverpool*, *Harrington* and *Toxteth Park*, and the Inhabitants of those respective Places, and for the general Purposes of this Act and of the said recited Act as may be convenient or necessary for the Supply of the Inhabitants of those Places respectively, and the Shipping resorting thereto respectively.

Company may purchase Lands, &c.

XIII. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and their Successors and Assigns, to treat, contract, and agree with any Person or Persons, or Body or Bodies, Politic, Corporate, or Collegiate, for the Purchase of the Lands, Grounds, Tenements, or Hereditaments necessary for carrying the Purposes of this Act into execution, or for any Works hereby authorized to be made, or to accept or take any Lease or Leases thereof, without incurring any of the Penalties or Forfeitures of the Statute of Mortmain.

Bodies Politic empowered to sell and convey Lands.

XIV. And whereas it may happen that some Person or Persons, Bodies Politic, Corporate, or Collegiate, Feoffees in Trust, Minors, Femes Covert, Committees of Lunatics Estates, or others who are seised or possessed of and entitled unto or interested in Lands, Tenements, and Hereditaments, or some Part or Share thereof, that may be or become necessary to be purchased or possessed by the said Company of Proprietors, their Successors or Assigns, for the Purposes of this Act or the said recited Act, may be willing to treat and agree to sell such Lands, Tenements, and Hereditaments, but are incapable of contracting for, selling, or conveying the same; be it therefore further enacted, That it shall be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General, or Special, Feoffees or Trustees by Trust, and for all Husbands, Femes Covert, Guardians, Trustees for Charities or other Purposes, Committees, Executors or Administrators, and all other Persons whomsoever, interested, not only for and on behalf of themselves, their Heirs and Successors, Executors and Administrators, but also on behalf of all Persons interested in any way in Reversion, Remainder, or Expectancy, or otherwise, in case such Person or Persons should be incapacitated or decline to treat, and on behalf of their respective Wives and Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or others, and every other Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any such Lands, Tenements, or Hereditaments, as shall by the said Company of Proprietors be considered necessary to be purchased for all or any of the Purposes of this Act or of the said recited Act, to contract for, sell, and convey the same, and every or any Part thereof, unto the said Company of Proprietors or their Successors; and all such Contracts, Sales,

Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors, and shall be made according to the following Form, or as near thereto as the Number of the Parties and Circumstances of the Case will admit; (namely,)

Form of Conveyance.

'I of in consideration of the Sum of to me paid by the Company of Proprietors of the *Liverpool* and *Harrington* Waterworks, established and incorporated by an Act of Parliament passed in the Third Year of the Reign of His Majesty King *George* the Fourth, do hereby grant and convey to the said Company of Proprietors all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereunto belonging, and all my Estate, Right, Title, and Interest in and to the same and every Part thereof; to hold to the said Company of Proprietors, and their Successors and Assigns for ever, to, for, and upon the several Uses, Trusts, Intents, and Purposes mentioned and expressed in and by the said Act, and in and by an Act passed in the Eighth Year of the Reign of His said Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*]. In witness whereof I have hereunto set my Hand and Seal, the Day of in the Year of our Lord .'

And all such Conveyances and Assurances as aforesaid shall be good, valid, and effectual in Law and in Equity, to all Intents and Purposes, and shall operate and be a Merger of all outstanding Terms of Years, and be a complete and effectual Bar to all Estates Tail, Dower and Title of Dower, and other Estates, Rights, Titles, Remainders, Reversions, Conditions, Limitations, Trusts, and Interests whatsoever; and the Word "grant" in each and every such Conveyance or Assurance of any such Land to be purchased as aforesaid shall amount to and be construed and adjudged to be an express Covenant to the said Company of Proprietors, their Successors and Assigns, that such granting or conveying Party or Parties respectively, so far as relates to his, her, or their respective Share in the Estate or Purchase Money, notwithstanding any Act by him, her, or them, or any of their Ancestors, done to the contrary, at the Time of the Execution of such Conveyance had good Right and Title to convey to the said Company of Proprietors the Hereditaments and Premises thereby granted and conveyed, free from Incumbrances by him, her, or them, or any of their Ancestors made, and that the said Company of Proprietors, their Successors and Assigns, shall quietly enjoy the same against such granting and conveying Parties, and each of them respectively, and all Persons claiming under or in Trust for him, her, or them, and also as an express Covenant for further Assurance of such Hereditaments and Premises by such granting Parties, and all Persons claiming or to claim under or in Trust for them or any of their Ancestors, unless otherwise limited and restrained by express Words to be used in such Conveyance or Conveyances.

Company may sell Lands not wanted.

XV. And be it further enacted, That it shall be lawful for the said Company of Proprietors to sell and dispose of, and by Indenture under their Common Seal absolutely in Fee Simple, or for any long Term of Years not less than One thousand Years, to grant and convey,

convey, such Part or Parts of the Lands, Buildings, or Hereditaments which shall be purchased by the said Company of Proprietors, or their Successors, or which may now or hereafter belong to them, and which shall not be wanted for the Purposes aforesaid; and that all such Conveyances from the said Company of Proprietors shall be valid and effectual, any Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by the Sale or Sales of such Lands, Buildings, Hereditaments, and Premises, or any Part or Parcel thereof, it shall be lawful for the managing or chief Clerk for the Time being to the said Company of Proprietors to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands, Buildings, Hereditaments, and Premises shall be sold, or for so much thereof as in such Receipt shall be expressed to be received, and such Person or Persons shall not be answerable for any Losses, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof; and that all and every Sum and Sums of Money which shall be had, received, and taken by the said Company of Proprietors, as the Consideration of any such Sale as aforesaid, shall be carried to the Credit of the Stock Account of the said Company, and by the said Company either expended as an Advance in the Completion of the Purposes of this or of the said recited Act, or be divided amongst and paid to the said Company of Proprietors, according to their respective Shares and Interests therein, as Capital, and not as Gain or Profit of the said Company.

Restraining the Company from purchasing more than Five Acres of Land from incapacitated Persons.

XVI. And whereas the said Company of Proprietors are enabled to purchase Land by virtue of this Act for the Purposes thereof, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, are empowered to sell Land to the said Company: And whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Feoffees in Trust, Executors, Administrators, Trustees, or other Persons, being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Feoffees in Trust, Committees, Executors, Administrators, Trustees, and other Persons, being under legal Disability or Incapacity, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Company of Proprietors at any Time or Times to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Feoffees in Trust, Committees, Executors, Administrators, Trustees, and other Persons, being under legal Disability or Incapacity, more than Five Statute Acres; and in case the said Company, after having made such Purchase or Purchases, whether at One or more Time or Times, amounting to Five Statute Acres in all, shall

afterwards sell the Whole or any Part of such Land so purchased, it shall not be lawful for the said Company to purchase of, nor for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Feoffees in Trust, Committees, Executors, Administrators, Trustees, and other Persons, being under legal Disability or Incapacity, to sell to the said Company any other Lands in lieu or stead of such Five Statute Acres, or any Part thereof, so sold or disposed of by the said Company.

Application of Compensation when amounting to 200*l.*

XVII. And be it further enacted, That if any Money shall be contracted for or agreed to be paid to any Bodies Politic, Corporate, or Collegiate, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees, for or on behalf of any Lunatics, Idiots, Femes Covert, or other Cestuique Trusts, or to any Person or Persons whose Lands or Estates are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, for the Purchase of any Lands, Tenements, or Hereditaments, by virtue of the Powers of this Act, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Company of Proprietors of the *Liverpool* and *Harrington* Waterworks, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled *An Act for better securing* 1 G. 4. c. 35. *the Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the same Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid standing settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by

by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application when the Compensation is under 200*l.* but not under 20*l.*

XVIII. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Company, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends and Interest arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application when the Money is less than 20*l.*

XIX. Provided also, and be it further enacted, That where such Money shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Corporation or Person or Persons who would for the Time being have been entitled the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, in such Manner as the said Company shall think fit, or in case of Infancy, Idiotcy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out a good Title.

XX. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so agreed to be paid as aforesaid shall not be able to make a good Title to the Premises to the Satisfaction of the said Company, then and in every

every such Case it shall be lawful for the said Company to order the said Sum or Sums so agreed for to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Control, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession presumptively entitled.

XXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Corporation, or Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, in pursuance of this Act, or for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, and Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made apparent to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by the Company.

XXII. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Corporation or Person or Persons entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments,

ments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

To limit the Rates to be paid for Water in Toxteth Park.

XXIII. And be it further enacted, That the said Company of Proprietors shall be obliged to furnish a sufficient Supply of Water to every Inhabitant occupying a private Dwelling House, or Part of a private Dwelling House, or other Premises, in any Road, Highway, Street, Square, Lane, Court, Alley, Passage, or Weint of the said Township of *Toxteth Park*, including *Harrington*, where the Pipes of the said Company of Proprietors shall from Time to Time be laid, for the Use of his or her own Family, in like Manner, at the like Rates, and on the like Terms as mentioned and expressed in the said recited Act as to the Inhabitants of the Town of *Liverpool* and the Liberties thereof.

Remedy for Recovery of Water Rents.

XXIV. And be it further enacted, That in case of Default in Payment of any Rate or Rates, Sum or Sums of Money, to be paid by any Person or Persons for or in respect of any Supply of Water in any way under the Authority of the said recited Act or of this Act, the said Company of Proprietors and their Successors shall and may have Power and are hereby authorized to recover the same by the like Means and in like Way as authorized in and by the said recited Act as to such Rates and Sums of Money as are recoverable under that Act; and that all, every, or any of such Remedies as thereby given may be used for the several Purposes aforesaid under this Act, in like Manner as if the same were again set out or enacted in the Body of this Act, or as if *Harrington* and *Toxteth Park* had been within the Provision of the said recited Act.

Number of Directors to be increased.

XXV. And whereas by the said recited Act it was enacted, that, for the better managing and conducting the Affairs of the said Company, there should be Nine Directors, Three of whom should be Members of the Common Council of the Town of *Liverpool*, to be from Time to Time yearly nominated by the said Common Council, and the remaining Six Directors should be from Time to Time yearly chosen by, from, and out of the Proprietors of the said Concern, as therein-after mentioned; and that the said Directors for the Time being should from Time to Time elect a Chairman and Deputy Chairman from among themselves; and Five of which Directors (but of which Five the Chairman or Deputy Chairman should be One) should have full Power and Authority to act in the Management and Direction of the Affairs of the said Company; and a Majority of such Directors so formed as aforesaid should be competent to decide upon any Question before them, and to act for and on behalf of the said Company of Proprietors: And whereas it is expedient to increase the Number of such Directors; be it therefore further enacted, That from and after the next General Annual Meeting to be held in pursuance of the said recited Act in *January* next after the passing of this

this Act there shall be Twelve Directors to manage and conduct the Affairs of the said Company, Three of whom shall be Members of the Common Council, to be from Time to Time yearly nominated by the said Common Council, as in and by the said recited Act is directed, and the remaining Nine shall be from Time to Time yearly chosen by, from, and out of the Proprietors of the said Concern, in the same Manner as in and by the said Act is directed as to the Six Directors therein authorized to be appointed out of such Proprietors, such Twelve Directors to be in the first instance so chosen at the next General Annual Meeting to be held after the passing of this Act; and that the said Twelve Directors for the Time being shall from Time to Time elect a Chairman and Deputy Chairman from amongst themselves; and any Five of such Directors (but of which Five the Chairman or Deputy Chairman shall be One) shall have full Power and Authority to act in the Mangement of the said Company, and the Affairs thereof, as well in respect of the several Matters and Things authorized in and by this Act, as in and by the said recited Act, in like Manner as the Directors are thereby authorized and empowered to act in respect of the several Matters and Things therein contained.

Expences of obtaining Act and putting it in force.

XXVI. And be it further enacted, That the Directors for the Time being of the said Company of Proprietors shall and may, out of any Monies which by virtue of this Act or the said recited Act shall come to their or any of their Hands, pay and discharge all Expences of obtaining this Act and attendant thereon, and also thereout retain and reimburse themselves and himself any Costs, Charges, Damages, or Expences they or any of them shall bear, sustain, expend, or be put unto, or become liable to pay, in or about or relating to the said Undertaking, and the Execution of the Powers hereby and by the said recited Act given to them.

Company of Proprietors may raise Money on Bond.

XXVII. And be it further enacted, That for the better enabling the said Company of Proprietors to carry more expeditiously into effect the Authorities hereby and by the said recited Act respectively given, it shall and may be lawful to and for the said Company of Proprietors, after the Order or Direction of any General or Special Meeting of the said Company authorizing them so to do (but not otherwise), to borrow and take up at Interest, from any Person or Persons who may be willing to lend the same, any Sum or Sums of Money not exceeding in all the Sum of Thirty thousand Pounds, at such Rate of Interest as may be agreed on, not exceeding Five Pounds *per Centum per Annum*, and which Sum and Sums of Money (if any shall be so borrowed) shall be secured, with Interest, by Bond under the Common Seal of the said Company; and all and every the Person or Persons to whom such Bond or Bonds shall be executed shall be equally entitled to be paid out of the Rates or other Effects of the said Company, according to the respective Sums in such Bonds mentioned and thereby intended to be secured, without any Preference by reason of the Priority of Date thereof; and an Entry or Memorandum of every such Bond, containing the Number and Date thereof, and the Name or Names of the Person or Persons, with their proper Additions, to whom the same shall have been made, and

of

of the sum borrowed, together with the Rate of Interest to be paid thereon, shall within Thirty Days next after the Date thereof be entered in a Book or Books to be kept at the Head Office by the Manager or Chief Clerk of the said Company of Proprietors; which said Book or Books shall and may be perused at all reasonable Times by any of the Proprietors or Creditors of the said Company, or other Persons interested therein, without Fee or Reward; and all and every Person and Persons to whom any such Bond or Bonds shall have been made as aforesaid, or who shall be entitled to the Money due thereon, shall and may from Time to Time transfer his, her, or their Right and Interest therein to any Person or Persons whomsoever; which Transfer shall or may be in the Words or to the Effect following; (that is to say,)

Bonds to be transferrable.

'I [*or* We] of in consideration of the
'Sum of paid of do hereby
'transfer a certain Bond, Number , entered into by the
'Company of Proprietors of the *Liverpool* and *Harrington* Water-
'works with bearing Date the Day of
'for securing the Sum of and Interest, and all my [*or*
'our] Right and Property therein, to his [*or* her]
'Executors, Administrators, and Assigns. Dated this Day
'of in the Year of our Lord .'

And every such Transfer shall within Three Calendar Months after the Date thereof be produced to the said Clerk of the said Company, who shall cause an Entry or Memorandum to be made thereof, in the same Manner as of the original Bond or Bonds, for which the said Clerk shall be paid such Sum as the said Company shall appoint, not exceeding Two Shillings and Sixpence; and after such Entry made every Transfer shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit thereof, and to sue the said Company for Payment thereof in his, her, or their own Name or Names; and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the same, or any Sum of Money thereon due or thereby secured, or any Part thereof.

Interest of Money borrowed to be paid in preference to Dividends.

XXVIII. And be it further enacted, That the Interest of the Money which shall become due and payable on any Money to be raised by Bond as aforesaid (if any shall be so raised) shall be paid to the several Persons entitled thereto, and in preference to any Interest or Dividends to become due and payable to the said Company of Proprietors, or any of them, under the Provisions of this or of the said recited Act; and in case the Interest or any Part thereof, on such Money to be raised by Bond as aforesaid, shall be behind and unpaid by the Space of Thirty Days next after the same shall have become due and payable, and the same shall not be paid within Ten Days next after Demand thereof in Writing shall have been made to the Chief Clerk of the said Company, or left at the Head Office of the said Company in *Liverpool* aforesaid, then, in addition to such Remedies as the Obligee or Obligees, or Assignee or Assignees of such Bond or Bonds may be entitled to at Law or in Equity, it shall be lawful for Two or more Justices of the Peace acting in and for the said

said County Palatine of *Lancaster*, or for the said Borough of *Liverpool*, (within their respective Jurisdictions,) and they are hereby required, on Request to them made by or on behalf of any such Obligee or Obligees, or Assignee or Assignees, whose Interest shall be so in arrear, by an Order under the Hands of such Justices to appoint One or more Person or Persons to receive the Whole or such Part or Parts of the said Rates as are liable to pay such Interest so due and unpaid as aforesaid, and the Money so to be received by such Person or Persons is hereby declared to be so much Money received by or to the Use of such Person or Persons to whom such Interest shall be then due, until all such Interest in arrear, together with the Costs and Charges of recovering and receiving the Rates, shall be fully satisfied and paid; and after such Interest and Costs shall have been paid and satisfied, the Power and Authority of such Receiver and Receivers, for the Purposes aforesaid, shall cease and determine.

Holders of Bonds not to be deemed Proprietors.

XXIX. Provided always, and be it further enacted, That no Person to whom any such Bond shall be given shall thereby be deemed a Proprietor of any Share, or shall be thereby rendered capable of acting as such at any Meeting of the said Company, for or on account of his or her having lent or advanced any Sum or Sums on such Bond.

In case Bonds paid off, Power to raise the Amount again.

XXX. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the said Sum of Thirty thousand Pounds on Bond as aforesaid, and shall afterwards be required or be desirous to pay off and shall pay off all or any Part of the Principal Sum thereby secured, then and in every such Case it shall be lawful for the said Company, and they are hereby authorized and empowered, immediately, at any Time or Times thereafter, again to raise, in lieu of the Principal Money so paid off or to be paid off by them, so much and such Sum and Sums of Money as they shall from Time to Time have paid off, or be required or be desirous to pay off, to the Holders of the Bonds or any of them, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any Event borrow upon Bond more than the Sum of Thirty thousand Pounds in the whole at any one Time.

Transfer of Shares.

XXXI. And be it also enacted, That it shall be lawful for the respective Proprietors of the said Undertaking, their Executors, Administrators, and Assigns, and each and every of them, to sell or transfer any Share or Shares, or Interest, of which they or any of them shall respectively be possessed; and every Transfer or Conveyance of such Share or Interest shall or may be in the Form or to the Effect following; (that is to say,)

'I [*or* We, *as the Case may be*,] in consideration of the Sum of
'paid to me [*or* us, *as the Case may*
'*be*,] by of do
'hereby assign and transfer to the said my
'[*or* our] Share [*or* Shares] numbered of and in
'the

‘ the Capital or Stock of and in the *Liverpool* and *Harrington* Water-
‘ works, and the Profits and Advantage to arise therefrom; to hold to
‘ the said his [*or* her] Executors, Adminis-
‘ trators, and Assigns, subject to the same Rules, Orders, and Regu-
‘ lations, and on the same Conditions as I [*or* we] held the same
‘ immediately before the Execution hereof: And I [*or* we] the said
‘ do hereby agree to take and accept
‘ the said Share, [*or* Shares,] subject to the same Rules, Orders, Re-
‘ strictions, and Conditions. As witness my [*or* our] Hand and Seal
‘ [*or* Hands and Seals] this Day of
‘ in the Year of our Lord .’

And on every such Transfer the said Deed or Conveyance shall be kept by the said Purchaser or Purchasers, for his, her, or their Security, after the Clerk to the said Company shall have entered, in a proper Book or Books to be kept for that Purpose, a Memorial of such Transfer and Sale, for the Use of the said Company, and have testified and endorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid, and the said Clerk is hereby required forthwith to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall not receive any Part or Share of the Profits of the said Undertaking, nor have any Interest for such Share or Shares paid to him, her, or them, nor have or give any Vote or Votes in respect thereof, as a Proprietor or Proprietors of the said Undertaking.

Regulations as to the Acquisition of Shares.

XXXII. And be it further enacted, That before any Person or Persons who shall claim any Part or Share of the Profits of the said Waterworks in right of Marriage shall be entitled to receive the same, an Affidavit containing a Copy of the Register of such Marriage, or the Effect of such Register, shall be made and sworn to by some credible Person before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same, and make an Entry thereof in the Book which shall be kept by the Clerk for the Entry of Transfers and Sales of Shares in the said Waterworks; and before any Person or Persons who shall claim any Part or Share of the Profits of the said Waterworks by virtue of any Bequest or Will, or in Course of Administration, shall be entitled to receive the same, the said Will, or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk, or a Copy of so much of such Will as shall relate to the Share or Shares of the Testator shall be made and sworn to by an Executor or Executors of such Will, before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and also shall be transmitted to the said Clerk, who shall file and enter the same in the Manner herein-before mentioned; and in all Cases other than is herein-before mentioned, where the Right and Property in One or more Share or Shares in the said Waterworks shall pass from the original Proprietor thereof to any other Person or Persons by any other legal Means than by a Transfer or Conveyance thereof as herein directed, an Affidavit shall be made and sworn to by some

credible Person before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons, and such Affidavit shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor or Proprietors in the said Register.

Receipt of Persons in whose Name Shares stand, for Dividends, to be good.

XXXIII. And be it further enacted, That the Receipt or Receipts of the Person or any of the Persons in whose Name or Names any Share in the said Concern shall stand in the Books of the said Company shall from Time to Time be a sufficient Discharge to the Treasurer or Treasurers for the Time being of the said Company for any Dividend or Sum of Money which shall become due and payable and be paid for or in respect of such Share, notwithstanding any Uses, Trusts, Intents, or Purposes upon or to which such Share shall be then settled, conveyed, or assigned, and that the said Company of Proprietors, or the Capital Stock or Funds of the said Concern, shall not be affected by any Notice which may be acquired of such Trusts, Intents, or Purposes, by the Registry of any Deed or Instrument hereby required to be registered as aforesaid.

Company to make Fire Plugs in every Street.

XXXIV. And be it further enacted, That the said Company of Proprietors shall, upon laying down any Main Pipe in any Street, Passage, or Place for supplying Water, fix and place, at the Time of laying down such Main Pipe, proper and sufficient Fire Plugs at convenient and proper Distances, for the more ready Supply of Water for extinguishing of Fires; and that painted Directions or Marks on the Houses, Buildings, or Walls opposite or near to the same, designating the Situation of such Fire Plugs, shall be provided and affixed by the said Company of Proprietors; and the Number and Situation of such Fire Plugs in *Harrington* and *Toxteth Park* aforesaid shall be from Time to Time fixed by the Engineer of the said Company, or Person to be appointed by the said Company for that Purpose, and by the Constable or Head Constable for the Time being of the Township of *Toxteth Park* aforesaid; and if they shall differ as to the same then they shall name a Third Person, and the Determination of any Two of such Persons shall be final thereon.

Keys of Mains to be deposited in Toxteth Park.

XXXV. And be it further enacted, That the said Company of Proprietors shall deposit with the said High Constable of *Toxteth Park* for the Time being, or at such Place as he shall appoint, a Key of the Main Plugs or Fire Plugs or Service Pipes in *Harrington* and *Toxteth Park*, of and belonging to the said Works, to the end that in Cases of Fire a Supply of Water may be more easily and readily obtained therefrom; and in case the said Company shall neglect or refuse to deposit such Key, they shall forfeit for every such Neglect or Refusal the Sum of Five Pounds, Half to the Informer and Half to the Surveyors of Highways in *Toxteth Park*; and if any Person with whom any such Key shall be deposited shall wilfully appropriate the Water for any other Purpose than the extinguishing of such Fires, or permit any Person or Person so take, use, or appropriate such Water for any other Purpose than as aforesaid, then and in

in each and every such Case the Person or Persons so offending shall forfeit and pay, to and for the Use of the said Company, the Sum of Ten Pounds; and which said Penalties shall and may be recoverable as in and by the said recited Act is directed.

Water may be used in Toxteth Park to extinguish Fires.

XXXVI. And be it further enacted, That it shall and may be lawful for all Persons at any Time to use and employ the Water which may be contained in any of the Main Pipes to be laid or used in *Harrington* and *Toxteth Park* (and which Main Pipes shall be left full at Night) in the extinguishing of any Fire or Fires which may happen to any House or Building in *Harrington* or *Toxteth Park*, or any Ship or Vessel lying in any present or future Dock or Basin in *Harrington* or *Toxteth Park*, without any Compensation being made to the Company of Proprietors for the same.

Tanks in Liverpool to be filled with Water for Fires.

XXXVII. And whereas the Commissioners of Watch, Scavengers, and Lamps of the Parish of *Liverpool* have made and erected a Reservoir or Tank in *Vauxhall Road* in the said Parish, and one in *Brick Street*, each capable of containing Four thousand five hundred Gallons of Water, or thereabouts, and are about to erect or intend to erect other such Tanks or Reservoirs in other eligible Situations within the said Parish of *Liverpool*, for the Purpose of ensuring a ready Supply of Water for the more speedily and effectually extinguishing or checking the Progress of any Fires which may happen within the said Parish of *Liverpool*, or the Shipping resorting thereto; be it enacted, That the said Company of Proprietors shall, without any Compensation for so doing, fill the said Tanks or Reservoirs, so erected or to be erected as aforesaid, with Water for the Purpose aforesaid, in case and when the said Tanks may not be filled from any other Source; and after any Fire or Fires which may happen, and after any Part of the Water contained in all or any of such Tanks or Reservoirs, for the Purpose of checking or extinguishing any such Fires, shall have been used, the said Company of Proprietors shall and are hereby required and directed to replenish and refill with Water all or any of the said Tanks or Reservoirs, without any Compensation for so doing: Provided always, that the Water so to be supplied by the said Company of Proprietors shall be used only for the Purpose of extinguishing or checking the Progress of Fires as aforesaid.

Tanks in Harrington to be filled with Water for Fires.

XXXVIII. And be it further enacted, That the said Company of Proprietors shall, without any Compensation for so doing, fill with Water any Tank or Tanks, Reservoir or Reservoirs, which may hereafter be erected and made in *Harrington* and *Toxteth Park*, or either of them, by or on behalf of the Inhabitants thereof respectively, for the Purpose of containing Water to be used for extinguishing or checking Fires which may happen within *Harrington* and *Toxteth Park* aforesaid, or either of those Places, or to the Shipping resorting thereto respectively; and after any Fire or Fires which may happen, when and after such Water shall be so used, the said Company of Proprietors shall replenish and refill the same Tank or Tanks, Reservoir or Reservoirs, with Water, without any Compensation for the same; so as such Tank or Tanks, Reservoir or Reservoirs, shall not, and

and collectively if more than one, contain more than Ten thousand Gallons in *Harrington*, and the like Quantity for *Toxteth Park*, and so that such Water so to be supplied shall be used only for the Purpose of extinguishing and checking Fires as aforesaid.

Appropriation of the Gains and Profits of the said Concern.

XXXIX. And be it further enacted, That when and so soon as the said Undertaking shall have become productive, beyond the Expenditures and Disbursements necessary for effecting all the Purposes of this Act and also of the said recited Act, and beyond and after the Payment of all such Interest as may be and become payable on or in respect of the Sum and Sums of Money to be borrowed and taken up at Interest on Bond, under the Authority of this Act, if any such shall be so borrowed, and after Payment of such Principal Money, or any Part thereof, as may from Time to Time be paid off and discharged, then from and out of the Monies to arise and be received under and by virtue of this Act and the said recited Act, Interest at and after the Rate of Five Pounds *per Centum per Annum* on the Money mentioned to be advanced and expended on the said Works in and by the said recited Act, and the Monies since advanced under and in pursuance of the Provisions of the said Act, and also on all Sum and Sums of Money hereafter to be advanced and paid by the said Company of Proprietors in extending and perfecting the said Works and Undertaking, for supplying as well *Harrington* and *Toxteth Park* as *Liverpool*, and the Shipping resorting to those Places respectively with Water,(and which Advances and Payments, in respect of the said Works and Undertaking as well in *Liverpool* as *Harrington* and *Toxteth Park*, the said Company of Proprietors are hereby empowered to make by and out of the gross Receipts of the said Company, as well arising from the Rents and Monies to be received for the supplying of Water to the Inhabitants of the said Town of *Liverpool* and the Liberties thereof, as to the Inhabitants of *Harrington* and *Toxteth Park*, and the Shipping resorting thereto respectively, and of which Advances and Payments a regular and distinct Account shall be kept in the Books of the said Company,) shall be annually or half-yearly paid to the Proprietor or Proprietors of each and every Share or Shares which such Proprietor or Proprietors may hold and be entitled to; and that whenever there shall appear to be a Gain and Profit to the said Company of Proprietors beyond such Payments as aforesaid, then the same shall be paid, applied, divided, and distributed as the Gains and Profits to arise under the Provisions of the said recited Act are thereby directed to be paid, applied, divided and distributed, in the like Way in every respect as if the Gains and Profits to arise under and by virtue of this Act had arisen wholly on the Works authorized under and by virtue of the said recited Act, or as if *Toxteth Park* and *Harrington* had been originally comprehended therein.

Penalty for conveying Washings of Gas into any River, Stream, &c.

XL. And be it further enacted, That if any Body Politic or Corporate, or any Contractor or Contractors, or any other Person or Persons whosoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the Limits of the said recited Act or of this Act, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at any Time drain or convey,

convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in or by the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or other Thing to the Water contained in such River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be spoiled, fouled, or corrupted, then and in each and every such Case such Body Politic or Corporate, Contractor or Contractors, or other Person or Persons, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and the whole of such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased or determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, Canal, or Reservoir, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to such Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, and they or he shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case such Body Politic or Corporate, Contractor or Contractors, or Person or Persons so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done as aforesaid; and such last-mentioned Penalty shall and may be recovered, levied, and applied in such and the like Manner as any other Penalty or

Forfeiture is in and by the said recited Act directed to be recovered, levied, and applied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by such Act so done or committed.

Stopping the Escape of Gas.

XLI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be placed, laid down, or set up by such Body Politic or Corporate, or Contractor or Contractors, or other Person or Persons as aforesaid, then and in every such Case they or he shall, at their or his own Expence, immediately after receiving Notice by Parol or in Writing, to be left or given at their Office or usual Place of transacting their Business, from any Inhabitant or Resident within the Limits of this or the said recited Act, of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from so escaping; and in case such Body Politic or Corporate, Contractor or Contractors, or Person or Persons, within Twenty-four Hours after such Notice by Parol or in Writing being given in manner as last aforesaid, of any such Escape of Gas, shall not effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the same Body Politic or Corporate, or Contractor or Contractors, or other Person or Persons shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice as aforesaid, during which the Gas shall be suffered to escape as aforesaid, which Penalty shall be from Time to Time recovered in a summary Way on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said Borough of *Liverpool* or County of *Lancaster*, in their respective Jurisdictions, as the Case may require, and shall and may be recovered, with all reasonable Charges (which such Justice is hereby required to allow to the Complainant), by Distress and Sale of the Goods and Chattels of such Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are by the said recited Act directed with regard to other Penalties.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

XLII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Highway, Passage, or public Place within the Limits of this or the said recited Act, shall be laid at the greatest practicable Distance, and whenever the Width of the Carriageway will allow thereof, at the Distance of Four Feet at least, as well from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by or by the Order of the Company of Proprietors for the Time being of the *Liverpool* and *Harrington* Waterworks, for the Conveyance of Water in, under through, along, across, or round any of the said Streets, Lanes, Highways, Passages, or public Places, except where it shall be unavoidably necessary to lay the Pipes for the Conveyance of Gas across any

any Water Pipes, in which Cases the said Pipes for the Conveyance of Gas shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and that in such Cases the said Pipes for the Conveyance of Gas so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least, and that in laying down the said Gas Pipes, the Body Politic or Corporate, Contractor or Contractors, Person or Persons, to whom the same shall belong, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials, and also make and keep all and every such Pipes, and all Pipes communicating or connecting therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom, and from any Part thereof, upon pain of forfeiting for every contrary Offence the Sum of Five Pounds, to be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

To prevent Escape of Gas and Contamination of Water, &c.

XLIII. And be it further enacted, That whenever the Water of the said Company of Proprietors shall be contaminated or affected by the Gas of any Body Politic or Corporate, Contractor or Contractors, or Person or Persons making, furnishing, or supplying Gas as aforesaid, such Body Politic or Corporate, or Contractor or Contractors, or Person or Persons so offending, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the Company of Proprietors affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, that then and in every such Case the Body Politic or Corporate, Contractor or Contractors, or Person or Persons making, furnishing, or supplying such Gas, shall within Twenty-four Hours next after Notice thereof in Writing, signed by the Manager or Chief Clerk for the Time being of the said Company, to be left at the usual Office or Place of transacting Business of the Body Politic or Corporate, Contractor or Contractors, or Person or Persons, so offending, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from the Works, Mains, or Pipes, or contaminating or affecting such Water; and in case such Body Politic or Corporate, Contractor or Contractors, or Person or Persons, shall not, within Twenty-four Hours after each and every such Notice so left as last aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then and in every such Case the said Body Politic or Corporate, Contractor or Contractors, or Person or Persons, making, furnishing, or supplying such Gas,

Gas, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being of the Company of Proprietors so affected, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by such Gas; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath or Affirmation of One credible Witness, by and in the Name of the Treasurer of the same Company, before any Justice of the Peace for the Borough of *Liverpool* or County of *Lancaster*, (as the Case may be,) with Costs, to be assessed by such Justice, and to be levied and recovered as any other Penalty is by the said Act directed to be levied and recovered; and such Penalty or Penalties, and Costs, when so levied, shall be paid to the Treasurer for the Time being of such Company of Proprietors.

For ascertaining if the Water is contaminated.

XLIV. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall and may be lawful to and for the said Company of Proprietors to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of any Body Politic or Corporate, Contractor or Contractors, or Person or Persons, making, supplying, or furnishing Gas, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of such Body Politic or Corporate, Contractor or Contractors, or Person or Persons, whose Mains, Pipes, Conduits, and Apparatus, or any of them, are so dug to and examined; and if it shall appear that the said Water has been contaminated by any Escape of such last-mentioned Gas, the Costs and Expences of the said Digging, Search, Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed shall be borne and paid by the said last-mentioned Body Politic or Corporate, Contractor or Contractors, or Person or Persons, so offending, which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of the said recited Act: Provided always, that if upon Examination it shall appear that such Contamination had not arisen from the Escape of Gas from any of the Mains, Pipes, or Conduits so dug to or examined as aforesaid, then and in such Case the said Company of Proprietors shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the same Body Politic or Corporate, Contractor or Contractors, or Person or Persons, whose Mains, Pipes, Conduits, or Apparatus, or any of them, are so dug to, searched, and examined, all Loss, Injury, or Damage which may be thereby occasioned to them in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination; the Amount of such respective Loss, Injury, or Damage to be ascertained and determined by such Justice or Justices as aforesaid.

Protection for Herculaneum Pottery Works.

XLV. And be it further enacted, That if by reason of any of the Operations under this Act it shall appear to the Company of Proprietors for the Time being having or possessing the Works and Premises called *The Herculaneum Pottery* or *Herculaneum*, and the Cottages or Dwelling Houses belonging thereto, or any Part thereof, or to any of such Proprietors, or to the sole Proprietor, that the Supply of Water to the said Works and Premises or any of them, by such Operations is wholly or in part taken away or diverted, then and in either or any of the Cases aforesaid it shall and may be lawful to and for such Proprietors for the Time being, or any of them, or for any sole Proprietor thereof or of any Part thereof, to require that Two Civil Engineers shall be respectively appointed, one of them by the said Waterworks Company acting under this Act, and the other of them by the Proprietors or any of them, or the sole Proprietor of the said *Herculaneum* Works and Premises, or of any Part thereof, for the Time being, and the said Two Persons so chosen shall, before they proceed to the Arbitration herein-after mentioned, name and appoint a Third Civil Engineer, and such Three Engineers shall inquire into the said Matters, and such Three Arbitrators or any Two of them shall decide between the said Parties; and in case the said Waterworks Company shall refuse or neglect to name an Arbitrator, being a Civil Engineer, or the said Two Arbitrators to name a Third Arbitrator as aforesaid, or the said Three Arbitrators, or any Two of them, shall neglect or refuse to act, when named, and to proceed forthwith upon and decide in the said Matters from Time to Time when called upon, then either the said Waterworks Company, or the said Proprietors or Proprietor of the said *Herculaneum* Works, requiring such Reference, shall be at liberty, upon giving Ten Days previous Notice in Writing to the other of them, to apply to the Court of General Quarter Sessions for the said County of *Lancaster* or for the Borough of *Liverpool*, which Courts, or either of them, are hereby authorized and required to name and appoint such Three Arbitrators, being Civil Engineers, as shall be willing to undertake the said Reference; and that it be referred to the said Arbitrators to consider whether, by the Operations of the said Waterworks Company, the Supply of Water to the said Works and Premises, or any Part thereof, has been wholly or in part taken away; and if the said Arbitrators, or any Two of them, shall be of opinion that the same has wholly or in part been taken away, then and in such Case such Arbitrators, or any Two of them, shall inquire into and ascertain the annual Disbursements attending the raising of Water for the Supply of the said *Herculaneum* Works and Premises, and the Quantity at that Time used for such Supply.

Supply of Water for Herculaneum Works.

XLVI. And be it further enacted, That the said Waterworks Company shall, at the Election of such Proprietors or Proprietor of the said *Herculaneum* Works, supply the whole Quantity of Water, or such Part or Parts thereof from Time to Time as the said Proprietors or Proprietor of the said *Herculaneum* Works shall require, at such annual Expence in the whole as the said Arbitrators or any Two of them shall estimate the same to amount to, and in the like Proportion for any smaller Quantity or Quantities; and if at any

Time or Times such Proprietor or Proprietors for the Time being, or any of them, of the said *Herculaneum* Works, shall be minded or desirous to have a greater Supply of Water, the said Waterworks Company shall supply the same, from Time to Time as required, at a reasonable and moderate Rate for the same, to be settled by such Arbitrators, who are to be named as aforesaid, from Time to Time as Need shall require; and the Award or Awards of the said Three Arbitrators so to be chosen, or of any Two, shall be final, provided the said Parties shall not mutually agree about the same; and all Costs and Charges in, about, touching, and concerning the said Reference and References shall from Time to Time be in the Discretion of the said Arbitrators, or any Two of them; or, in the Event of the said Arbitrators, or some Two of them, failing to make any Order respecting them, the same shall be equally divided and borne between the said Waterworks Company and the said Proprietor or Proprietors of the said *Herculaneum* Works, requiring such Reference or References; and in default of Payment thereof the Amount of such Costs shall be recoverable by the Party entitled to receive the same by due Course of Law.

Saving Rights of Devisees of Duke of Bridgwater.

XLVII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Company of Proprietors, by themselves, their Agents or Servants, to enter upon the Lands or Grounds of the Right Reverend and Honourable *Edward Venables Vernon* Lord Archbishop of *York*, and *Robert Haldane Bradshaw* Esquire, Devisees in Trust under the last Will and Testament of the late Most Noble *Francis* Duke of *Bridgwater* deceased, and *William Courtenay* Esquire, also appointed a Devisee in Trust under the said Will, in the Place of the late Right Honourable Sir *Archibald Macdonald* Baronet, deceased, or for the Purposes of this Act, to make use of any of the Docks, Tunnels, or Soughs appertaining to the said Lands or Grounds situated within the Parish of *Liverpool*, and known by the Name of *The Duke's Dock*, without the Consent in Writing of the said Devisees in Trust first had and obtained.

Reservation of Rights to the Corporation, &c.

XLVIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to hinder or prevent the Mayor, Bailiffs and Burgesses, or the Common Council of the said Town of *Liverpool*, from having, using, and exercising all and every the Rights, Powers, and Authorities in them already vested by any Act or Acts whatsoever, or otherwise, as fully, to all Intents and Purposes, as if the present Act had not been passed (save and except as far as any such Powers are expressly repealed by this Act); and that nothing in this Act contained shall extend or be construed to extend to prejudice the Trustees of the *Liverpool* Docks, and their Successors; or the Company of Proprietors of the *Mersey* and *Irwell* Navigation, and their Successors; or the Devisees in Trust of the late Most Noble *Francis* Duke of *Bridgwater*; or the Company of Proprietors of the Canal Navigation from *Leeds* to *Liverpool*, and their Successors; or the Company of Proprietors of the *Liverpool* Waterworks, established by an Act passed in the Thirty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled

An

39 G. 3. c. 36. 50 G. 3. c. 165. *An Act for better supplying the Town and Port of* Liverpool *with Water from certain Springs in the Township of* Bootle *in the County Palatine of* Lancaster, also by an Act passed in the Fiftieth Year of His said late Majesty, intituled *An Act to alter, amend, and enlarge the Powers of an Act passed in the Thirty-ninth Year of His present Majesty for better supplying the Town and Port of* Liverpool *with Water, from certain Springs in the Township of* Bootle *in the County Palatine of* Lancaster; or the Earl of *Derby*, his Heirs and Assigns, or the Earl of *Sefton*, his Heirs and Assigns; or *John Leigh* Esquire, his Heirs and Assigns; or any other Bodies Politic or Corporate, or other Person and Persons; but saving and reserving to them, and each and every of them, all their several respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been passed.

Public Act. XLIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1840.