CHAPTER xcv.

An Act for authorising the Justices of the Peace for the County Palatine of Lancaster to construct Bridges over the Rivers Lune and Croal and to Consolidate the County Debt; and for other purposes. [27th June 1881.]

A.D. 1881.

WHEREAS the existing bridge over the Lune in the hundred of Lonsdale in the county palatine of Lancaster known as the Caton Lune Bridge is greatly out of repair and has been closed for cart and carriage traffic to the great inconvenience of the public:

And whereas it is desirable to empower the Justices of the said county palatine (hereinafter referred to as "the Justices") to acquire all the rights and interests of the proprietors of the said bridge therein and to authorise the Justices to rebuild the said bridge with proper approaches thereto and to make such provision as is in this Act contained for charging the expenses of such rebuilding and of maintaining the said bridge on rates to be assessed and levied on the hundred of Lonsdale and for charging the expenses of maintaining the said approaches on the highway area or areas within which they are for the time being respectively situate:

And whereas the existing bridge over the Croal in the hundred of Salford in the said county palatine known as Farnworth Bridge is narrow and incommodious and out of repair and the approach on one side of the said bridge is steep and inconvenient:

And whereas the said bridge and its approaches are by ancient custom repairable by the inhabitants of the said hundred of Salford:

And whereas it is expedient to authorise the Justices to pull down the said bridge and to construct a new bridge in lieu thereof with proper approaches on a site more commodious for the public and to make such provision as in this Act contained for charging the expenses of such construction and of maintaining such new bridge on the rates assessed and levied on the hundred of Salford

A.D. 1881.

for the repair of hundred bridges and for charging the expenses of maintaining the said approaches on the highway area or areas within which they are for the time being respectively situate:

And whereas the local board of health for the district of Little Lever in the said county palatine (in this Act called "the Little Lever local board") are desirous and it is expedient that they be empowered for the purpose of enabling them to contribute towards the expense of constructing the eastern approach to the bridge (No. 2) by this Act authorised and to make in connection with the said bridge and approach improvements in streets and roads within their district and to raise money as by this Act provided:

And whereas an estimate has been prepared by the Little Lever local board shewing the amount which that board will require to borrow for the purpose of the said works being permanent works within the meaning of the 234th section of the Public Health Act 1875 and the amount of such estimate is five thousand pounds:

38 & 39 Vict. c. 55.

And whereas it is desirable to make better provision for enabling the Justices and highway authorities respectively to enter into contracts for the maintenance and repair of roadways over the county bridges and hundred bridges in the said county palatine and of the approaches thereto:

43 & 44 Vict. c. xxi.

And whereas by the Lancashire County Justices Act 1880 the committee of visitors of the County Lunatic Asylum at Whittingham in the said county palatine were empowered to construct waterworks for the purpose of affording a good and sufficient supply of water to that asylum but such works have not been commenced and the necessity for them may be obviated if the Justices on the one hand and sanitary authorities or other corporations on the other hand are empowered to enter into contracts as in this Act mentioned for the supply of water in bulk or otherwise to the said asylum:

And whereas the income of the police superannuation fund of the said county palatine is inadequate to meet the claims upon it and it is expedient to empower the Justices to direct that the fees received for service of summonses and execution of warrants by police constables of the county be carried to and applied as part of that fund and to make further provision for defraying any deficiency in the income of the fund:

And whereas it is expedient to authorise the appointment of an assistant chief-constable of the county:

And whereas the Justices have from time to time under the provisions of various public Acts enabling them in that behalf borrowed moneys for lunatic asylums militia storehouses police and prisons and on the thirty-first day of December one thousand eight hundred and eighty they owed on account of such moneys sums

amounting in the aggregate to the sum of three hundred and six thousand nine hundred and ninety-five pounds : A.D. 1881.

And whereas such sums are now respectively secured in different modes at different rates of interest with different priorities and subject to different conditions as to time of repayment and otherwise :

And whereas under the Lancashire County Justices Act 1879 the Justices are empowered to borrow for the erection and fitting up of county offices and under the Lancashire County Justices Act 1880 the Justices are empowered to borrow for the construction of the waterworks authorised by that Act and for providing courts and offices for the transaction of business in general or quarter sessions but no sums have yet been borrowed under either of those Acts : 42 & 43 Vict. c. xlvii.

And whereas further moneys are or will be required for the purposes of some of the Acts above referred to and it is desirable to authorise the Justices to borrow for the exercise of the powers of this Act relating to bridges :

And whereas the net annual value of property assessable to the general county rate in the said county palatine amounted in the year one thousand eight hundred and eighty to fifteen million six hundred and seventeen thousand seven hundred and twenty-six pounds :

And whereas in order to avoid charging borrowed moneys in different modes at different rates of interest with different priorities and subject to different conditions it is expedient that the Justices be empowered to consolidate the county debt and to create and issue capital stock for the purpose of converting by agreement any securities granted by them under any existing Acts and for the purpose of raising all or any such moneys as they may from time to time be authorised to borrow and that such stock should be charged on the general county rate or other rates in the nature of a general county rate leviable by the Justices and that one fund should be established out of moneys arising therefrom for paying the interest on and redeeming such stock :

And whereas it is expedient to provide that all stock to be issued under this Act shall rank pari passu with any stock which may be issued by the Justices under the authority of any future Act or Order confirmed by Parliament :

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

And whereas for the purposes of this Act plans and sections showing the lines and levels of the works proposed to be executed and the lands proposed to be taken for the purposes of this Act with a book of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the

A.D. 1881.

purposes or under the powers of this Act have been deposited with the clerk of the peace for the county palatine of Lancaster:

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):—

Short title.

1. This Act may be cited as the Lancashire County Justices Act 1881.

Execution of Act.

2. (1) The powers and provisions of this Act so far as they relate to the construction and maintenance of the bridge (No. 1) by this Act authorised shall be exercised and executed by a majority of the Justices assembled at the court of general quarter sessions held originally or by adjournment at Lancaster in the hundred of Lonsdale in the said county:

(2) The powers and provisions of this Act so far as they relate to the construction and maintenance of the bridge (No. 2) by this Act authorised shall be exercised and executed by a majority of the Justices assembled at the court of general quarter sessions held originally or by adjournment at Manchester or some other place in the hundred of Salford in the said county:

(3) The powers and provisions of this Act except where otherwise expressly provided shall be exercised and executed by a majority of the Justices in annual general session or special session or any adjournment thereof assembled.

Incorporation of general Acts.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.

3. The Lands Clauses Consolidation Acts 1845 1860 and 1869 are hereby incorporated with this Act and for the purposes of such incorporation this Act shall be deemed to be the special Act and the Justices to be the promoters of the undertaking.

Interpretation of terms.

4. In this Act unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:—

"The county" means the county palatine of Lancaster:

"The court of annual general sessions" means the court of annual general sessions of the peace holden in pursuance of the provisions of an Act passed in the thirty-eighth year of the reign of King George the Third chapter fifty-eight and intituled "An Act for obviating and removing doubts respecting the "holding of the adjournment of the general court of quarter "session of the peace in and for the county palatine of Lan-"caster and for authorising the justices of the peace acting "in and for the said county to hold an annual general session

"and also a special session for the purposes therein mentioned" or any adjournment thereof:

"The court of general quarter sessions" means any court of general quarter sessions of the peace holden in and for the county or any adjournment thereof:

"Existing Act" or "existing Acts" means any Act or Acts public or local passed before the passing of this Act and authorizing the Justices to borrow money on the security of any rate:

"Highway area" means and includes any urban sanitary district within the meaning of the Public Health Act 1875 also any highway district constituted in pursuance of the Highway Act 1862 and any Act amending the same also any highway parish (that is to say) any parish township or place maintaining its own highways: 25 & 26 Vict. c. 61.

"Highway authority" means as respects an urban sanitary district the urban sanitary authority and as respects a highway district the highway board (including any rural sanitary authority invested with the functions of a highway board) and as respects a highway parish the surveyor or surveyors or other officers performing similar duties:

"Person" includes a corporation:

In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction:

Provided that the term "superior courts" or "court of competent "jurisdiction" or any other like expression in any Act incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt and not a debt or demand created by statute:

I.—Bridges.

Power to Justices to build new bridges.

5. Subject to the provisions of this Act the Justices may in the lines and according to the levels shown on the deposited plans and sections make and maintain the following works (that is to say):

(1) A bridge (No. 1) over the river Lune on the site and in lieu of the existing bridge called Caton Lune Bridge commencing in the township of Halton in the parish of Halton at or near the western end or abutment of the said existing bridge and terminating in the township of Caton in the parish of Lancaster at or near the eastern end or abutment of such last-mentioned bridge:

A.D. 1881.

(a) An approach road to the said bridge (No. 1) wholly in the said township of Halton and parish of Halton commencing on the ancient highway from Halton to Hornby at a point seven hundred and four yards or thereabouts measured in a northerly direction along the centre of the existing road from the centre of the said existing bridge and terminating at a point at or near the commencement of the westernmost end or abutment of the said bridge:

(b) An approach road to the said bridge (No. 1) wholly in the said township of Caton and parish of Lancaster commencing at a point at or near the eastern end or abutment of the said existing road and terminating at or near a point on the public road leading from Lancaster to Caton where the Escow Beck passes under the said road:

(2) A bridge (No. 2) in lieu of the existing Farnworth Bridge over the River Croal with all proper piers abutments and other conveniences connected therewith commencing in the township of Great Lever in the parish of Middleton at a point on the western bank of the River Croal forty-four yards or thereabouts measured in a northerly direction from the western end or abutment of the existing Farnworth Bridge and terminating on the eastern bank of the River Croal at a point sixty yards or thereabouts measured in a northerly direction from the eastern end or abutment of the said last-mentioned bridge in the township of Little Lever in the parish of Bolton-le-Moors:

(a) An approach road to the said bridge (No. 2) wholly in the said township of Great Lever and parish of Middleton commencing at a point distant from the centre of the existing bridge known as Farnworth Bridge carrying the highway between Bolton and Bury over the River Croal one hundred and ten yards or thereabouts measured in a westerly direction along the centre of the said highway in the direction of Bolton-le-Moors and terminating at the commencement of the westernmost end or abutment of the said proposed bridge (No. 2):

(b) An approach road to the said bridge (No. 2) wholly in the township of Little Lever and parish of Bolton-le-Moors commencing at or near a point on the westernmost wall of the bridge or arch

carrying the Manchester Bolton and Bury Canal over the public road leading from Farnworth Bridge to Bury and terminating at the eastern end or abutment of the said proposed bridge (No. 2).

Limits of deviation.

6. In executing the works authorized by this Act the Justices may deviate vertically from the levels thereof shown on the deposited sections to any extent not exceeding five feet and may deviate laterally to any extent within the limits of deviation shown on the deposited plans and to any greater extent with the written consent of the owners lessees and occupiers of the land through which the deviation is proposed to be made.

Power to take lands.

7. For the purposes of this Act the Justices may from time to time enter on purchase take and use all or any of the lands delineated and described in the deposited plans and book of reference:

Any lands acquired by the Justices under this Act shall be conveyed to the clerk of the peace of the county and his successors on trust for the purposes of this Act.

Period for compulsory purchase of lands.

8. The powers of the Justices for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for completion of works.

9. If the works authorised by this Act are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Justices for making the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Correction of errors in deposited plans, &c.

10. If any omission misstatement or erroneous description is found to have been made of land or of any owner lessee or occupier of land described or intended to be described in the deposited plans or books of reference the Justices may apply to two Justices for the correction thereof after giving ten days' notice to the owners lessees and occupiers of the land and if it appears to the Justices that the same arose from mistake they shall certify accordingly stating the particulars and their certificate shall be deposited with and shall be kept with and shall be part of the deposited plans or books of reference and the same shall thereupon be deemed to be corrected according to the certificate and the Justices may enter on take hold and use the land accordingly.

Expenses of construction and maintenance of bridge (No. 1).

11. The expenses incurred by the Justices in the construction of the bridge (No. 1) and of the approach roads thereto and in the maintenance of the said bridge (No. 1) shall be defrayed out of a

A.D. 1881.

special rate to be made by the Justices on all hereditaments within the hundred of Lonsdale and to be assessed and levied on the same basis and at the same time and with the same powers and incidents of collection recovery and otherwise in all respects as if the same formed part of the general county rate.

Substitution of new bridge (No. 1) for existing bridge over Lune.

12. The new bridge (No. 1) over the Lune by this Act authorised shall when completed and opened for public traffic be deemed to be substituted for the said existing bridge over the Lune in the townships of Caton and Halton and shall be called the Caton Lune Bridge and shall subject to the provisions of this Act be deemed to be a hundred bridge.

Maintenance of approaches to bridge (No. 1).

13. The inhabitants of the hundred of Lonsdale shall be exempt from any liability to maintain or repair or to contribute to the maintenance or repair of the approach roads authorized by this Act in connection with the said bridge (No. 1) and those approach roads shall be respectively maintained and repaired as ordinary highways and the expenses of such maintenance and repair shall be borne and paid as ordinary highway expenses by the inhabitants of the townships within which they are respectively situate or if such approach roads respectively become included in any other highway area then by the highway authority of that area Provided that if such approach roads become at any time part of a main road within the meaning of the Highways and Locomotives (Amendment) Act 1878 they shall then be repairable as part of such main road and the expenses of maintenance and repair shall be borne and paid accordingly.

41 & 42 Vict. c. 77.

Power to borrow for bridge (No. 1).

14. For the purposes of the construction of the said new bridge (No. 1) and of the approach roads thereto the Justices may from time to time borrow in manner provided by this Act such sums as they may from time to time require not exceeding in the whole eleven thousand pounds.

Expenses of construction and maintenance of bridge (No. 2).

15. The expenses incurred by the Justices in the construction of the said bridge (No. 2) and of the approach roads thereto and in the maintenance of the said bridge (No. 2) and the approach road (*a*) thereto by this Act authorised in the said township of Great Lever and parish of Middleton and the approach road (*b*) thereto by this Act authorised in the said township of Little Lever in the parish of Bolton-le-Moors to the extent of fifty yards from the eastern buttress of the said bridge as shown on the deposited sections shall be defrayed out of the rates applicable to the repair of hundred bridges within the hundred of Salford.

Substitution of new bridge

16. The new bridge (No. 2) by this Act authorised and the said approach road (*a*) thereto and the portion mentioned in the last

preceding section of the said approach road (*b*) thereto shall when completed and opened for public traffic be deemed to be substituted for the said existing Farnworth Bridge over the river Croal and the approaches thereto and shall be called New Farnworth Bridge and shall subject to the provisions of this Act be deemed to be a hundred bridge and on the completion and opening thereof for public traffic the said existing bridge may be closed and discontinued and the materials thereof may be sold by the Justices and the proceeds may be applied towards the expenses of construction of the said new bridge (No. 2). (No. 2) for existing Farnworth Bridge.

17. On the completion and opening for public traffic of the bridge (No. 2) and the approach roads thereto by this Act authorised the inhabitants of the hundred of Salford shall be exempt from any liability to maintain or repair or to contribute to the maintenance or repair of the existing approach road in connection with the said existing Farnworth Bridge and also such portion of the approach road (*b*) by this Act authorised in connection with the said bridge (No. 2) as is situate more than fifty yards from the eastern buttress of the said bridge as shown on the deposited sections and those approach roads and portion of approach road shall be respectively maintained and repaired as ordinary highways and the expenses of such maintenance and repair shall be borne and paid as ordinary highway expenses by the inhabitants of the townships within which they are respectively situate or if such approach roads and portion of approach road respectively become included in any other highway area then by the highway authority of that area Provided that if such approach roads and portion of approach road become at any time part of a main road within the meaning of the Highways and Locomotives (Amendment) Act 1878 they shall then be repairable as part of such main road and the expenses of maintenance and repair shall be borne and paid accordingly. Maintenance of approaches to bridge (No. 2).

18. For the purpose of the construction of the said new bridge (No. 2) and of the approach roads thereto the Justices may from time to time borrow in manner provided by this Act such sums as they may from time to time require not exceeding in the whole eleven thousand pounds. Power to borrow for bridge (No. 2).

19. So far as may be necessary for the execution of any work by this Act authorised the Justices may temporarily stop up alter or divert any roads or paths in any of the townships within which any such work is situate. Power to stop up and divert roads.

20. Any lands acquired by or which become vested in the clerk of the peace under the provisions of this Act and which are not required for the purposes of this Act may be sold by the Justices and Sale of surplus lands.

A.D. 1881.

the proceeds of any such sale shall be applied in paying off money borrowed on account of hundred bridges in the hundred in which such lands are situate or if there be no money so borrowed then in aid of the rate applicable to the maintenance of such bridges.

Power to Little Lever local board to borrow.

21. The Little Lever local board may in addition to the sum of eleven thousand pounds which the Justices may borrow under the provisions of this Act from time to time for the purpose of enabling them to contribute towards the expense of constructing the eastern approach to the bridge (No. 2) by this Act authorised and to make in connection with the said bridge and approach improvements in streets and roads within their district borrow on the security of their district fund and general district rates such sums not exceeding in the whole five thousand pounds as they think requisite and to secure the repayment of sums so borrowed with interest may mortgage their district fund and general district rates and all money so borrowed shall be applied only for the purposes aforesaid Every such mortgage shall except as by this Act specially provided be made in manner prescribed by and shall be subject to the provisions of the Public Health Act 1875 and the said provisions shall save as aforesaid apply to such mortgages in like manner as if they were mortgages made under the said Public Health Act.

Provisions for paying off moneys borrowed.

22. The Little Lever local board shall under such provisions as shall be sanctioned by the Local Government Board pay off all money borrowed by them under this Act either by half-yearly or yearly instalments or by means of a sinking fund from time to time set apart and with the produce and accumulations thereof applied in that behalf (that is to say) :—

They shall pay off all money so borrowed within sixty years from the time of borrowing but they shall not be bound to pay any instalment or to set apart a sinking fund until after the expiration of five years from the passing of this Act.

Provided that all sums paid into such sinking fund shall be as soon as may be invested by the Board in any manner in which trustees are by law for the time being authorised to invest trust moneys or in any securities issued by any local authority as defined by the Local Loans Act 1875 other than the Little Lever local board.

38 & 39 Vict. c. 83.

Power to re-borrow.

23. The Little Lever local board shall not reborrow any principal money borrowed by them under this Act and paid off by instalments or by means of a sinking fund but subject thereto they may from time to time as occasion requires reborrow any money borrowed by them under this Act and paid off but all money

reborrowed shall be paid off within the period and in the manner prescribed in the case of the original loan.

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

24. The clerk to the Little Lever local board shall within twenty-one days after the expiration of each year during which any sum is required to be set apart by the board for a sinking fund or to be paid by instalments under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid by instalments 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 and the interest thereof 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 and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds If it appear to the Local Government Board by such return or otherwise that the board have failed to pay any instalments or set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court of Justice and in the case of moneys borrowed by the local board for the purposes of this Act under the provisions of the Local Loans Act 1875 the provisions of this section shall apply mutatis mutandis to the methods prescribed by that Act for the discharge of loans.

Power to include money required in general district rates.

25. The Little Lever local board in estimating the amount required to be raised by means of the general district rate for the purposes of their district and in making such rate shall include the money required by them for the purposes for which they are authorised to borrow by this Act and for the maintenance of any works for the construction of which the said local board are by this Act authorised to borrow and also any moneys required by them for the payment of interest and repayment of principal in respect of moneys borrowed by the local board under this Act in one and the same rate or assessment as money authorised by the Public Health Act 1875 to be levied by means of the general district rate and

A.D. 1881.

shall collect the same as part thereof as if the same were expressly charged by that Act on that rate.

Borrowing under 38 & 39 Vict. c. 55.

26. In calculating the amount which the Little Lever local board may borrow under the Public Health Act 1875 the amount which they may borrow or are authorised to borrow under this Act shall not be reckoned and the powers of the board of borrowing or reborrowing under this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Act 1875.

Priority of existing mortgages.

27. Nothing in this Act shall prejudice or affect any mortgages debentures or other securities on the funds or rates of the Little Lever local board existing at the passing of this Act and the same shall have priority over any mortgages debentures or securities on the same funds or rates granted under this Act.

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

28. The Little Lever local board if they think fit may borrow and reborrow any moneys which they are by this Act authorised to borrow and which they have not borrowed and secured in manner hereinbefore provided under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another Any moneys borrowed or reborrowed in manner by this section authorised for any of the purposes of this Act by the said board shall be a charge upon and shall be paid out of the local rate as defined by the Local Loans Act 1875 and also the district fund Every such loan and all sums so reborrowed shall be discharged within sixty years from the date of the original loan and such discharge or any part thereof shall be effected by means of a sinking fund if the board shall so think fit Provided always that if the board at any time think fit to form any such sinking fund the first payment to be made into the same need not be made until the expiration of five years from the passing of this Act and all sums paid into the same shall be as soon as may be invested by the board in any manner in which trustees are by law for the time being authorised to invest any trust moneys or in any securities issued by any local authority as defined by the Local Loans Act 1875 other than the Little Lever local board.

Justices may contract for repair of county and hundred bridges and roadways over same.

29. A majority of the Justices assembled at any court of general quarter sessions on the one hand and any turnpike trustees or other highway authority on the other hand are hereby empowered as regards the structure of any county or hundred bridge within or adjoining the limits of the jurisdiction of such trustees or authority or as regards the roadway over or the approaches (so far as repairable at the expense of the county or hundred) on either side of any such county or hundred bridge from time to time to

enter into vary and rescind contracts for any term of years on such conditions as may be agreed on for the repair by such trustees or authority of the whole or part of such structure roadway or approaches :

The powers conferred by this section shall be in addition to any powers already possessed in this behalf by the Justices or by any turnpike trustees or other highway authority under any public Act of Parliament or otherwise.

Protection of the Bridgewater trustees.

30. And whereas the trustees acting under the will of the late Duke of Bridgewater are or claim to be entitled to the mines and minerals on the west side of and extending to the centre of the River Croal under adjoining and on each side of the intended westerly approach to the New Farnworth Bridge Be it therefore enacted that the provisions of the Railways Clauses Consolidation Act 1845 "with respect to mines lying under or near the railway" shall extend and apply mutatis mutandis to the mines and minerals lying under or near the approach piers and abutments to and of the new Farnworth Bridge on the west side of and extending to the middle of the River Croal and in construing those provisions for the purposes of such application the expressions "the Company" and "the railway" shall respectively mean "the Justices" and the said "approach piers and abutments."

8 & 9 Vict. c. 20.

II.—Whittingham County Lunatic Asylum (Water Supply).

Visiting committee may contract for supply of water to Whittingham County Lunatic Asylum.

31. The committee of visitors for the time being of the County Lunatic Asylum at Whittingham may enter into and carry into effect contracts with any urban or rural sanitary authority or corporation for the supply of water in bulk or otherwise to the said asylum by such authority or corporation (whether the said asylum is or is not within the limits within which such authority or corporation are for the time being authorised to supply water) and from time to time may vary or rescind any such contract and may enter into and carry into effect fresh contracts and may apply or raise for the purposes of any such contract any moneys which they may respectively for the time being be authorised to apply or raise for similar purposes and generally may do all acts and things necessary and proper for carrying any such contract into effect.

III.—County Police.

Power for chief constable to appoint assistant.

32. Subject to the approval of the Justices the chief constable of the county shall from time to time appoint a fit person to be assistant chief constable who shall receive such salary as may with

A.D. 1881.

the consent of a Secretary of State be fixed by the Justices and shall have such powers and duties as may be delegated to him by the chief constable and also in the event of incapacity of the chief constable to act or of a vacancy in his office all the powers privileges and duties of the chief constable Provided that in the event of a vacancy in the office of chief constable the person so appointed shall not be capable of continuing to act with the powers of chief constable for more than three months after the occurrence of the vacancy:

Any assistant chief constable appointed under this section may with the approval of the Justices be removed by the chief constable.

The chief constable shall not be authorised or required to appoint a deputy under the general Police Acts save by express direction of the Justices.

Fees received for service of summonses &c. to be carried to police superannuation fund.

33. The Justices may from time to time direct that all or any part of the fees received by constables belonging to the police force of the county for the services of summonses or for the execution of warrants granted by any justice of the peace court of summary jurisdiction county court or any other court or magistrate shall (notwithstanding anything in any other Act of Parliament) be carried to and dealt with and applied as part of the police superannuation fund of the county established under the Act 3 and 4 Vict. c. 88 "To Amend the Act for the Establishment of "County and District Constables."

Provision for deficiency in yearly income of police superannuation fund.

34. If in any year the income arising from the investments made on account of the police superannuation fund of the county and from the deduction stoppages fines fees and other payments carried to or paid into the said fund in that year shall be insufficient (otherwise than by reason of any default of any treasurer or other person entrusted with the custody or management thereof) to pay the superannuation or retiring allowances and gratuities payable thereout then and in every such case the amount of the deficiency shall be defrayed out of the general police rate of the county.

IV.—County Stock.

Justices may create county stock.

35. Subject to the provisions of this Act the Justices may from time to time by resolution determine to create capital stock to be called "Lancashire County Stock" (in this Act referred to as "county stock") and to be issued in such amounts and manner as they may think fit and as shall be specified in such resolution and at such prices and times and on such terms and subject to such conditions (not being inconsistent with the provisions of this Act) as they may think fit for all or any of the following purposes that is to say:—

For raising any sum (to be specified in such resolution) on account of any moneys which they have authority to raise by borrowing under any existing Act and which they have not then raised; or

For raising instead of reborrowing any sum (to be specified in such resolution) required by them for the purpose of paying off when due any portion of their debt then subsisting on the security of outstanding securities granted by them under any existing Act and which they are authorised to reborrow or for repaying any moneys temporarily borrowed by them in order to enable them to pay off any portion of such debt; or

For the conversion into county stock by agreement but not otherwise of any portion (to be specified in such resolution) of their debt then subsisting on the security of outstanding securities granted by them under any existing Act:

Provided that nothing in this Act shall be construed to abridge or interfere with the powers of the justices for raising in manner provided by any existing Act any sums which they are by such Act authorised to raise and which they do not think it expedient to raise by means of county stock.

Application of county stock.

36. Where any county stock has been created under this Act for the purpose of raising moneys or paying off or converting any security for moneys raised for any of the purposes of any existing Act or for repaying any moneys temporarily borrowed for any such purpose such county stock shall be deemed to have been created for the said purposes of such Act and any moneys raised thereby shall be deemed to have been raised for such purposes and shall subject to the provisions of this Act be applied accordingly.

Restriction on exercise of borrowing powers after issue of county stock.

37. After any moneys have been raised by the Justices by the issue of county stock or after the conversion of any securities into county stock the Justices shall not issue any mortgages or other securities for the amounts so raised or converted and shall not again borrow the same and to the extent of such amount as aforesaid the powers of the Justices to borrow and reborrow moneys shall be extinguished.

Security for county stock.

38. All county stock and the interest thereon and the sums required for the redemption thereof shall be charged indifferently on the general county rate police rate and other rates in the nature of a county rate and on the hundred rates leviable by the Justices under any existing Act subject to all charges existing at the passing of this Act on such rates respectively and shall be a first charge thereon after those charges.

No preference among holders.

39. No holder of any portion of county stock shall have any priority or preference by reason of the prior creation of such stock or otherwise.

Conversion of existing securities into county stock.

40. (1) The Justices may enter into an arrangement with the holder of any security granted by them under any existing Act for the conversion thereof into such amount of county stock as may be agreed on:

(2) Any person who holds any such security and who is one of the persons enabled by the Lands Clauses Consolidation Act 1845 to sell land under that Act may consent to any arrangement under this Act for the conversion of such security into county stock or to the payment of the moneys secured thereby before the time limited for the payment thereof as if such person were the absolute owner in his own right of such security and such person is hereby indemnified for so doing:

(3) All county stock and moneys issued or paid in substitution for or on account of any such security or the moneys secured thereby shall be subject and liable to the same trusts powers provisions declarations agreements charges liens and incumbrances as immediately before the conversion or payment thereof affected such security or the moneys secured thereby and so as to give effect to and not to annul any testamentary or other disposition of or affecting the same and every such disposition shall take effect with reference to a proportionate amount of the substituted stock and moneys.

Trustees may invest in county stock.

41. Subject to the provisions of this Act as to stock certificates to bearer and coupons trustees or other persons for the time being having power to invest any moneys in nominal debentures or nominal debenture stock issued under the Local Loans Act 1875 shall have power to invest such moneys in county stock issued under this Act.

Nature and incidents of county stock.

42. (1) County stock shall be personal estate:

(2) County stock shall not be redeemable except by agreement between the Justices and the holder of any portion of such stock.

Register of county stock.

43. (1) The Justices shall cause to be kept a register in which shall be entered the names of the persons from time to time entitled to county stock and the amounts to which they are respectively entitled and the transfers from time to time made of such stock:

(2) No notice of any trust express implied or constructive shall be entered on the register or be receivable by or affect the registrar:

(3) The register kept in pursuance of this Act shall be primâ facie evidence of all matters entered therein and as regards persons

entered therein as holders of stock of the title of those persons to that stock: A.D. 1881.

(4) The Justices may from time to time appoint such person or bank as they may think fit to be the registrar for the purposes of this Act and may from time to time rescind any such appointment and the person or bank so appointed shall have all the powers and duties of the registrar under this Act subject to such directions as may from time to time be given by the Justices.

Interest on county stock.

44. (1) County stock shall bear such fixed and perpetual interest as the Justices by the resolution creating the same may determine:

(2) The interest shall be payable half-yearly on the first day of April and the first day of October or on such other days as the Justices may from time to time determine:

(3) If a day fixed for the half-yearly payment of interest falls on a Saturday or Sunday or a day observed as a public holiday at the Bank of England the interest shall in that case be payable on the first of the following days which is not one of the days excepted as aforesaid.

Receipt of interest by executors &c.

45. The Justices shall not be required to allow any executors or administrators to receive any interest on county stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the registrar for registration.

Receipts for interest of joint holders.

46. If two or more persons are registered as joint holders of any stock any one of such persons may give effectual receipts for any interest on such stock unless notice to the contrary shall have been given to the registrar by any other joint holder.

Interest warrants by post.

47. (1) The registrar may from time to time make arrangements for payment of interest on county stock by sending warrants through the post and every warrant so sent shall be deemed a cheque within the meaning assigned to that term in the Crossed Cheques Act 1876: 39 & 40 Vict. c. 81.

(2) Where a holder of county stock desires to have his interest warrants sent to him by post he shall make a request for that purpose to the registrar in writing signed by him in a form approved by the registrar and shall give to the registrar an address in the United Kingdom or in the Channel Islands or the Isle of Man to which the letters containing the warrants are from time to time to be sent:

(3) The posting by the registrar of a letter containing an interest warrant addressed to a holder of county stock on his request under this Act at the address given by him to the registrar shall as respects the liability of the Justices and registrar be equivalent to

A.D. 1881.

the delivery of the warrant to the said holder of county stock himself.

Transfer of county stock.

48. (1) Transfers of county stock shall be made only in the register and shall be signed by the transferor or by his attorney thereunto lawfully authorised by writing under his hand attested by at least one witness:

(2) The transferee may if he thinks fit underwrite his acceptance of the transfer:

(3) The instrument of transfer may be in the form in the first schedule to this Act:

(4) Transfers of county stock shall be chargeable with stamp duty as if they were transfers of the debenture stock of a company or corporation.

Closing register for transfers.

49. (1) The register may be closed for transfers during such time (not exceeding fifteen days) immediately preceding each half-yearly payment of interest on the county stock as may be directed by the Justices on their giving not less than seven days' notice of such closing by advertisement in at least six local newspapers circulating generally in the county:

(2) The persons who on the day of such closing are inscribed in the register as holders of stock shall as between them and their transferees of any stock be entitled to the interest then next payable on such stock.

Transmission of county stock.

50. (1) The executors or administrators of a deceased holder of county stock shall be the only persons recognised as having any title to the stock of such holder or any interest thereon:

(2) Any person becoming entitled to any stock in consequence of the death bankruptcy or insolvency of any holder or in consequence of the marriage of any female holder or otherwise than by transfer of the stock shall produce such evidence of his title as may reasonably be required by the registrar and the person so becoming entitled to any stock may transfer such stock to another person without being registered himself:

(3) The Justices shall not be required to allow any executors or administrators to transfer any county stock until the probate of the will or the letters of administration to the deceased has or have been left with the registrar for registration.

Stock receipts.

51. (1) The registrar shall on the application of the holder of any county stock and on payment of the fees chargeable in pursuance of this Act issue to such holder a stock receipt specifying the name and address of such holder and the amount of stock to which he is entitled and such stock receipt shall be primâ facie

evidence of the title of the holder at the date of the stock receipt to the amount of stock stated therein but the want of such stock receipt shall not prevent the owner of any county stock from transferring the same:

(2) If any such stock receipt be worn out or damaged then the same may on production thereof be cancelled and another similar stock receipt may be given to the holder of the stock specified in the stock receipt worn out or damaged or if such stock receipt be lost or destroyed then on proof thereof to the satisfaction of the registrar a similar stock receipt may be given to the holder of the stock specified in the stock receipt so lost or destroyed and in either case a due entry of the substituted stock receipt shall be made in the register.

Stock certificates to bearer.

52. (1) Subject to the provisions of this Act with respect to trustees and to the conditions hereinafter mentioned the registrar if so authorised by the Justices shall on application and payment of the fees chargeable in pursuance of this Act grant to a holder of county stock a certificate (in this Act called a "stock certificate to "bearer") which shall entitle the bearer to the stock therein specified and shall be transferable by delivery:

(2) A stock certificate to bearer shall not be granted in respect of any sum of county stock not being one hundred pounds two hundred pounds five hundred pounds or one thousand pounds:

(3) Any stock in respect of which a stock certificate to bearer has been so issued shall so long as such certificate is outstanding cease to be transferable in the register:

(4) Every stock certificate to bearer shall be charged with a stamp duty of seven shillings and sixpence for every full sum of one hundred pounds and the like for every fraction of one hundred pounds of the nominal amount of the stock described in such certificate.

Coupons attached to stock certificates to bearer.

53. (1) There shall be attached to every stock certificate to bearer coupons entitling the bearer of the coupons to the interest on the stock described in such stock certificate for a limited period:

(2) On the expiration of the period for which the coupons attached to a stock certificate to bearer have been issued the registrar may issue fresh coupons for a further limited period in respect of such certificate or may exchange the certificate for another certificate with coupons for a further limited period and so for successive periods:

(3) Coupons shall be payable on presentation at the office of the registrar or at any bank in that behalf mentioned in the coupon within three clear days from the day of presentation:

A.D. 1881.

(4) The payment to the bearer of any coupon of the amount expressed therein shall be a full discharge to the registrar and the Justices from all liability in respect of that coupon and the interest represented thereby.

Registration of bearer of stock certificates to bearer.

54. On delivery to the registrar of a stock certificate to bearer and of all unpaid coupons belonging thereto and on payment of the fees chargeable in pursuance of this Act the registrar shall enter the bearer in the register as holder of the stock described in the certificate and thereupon that stock shall become transferable in the register and the interest thereon shall thenceforth be payable as if no stock certificate to bearer had been issued in respect thereof.

Trustees not to hold stock certificates to bearer.

55. A trustee shall not apply for or hold a stock certificate to bearer unless authorised so to do by the terms of his trust and any contravention of this section by a trustee shall be deemed a breach of trust but this provision shall not impose on the registrar an obligation to inquire whether a person applying for or holding a stock certificate to bearer or coupon is or is not a trustee or subject the registrar or the Justices to any liability in the event of his issuing to a trustee a stock certificate to bearer or coupon or dealing with a trustee as the holder of a stock certificate to bearer or coupon or invalidate any stock certificate to bearer or coupon issued to a trustee.

Loss or destruction of stock certificate to bearer or coupon.

56. If any stock certificate to bearer or coupon issued under this Act is lost or destroyed the registrar may on receiving indemnity to his satisfaction issue a fresh stock certificate to bearer or coupon.

General provision as to stock described in stock certificate to bearer.

57. Save in so far as relates to the mode of transfer and payment of interest thereon any county stock described in a stock certificate to bearer issued under this Act shall be a charge on the same securities and be subject to the same powers of redemption and (save in so far as such stock certificate is a negotiable security) to the same incidents in all respects as if such stock had continued registered in the register as stock transferable therein.

Fees in respect of stock receipts and stock certificates to bearer.

58. There shall be charged with respect to the several proceedings in relation to stock receipts and stock certificates to bearer the fees specified in the second schedule to this Act annexed or such other less fees as may be from time to time determined by the Justices Provided that where the registrar in lieu of issuing fresh coupons in respect of a stock certificate to bearer gives in exchange a fresh stock certificate to bearer with coupons annexed no fee shall be charged in respect of such fresh stock certificate to bearer or coupons :

All fees payable in pursuance of this section shall be payable to the registrar and shall be carried to the loans fund created under this Act.

Arrangements with bank.

59. The Justices may from time to time enter into such arrangements with the Bank of England or with any other bank as they think proper for carrying into effect the provisions of this Act with reference to the creation and transfer of county stock and the management thereof and the keeping of the register and any other matters and for the proper remuneration of the bank with reference thereto.

Special provisions if Bank of England become registrar.

60. In the event of the Bank of England becoming the registrar under this Act then so long as the Bank continue to act as registrar the following provisions shall have effect (namely) :—

(*a*) The Bank as registrar may if they see fit require every power authorising an attorney to transfer stock to be under the seal of the person executing the power and attested by two or more credible witnesses :

(*b*) The Bankers Books Evidence Act, 1879, shall apply to the register and to all other books accounts and documents kept by the registrar in pursuance of this Act : 42 & 43 Vict. c. 11.

(*c*) The Bank as registrar before paying interest on any county stock may if the circumstances of the case appear to make it expedient require evidence by a statutory declaration made under the Act 5 & 6 Will. 4 c. 62 or otherwise of the title of any person claiming a right to receive the interest :

(*d*) Where county stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter of attorney for the receipt of the interest on the stock shall be sufficient authority in that behalf if given under the hand and seal of the person not under disability attested by two or more credible witnesses The Bank as registrar before acting on the letter of attorney may require proof to their satisfaction of the alleged infancy or unsoundness of mind by statutory declaration made under the Act 5 & 6 Will. 4 c. 62 or otherwise :

(*e*) Where the executors of the will of a deceased holder of stock propose to transfer his stock or part thereof the Bank as registrar may if they see fit require all the executors who have proved the will to join in the transfer.

Justices may make regulations as to county stock.

61. (1) The Justices may from time to time make alter and rescind with respect to the transfer of county stock the issue of stock certificates to bearer and coupons and otherwise in relation to

A.D. 1881.

such stock reasonable regulations not inconsistent with the provisions of this Act:

(2) A printed copy of all such regulations shall be entered in the register and any such regulations for the time being in force shall be duly observed.

Expenses of execution of this part of this Act.

62. The expenses from time to time incurred by the Justices in the execution of the provisions of this Act relating to county stock issued for the purposes of any existing Act shall be defrayed by the Justices out of the rate applicable under such Act to the redemption of county stock.

Accounts to be kept by Justices.

63. The Justices shall cause to be kept proper accounts showing the several purposes of existing Acts for which from time to time county stock has been created and distinguishing the amounts of county stock created for such purposes respectively and such accounts shall be from time to time audited in like manner as the accounts of the Justices are from time to time audited.

County loans fund.

64. For the purpose of paying the interest on and redeeming county stock created under this Act there shall be established a fund to be called "the Lancashire County Loans Fund" (in this Act referred to as "the Loans Fund") which shall be formed in manner following (that is to say):

(1) Where any security granted under any existing Act is paid off by means of money raised by the creation of county stock under this Act or is converted into such stock and there is any sinking fund or other fund which has been formed for the payment of the moneys secured by such security either alone or jointly with other securities the Justices shall carry to the Loans Fund such sinking fund or other fund or such proportion thereof as may be the proportion which the moneys secured by such security bear to the total of the moneys secured by all the securities for the payment of which such fund has been formed:

(2) The Justices shall also carry to the said fund any moneys which may arise from the issue of any county stock at a premium:

(3) The Justices shall also carry to the said fund all moneys in the nature of capital arising from the sale of lands and property acquired by the Justices under any existing Act but not required for the purposes of such Act remaining to the credit of the Justices after providing for all charges on such moneys existing at the time of the passing of this Act and to which the same are for the time being applicable exclusive of any portion of such moneys which the Justices may be autho-

rised or required from time to time to re-invest or to apply to the purposes of any such existing Act:

(4) The Justices shall also in every year carry to the said fund (a) such sum as shall be equal to the amount of all the interest payable as by this Act provided on county stock for that year and (b) such sum as shall be equal to the amount of all the moneys payable as by this Act provided towards the redemption of county stock for that year.

Contributions for providing sums to be carried in every year to the loans fund.

65. The Justices shall provide the sums directed by this Act to be carried in every year to the loans fund for payment of interest and towards redemption of stock respectively by means of contributions out of the several rates out of which such contributions are respectively payable under this Act Provided that where in any case any such rate is by reason of any limit to such rate wholly or partially insufficient to yield the amount required for any contribution the Justices shall provide the amount required to make up such insufficiency from the general county rate.

Rates out of which contributions to be payable.

66. (1) The contributions required from time to time to provide the sums directed by this Act to be carried to the loans fund as aforesaid for payment of interest on county stock issued for raising moneys or paying off or converting any security for moneys raised for any of the purposes of any existing Act shall from time to time be payable out of the several rates which by such existing Act would be charged or chargeable with the payment of the interest on such moneys if the same were secured in manner provided by such Act:

(2) Where under any existing Act any yearly or other sum would from time to time and for any period of time be set apart out of any rate for the purpose of forming any sinking fund or other fund for the repayment of or of repaying by instalments or otherwise the moneys raised for any of the purposes of such Act if the same were secured in manner provided by such Act a like sum shall from time to time during the like period be payable out of such rate towards the redemption of a corresponding amount of county stock in the event of such moneys being raised by the issue of county stock:

(3) Nothing in this section contained shall alter or affect the securities on which county stock is by this Act indifferently charged or the order in which county stock is charged on such securities nor shall anything in this section contained discharge or relieve any of such securities from any liability in respect of such county stock or of the moneys required for the payment of interest thereon and the redemption thereof.

Amounts of contributions.

67. (1) The amounts of the several contributions to any sum directed by this Act to be carried to the loans fund for payment of interest as aforesaid shall be the several sums ascertained to be payable in respect thereof by the apportionment of such sum among the several rates respectively out of which such contributions are payable having regard to the amount of county stock in respect of which interest is payable out of such rates respectively Provided that the amounts of the several contributions required for payment of interest as aforesaid in any year shall be reduced by the amount of income resulting from investment of the loans fund which is applied in that year in payment of such interest and all interest resulting from such investment and not otherwise specifically applicable may be applied accordingly.

(2) The amounts of the several contributions to any sum directed by this Act to be carried to the loans fund for redemption of county stock as aforesaid shall be the several sums from time to time payable (as by this Act provided) out of any rate for the redemption of county stock :

(3) In estimating for the purposes of such apportionment as aforesaid the amount of county stock in respect of which interest is payable out of any such rate the Justices shall where any moneys constituting any sinking fund or other fund or any proportion of any sinking fund or other fund formed for the repayment of the moneys secured by such county stock or where any moneys towards the redemption of such county stock have in pursuance of the provisions of this Act been carried to the loans fund deduct from the amount of such county stock actually issued the amount (if any) of county stock purchased for redemption and cancelled by means of the moneys so carried to the loans fund as aforesaid.

Raising of contributions.

68. (1) The Justices shall from time to time raise the amount of such contributions as aforesaid respectively by means of the rates out of which the same are respectively payable under this Act in every respect as though such contributions respectively were on account of interest on and for the repayment of moneys raised for the same purposes respectively and charged on such rates respectively by securities granted under the authority of the existing Acts :

(2) The Justices shall for the raising of such contributions respectively perform all such acts and exercise all such powers and when necessary make and levy the same rates respectively as they would have been required to do for the benefit and security of the holders of such securities as aforesaid :

(3) If in any case any such rate is wholly or partly insufficient to yield the amount required for any contributions to be provided thereout or by means thereof and the amount required to make up

such insufficiency is provided as by this Act prescribed out of the general county rate the amount so provided shall be deemed to be a debt due from such rate to the general county rate in respect of which interest shall be payable at the rate of four pounds per centum per annum until repayment of the same and the amount of such debt together with the interest thereon until repayment thereof at the rate aforesaid shall as soon as may be and when the Justices are of opinion that such rate will be sufficient for such purpose be raised and levied as part of and together with the then next contribution out of such rate and when so raised the same shall be carried to the credit of the general county rate.

Application of loans fund.

69. (1) The Justices shall from time to time apply the loans fund first in the payment of the interest on county stock and then in purchasing county stock for redemption:

(2) The Justices shall in the meantime invest so much of such fund as shall remain unapplied and uninvested on the thirty-first day of May in any year and as shall not have been paid into the fund for the purpose of paying interest on the county stock in any securities in which trustees are for the time being authorised to invest trust funds or in any mortgages bonds debentures debenture stock or other securities authorised by Parliament of the Justices of any county or of any municipal corporation or local board or in county stock and the interest thereon and resulting income thereof shall form part of the loans fund and shall be applied and may be invested in the same manner:

Purchase and cancellation of county stock.

70. (1) Where any county stock is created for the purpose of raising moneys for any of the purposes of any existing Act or paying off or converting any security for moneys raised for any of such purposes or for repaying any moneys temporarily borrowed as aforesaid for any of such purposes a like amount of county stock shall be purchased by the Justices for redemption and cancelled within the period within which the moneys secured by the county stock created for such purpose would have been paid off if the same were secured in manner provided by such existing Act Provided that the Justices shall not be bound to purchase any county stock for such purpose unless they can do so at or below par or without incurring any material loss but if the whole or any part of such amount of county stock shall not be redeemed and cancelled in manner aforesaid within such period then and in such case the interest from time to time payable on the whole or any part of such amount remaining unredeemed after such period shall so long as the whole or any part of such amount remains unredeemed be paid out of the moneys for the time being forming the loans fund and save in so far as such moneys may be insufficient for such purpose no

A.D. 1881.

further moneys shall be carried to the loans fund from the fund revenue or rate liable to contributions for payment of such interest.

(2) All county stock purchased for redemption shall be cancelled and thereupon all interest in respect thereof shall be extinguished provided that in the case of county stock comprised in a stock certificate to bearer all outstanding coupons belonging thereto shall previously have been delivered up to be cancelled.

Application of money raised by county stock and not for the time being required.

71. The Justices may from time to time invest all moneys which may be raised by the issue of county stock and which may not for the time being be required for the purposes of this Act in any securities in which trustees are for the time being authorised to invest trust funds or in any mortgages bonds debentures debenture stock or other securities authorised by Parliament of the Justices of any county or of any municipal corporation or local board or in county stock and shall from time to time carry the interest arising therefrom to the loans fund on account of the sums from time to time required to be carried thereto in respect of such county stock.

Appointment of receiver in certain cases.

72. (1) Any person entitled to any county stock may if default be made for a period of two months after demand in writing of payment of interest on such stock apply to the Chancery Division of the High Court of Justice in a summary manner by motion or petition without the issue of a writ for the appointment of a receiver and the Chancery Division may if it think fit on such application appoint a receiver on such terms and conditions and with such power as it may think fit:

(2) Any receiver so appointed shall have the same power of collecting and receiving and recovering and applying all moneys liable to be carried under this Act to the loans fund and of assessing and raising and recovering all rates for the purpose of obtaining such moneys as the Justices or any of their officers may have and shall apply all such moneys after payment of expenses and costs under the direction of the Chancery Division for the purposes of and in conformity with this Act:

(3) The Chancery Division may at any time discharge such receiver and shall have full jurisdiction over such receiver and the applicant and all persons interested in the acts of the receiver in the same manner and to the same extent as if such receiver had been appointed in an action duly instituted therein.

Exemption of purchasers of county stock from inquiries into

73. A person who under this Act purchases any county stock or advances money to the Justices on the security of such stock or accepts such stock in lieu of and by way of conversion of any security shall not be bound to see or inquire whether such stock is

created or such advances are required for the purposes of any existing Act or is or are within the borrowing powers of the Justices or otherwise in accordance with the provisions of this Act or any regulations made thereunder and shall not be prejudiced by the same not being so and shall not be bound to see to or inquire into the application of the moneys or any part of the moneys arising from such stock or of any such security or advances or be in any way responsible for the non-application or misapplication thereof and shall not be bound to inquire whether the Justices when creating such county stock were properly assembled or that the proceedings at any meeting of the Justices were legal or regular. application of moneys &c.

74. The treasurer of the county shall on or before the first day of September in each year during which any payment is required to be made into the loans fund under the provisions of this Act transmit to the Secretary of State for the Home Department a return showing: Annual return to Secretary of State.

(*a*) The amounts paid into the loans fund during the year in accordance with the provisions of this Act for the purpose of paying the interest on the county stock and towards redeeming such stock respectively:

(*b*) The amounts of the contributions so paid in accordance with the provisions of this Act from the several funds and revenues and out of the several rates charged with the payment of the same by this Act:

(*c*) The amounts so paid in accordance with the provisions of this Act in respect of the sale of any lands and other property on the revenue of which the county stock is charged:

(*d*) The amounts carried to the credit of the loans fund during the year in accordance with the provisions of this Act in respect of any sinking or other fund or premium:

(*e*) The amounts accumulated during the year on the investments of the loans fund:

(*f*) The amounts applied during the year for the purpose of paying the interest on the county stock and towards redeeming such stock respectively:

(*g*) The amounts invested during the year and the description of the securities upon which any investment has been made:

(*h*) The total amount (if any) remaining uninvested at the end of the year:

(*i*) The total amount of the county stock then remaining unredeemed:

In the event of any wilful default in making such return the treasurer shall be liable to a penalty not exceeding twenty pounds:

Saving rights of holders of existing securities.

75. Nothing in this Act shall affect the security or rights of any person who may before the passing of this Act have advanced money to the Justices or who may for the time being hold any security granted by the Justices under any existing Act so long as such person has not been paid the principal and interest due in respect of such advance or security or made an arrangement for the conversion of such security under this Act and the Justices shall during the same period (whenever so required by the holder of any such security) apply the moneys under their control in such manner and perform all such acts and exercise all such powers and if necessary levy the same rates as they would have been required to do for the benefit and security of such holder if this Act had not passed.

Borrowing for purpose of bridges.

76. Any sums which the Justices are hereinbefore authorised to borrow in manner provided by this Act may be raised by the creation and issue of county stock which shall rank pari passu with county stock created under the foregoing provisions of this Act and to which those provisions as regards security and otherwise shall in all respects extend and apply.

Period for redemption of county stock issued for execution of this Act so far as relates to bridges.

77. (1) The Justices shall redeem or make provision for redeeming any county stock issued for the purpose of the execution of the provisions of this Act relating to the Caton Lune bridge within thirty years from the issue of such stock by paying into the loans fund out of the special rate leviable in the hundred of Lonsdale under this Act the sums by this Act required to be paid:

(2) The Justices shall redeem or make provision for redeeming any county stock issued for the purpose of the execution of the provisions of this Act relating to Farnworth bridge within thirty years from the issue of such stock by paying into the loans fund out of the rate applicable to the repair of hundred bridges within the hundred of Salford the sums by this Act required to be paid.

Sums payable to loans fund for redemption of such stock.

78. For the purpose of the redemption of an amount of county stock equal to that issued for the execution of the provisions of this Act so far as they relate to bridges the following provisions are hereby made:

(1) Such equal yearly or half-yearly sums shall be paid into the loans fund in each year as being accumulated at compound interest at the rate of three pounds ten shillings per centum per annum will at the expiration of not more than thirty years from the date of the first payment be sufficient after payment of all expenses to redeem an amount of stock equal to that for the redemption of which the said sums are required to be paid:

(2) The first of such payments shall be made within one year from the issue of the stock:

(3) All sums paid into the loans fund under this section shall be as soon as may be invested as part of that fund and shall be applied on or as soon as practicable after the expiration of the said period of thirty years in purchase of county stock for redemption:

(4) The Justices may at any time before the expiration of the said period of thirty years apply any part of the loans fund which is not required for payment of interest in the purchase of county stock for redemption and in every such case a sum equivalent to interest at the rate of three pounds ten shillings on the stock so redeemed shall thenceforth be annually paid into the said fund out of the funds accounts revenues or rates chargeable with payment of the interest on such stock:

(5) All county stock purchased by the Justices for redemption shall be cancelled.

Issue of county stock in exercise of future borrowing powers under any existing Acts.

79. All moneys which the Justices may be authorised to borrow under any existing Act at any time after the passing of this Act may be raised by the Justices by the creation and issue of county stock and such further stock shall rank pari passu with the stock created and issued under the foregoing provisions of this Act and all the provisions of this Act shall extend and apply to the creation and issue of such further stock and to the security for the same and otherwise in relation thereto and this Act and all deeds securities instruments and documents in which this Act is mentioned or referred to shall be construed accordingly.

Issue of county stock in exercise of borrowing powers under future Acts.

80. Where by any Act or Provisional Order passed or confirmed by Parliament after the passing of this Act the Justices are empowered to borrow any moneys for the purposes in such Act or Order mentioned and it is by such Act or Order provided that for the purpose of raising or securing the moneys thereby authorised to be borrowed the Justices may create and issue capital stock then and in every such case any further capital stock created and issued under the authority of such Act or Order shall be deemed to be county stock created and issued under the authority of this Act and shall rank pari passu therewith and all the provisions of this Act shall extend and apply to the creation and issue of such further stock and to the security for the same and otherwise in relation thereto in every respect as if such Act or Order were an existing Act within the meaning of the foregoing provisions of this Act and this Act and all deeds securities instruments and documents in which this Act is mentioned or referred to shall be construed accordingly.

Contributions of boroughs

81. As regards any municipal city or borough in the county which has at the passing of this Act a separate court of quarter sessions the treasurer of the county shall in any order made by

with separate Courts of Quarter Sessions. 5 & 6 Will. 4. c. 76.

him under section one hundred and seventeen of the Municipal Corporations Act 1835 charge only the actual sum which such city or borough is for the time being liable to contribute towards the payment of interest on and the redemption of county stock having regard to the purposes for which county stock has been from time to time created and issued and no greater or other contribution or payment shall by reason of anything in this Act be required from any such city or borough than would have been payable by such city or borough if this Act had not passed and the full benefit of any reduction of interest or otherwise in connection with the consolidation of debts and issue of stock under this Act shall be allowed to such city or borough in respect of any debt to the interest or repayment of which such city or borough for the time being contributes.

All sums arising from time to time from the proceeds of sale of any lands buildings or property acquired or provided under any Act or Acts of Parliament and which sums if this Act had not passed would have been wholly or partly applicable to the credit or repayment or relief of any fund liability charge or expense towards which any such city or borough is for the time being liable to make any payment or contribution shall to the same extent and in such manner as if this Act had not passed be applicable and applied or accounted for towards the credit repayment or relief of the same fund liability charge or expense.

In case any dispute arises whether any such city or borough or cities or boroughs is or are deprived of any benefit or subjected to any burden contrary to the intention of this section such dispute may and shall from time to time be settled by a special case or arbitration in such manner as on summons or motion by or on behalf of any party to the dispute a judge of the High Court of Justice directs.

Forgery &c. of transfer of stock.

82. For the purposes of the Act of the Session of the twenty-fourth and twenty-fifth years of the reign of her present Majesty chapter ninety-eight "To Consolidate and Amend the Statute Law "of England and Ireland relating to indictable Offences by Forgery" all county stock shall be deemed to be capital stock of a body corporate and for the purposes of the Forgery Act 1870 the terms stock certificate and coupon in that Act shall be deemed to include a stock receipt and a stock certificate to bearer and a coupon under this Act.

33 & 34 Vict. c. 58.

Expenses of Act.

83. The costs charges and expenses of and incidental to the preparing applying for and obtaining this Act shall be paid by the Justices out of the general county rate or out of moneys borrowed on the security thereof.

SCHEDULES.

FIRST SCHEDULE.

FORM OF TRANSFER OF COUNTY STOCK.

I A. B. of in consideration of the sum of pounds paid to me by C. D. do hereby transfer to the said C. D. his executors administrators and assigns the sum of Lancashire County Stock standing in my name in the register of such stock and all my right and interest in and to the same and the interest thereon.

In witness whereof I have hereunto set my hand this day of 18 .

Name
Address

Signed by the above-named A. B. in my presence { Name / Address

SECOND SCHEDULE.

SCHEDULE OF FEES.

On the issue of a stock receipt or of a substituted stock receipt in lieu of a stock receipt lost or destroyed a fee not exceeding two shillings and sixpence.

On the issue of a stock certificate to bearer or of a new stock certificate to bearer in lieu of a stock certificate to bearer lost or destroyed a fee not exceeding five shillings on every hundred pounds of county stock included in the stock certificate to bearer and a proportional sum for any less sum.

If the applicant is the registered holder of an amount of county stock divisible into several sums of one hundred pounds or multiples of one hundred pounds he may subject to the provisions of this Act as to the sums for which stock certificates to bearer may be granted require such sums of one hundred pounds or such multiples of one hundred pounds to be distributed among different stock certificates to bearer as he thinks fit subject to this proviso that if the number of certificates required by him exceed the proportion of five to a thousand pounds he shall in respect of each certificate constituting that excess pay a sum of sixpence in addition to the per-centage fee.

On the entry in the register of the county stock included in a stock certificate to bearer there shall be charged a fee not exceeding five shillings.

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