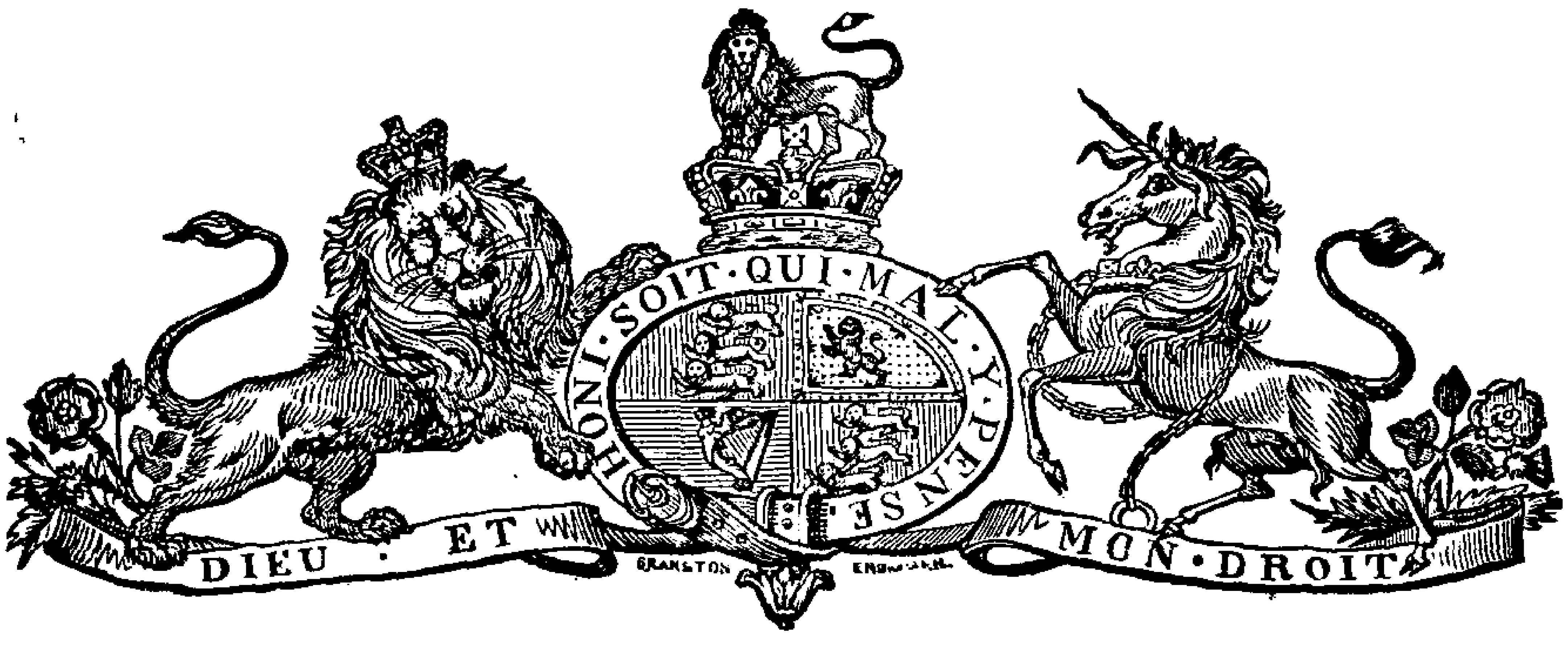


ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. lxvii.

An Act to repeal Two several Acts relating to the *Liverpool* Gaslight Company, and to substitute other Provisions in lieu thereof, and to enable the said Company to raise a further Sum of Money. [25th *June* 1847.]

WHEREAS an Act was passed in the Fifty-eighth Year of
the Reign of His Majesty King *George* the Third, intituled
An Act for lighting with Gas the Port and Town of 58 G. 3. c. 66.
Liverpool *and Township of* Toxteth Park *in the County of* Lancaster,
whereby certain Persons were incorporated by the Name of "The
Liverpool Gaslight Company," and were empowered to light with
Gas the said Town of *Liverpool* and Township of *Toxteth Park:*
And whereas another Act was passed in the Session of Parliament
held in the Fourth and Fifth Years of the Reign of Her present
Majesty, intituled *An Act to alter, amend, and enlarge the Powers* 4 & 5 Vict.
and Provisions of an Act for lighting with Gas the Port and Town c. 28.
of Liverpool *and Township of* Toxteth Park *in the County of*
Lancaster, *and for lighting with Gas the several Townships of* West
Derby, Everton, Kirkdale, Walton-on-the-Hill, Bootle-cum-Linacre,
Litherland, Great Crosby, Wavertree, *and* Garston, *in the County of*

Lancaster, whereby the Powers and Provisions of the said first-mentioned Act (save and except so far as the same were altered, repealed, or varied by the now reciting Act) were extended to the said Townships of *West Derby*, *Everton*, *Kirkdale*, *Walton-on-the-Hill*, *Bootle-cum-Linacre*, *Litherland*, *Great Crosby*, *Wavertree*, and *Garston*: And whereas the Company have from Time to Time proceeded to carry the Powers of the said recited Acts into execution, and have established Works in the said Town of *Liverpool*, and have lighted with Gas various Streets, Places, and Buildings within the said Town, and the said several Townships herein-before mentioned, excepting the said Township of *Garston*: And whereas the Capital of the Company raised and constituted under the Provisions of the said recited Acts consists of Two hundred thousand Pounds, in Two thousand Shares of One hundred Pounds each, the whole of which Sum has been expended in the Purchase of Land, in the building of Stations, and in the Construction of Works and laying down Mains and Pipes, and otherwise in carrying into operation the Powers contained in the said recited Acts: And whereas since the passing of the last-recited Act the Town of *Liverpool* and the said adjacent Townships have greatly increased and are rapidly increasing in Population and Buildings, and in order to enable the Company to extend their Supply of Gas to meet the constantly increasing Demand arising from the continued Increase of Population and Buildings in the said Town and Townships it is necessary that they should have Power to raise a further Sum of Money: And whereas an Act was passed in the Session of Parliament One thousand eight hundred and forty-five, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts with respect to the Constitution of Companies incorporated for carrying on Undertakings of a public Nature*, called "The Companies Clauses Consolidation Act, 1845:" And whereas another Act was passed in the Session of Parliament One thousand eight hundred and forty-five, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands for Undertakings of a public Nature*, called "The Lands Clauses Consolidation Act, 1845:" And whereas another Act has been passed in the present Session of Parliament, intituled *An Act for consolidating in One Act certain Provisions usually contained in Acts authorizing the making of Gasworks for supplying Towns with Gas*, called "The Gasworks Clauses Act, 1847:" And whereas there are some of the Provisions, Powers, and Authorities contained in the said recited Acts relating to the *Liverpool* Gaslight Company which it is expedient should be altered and amended, and it is also expedient that the Companies Clauses Consolidation Act, 1845, the Lands Clauses Consolidation Act, 1845, and the Gasworks Clauses Act, 1847, should, subject to the Limitations herein-after contained, be extended to the said *Liverpool* Gaslight Company: And whereas the Purposes aforesaid might be more effectually and conveniently effected if the said recited Acts relating to the *Liverpool* Gaslight Company were repealed, and other Powers and Provisions granted in lieu thereof; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty,

8 & 9 Vict. c. 16.

8 & 9 Vict. c. 18.

10 & 11 Vict. c. 15.

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 from and immediately after the passing of this Act the said Two recited Acts relating to the *Liverpool* Gaslight Company shall be and the same are hereby repealed, and the Company incorporated by the first of the said Two recited Acts shall be and the same is hereby dissolved; provided nevertheless, that the repealing of the said Acts shall not annul or in anywise prejudice or affect any Purchase, Sale, Conveyance, Grant, Contract, Security, Act, Matter, or Thing whatsoever heretofore made, done, committed, or executed under or by virtue or in pursuance of the said repealed Acts or either of them, but all such Purchases, Sales, Conveyances, Grants, Contracts, Securities, Acts, Matters, and Things shall be and the same are hereby declared to be as good, valid, and effectual to all Intents and Purposes whatsoever as if the said Acts had not been repealed. Recited Acts relating to Liverpool Gaslight Company repealed.

II. And be it enacted, That in citing this Act in other Acts of Parliament, or in any legal Instrument, it shall be sufficient to use the Expression "The *Liverpool* Gaslight Company's Act, 1847." Short Title of this Act.

III. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretation of Act.

Words importing the Singular Number shall include the Plural Number, and the Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Expression "the Company" shall mean the *Liverpool* Gaslight Company incorporated by this Act:

The Expression "the dissolved Company" shall mean the *Liverpool* Gaslight Company incorporated under the Acts hereby repealed and dissolved by this Act.

IV. And be it enacted, That from and immediately after the passing of this Act the several Persons who immediately before the passing of this Act were united in the *Liverpool* Gaslight Company by this Act dissolved, their Executors, Administrators, and Assigns, shall be again united into a Company, according to the Provisions hereinafter contained or referred to, and shall be and they are hereby declared to be One Body Politic and Corporate, by the Name of "The *Liverpool* Gaslight Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall have Power to purchase and hold and sell and convey Lands within the Restrictions herein contained or referred to for the Purposes of this Act. Company again united and incorporated.

V. And be it enacted, That the said Company shall be established for the Purpose of manufacturing Gas, and for supplying and lighting with Gas all or any of the Streets, Roads, Docks, Houses, Shops, Buildings, and other Places within the Town of *Liverpool*, and the several Purposes of Company.

several Townships of *Toxteth Park*, *West Derby*, *Everton*, *Kirkdale*, *Walton-on-the-Hill*, *Bootle-cum-Linacre*, *Litherland*, *Great Crosby*, *Wavertree*, and *Garston*, in the County of *Lancaster*, and for doing and performing all other Acts, Matters, and Things in anywise necessary or usual in or about or for the Purposes aforesaid, or any of them, or in anywise incident or relating thereto.

The Effects of the dissolved Company vested in the present Company.

VI. And be it enacted, That from and immediately after the passing of this Act all Lands, Buildings, Works, Machinery, Monies, Goods, Chattels, Shares, Bonds, Deeds, Securities, Books, Writings, Maps, Plans, Debts, Demands, Rights of Action, Claims, and other Estate and Effects of or to or in which the dissolved Company was possessed or entitled or interested, either for its own Benefit or for the Benefit of any other Person at Law or in Equity, or in any Way whatsoever, immediately before the passing of this Act, shall be and the same are hereby vested in the said Company hereby incorporated, in the same Manner, and to the same Extent, and for the same Interests, and for the Benefit of the same Persons respectively, as they were vested in the said dissolved Company.

The Company subject to all the Liabilities of the dissolved Company.

VII. And be it enacted, That from and immediately after the passing of this Act the said Company hereby incorporated shall be subject to all Liabilities, Obligations, Contracts, Claims, Demands, and Penalties to which the said dissolved Company was at the Time of the passing of this Act subject, in like Manner as the said dissolved Company would have been subject to the same if this Act had not been passed.

Contracts and Agreements to remain in force.

VIII. And be it enacted, That all Conveyances, Contracts, Agreements, Covenants, and Securities made or entered into before the passing of this Act to, with, or in favour of, or by or for, the dissolved Company, or any Person on its Behalf, shall be and remain as good, valid, and effectual in favour of or against and with reference to the Company hereby incorporated as they were in favour of or against and with reference to the dissolved Company.

Contracts to be completed.

IX. And be it enacted, That in all Cases in which the dissolved Company shall have, previously to the passing of this Act, entered into any Contract or Agreement for the Purchase or Sale of any Lands or Works, Powers, Rights, or Privileges, which before the passing of this Act shall not have been effectually conveyed or transferred to or by such Company, or the Purchase Money in respect whereof shall not have been duly paid, then and in every such Case such Contract or Agreement shall be completed by or in favour of, and such Lands, Works, Powers, Rights, and Privileges shall be conveyed and transferred to or by, the Company hereby incorporated, as the Case may require; and all the Clauses and Provisions of the Act under which such Contract or Agreement may have been entered into, or such Lands or Works, Powers, Rights, or Privileges, purchased, sold, or taken with reference to such Contract, Agreement, Sale, or Purchase, or with reference to the Payment and Application of the Purchase Money, shall be read and construed as though the Company

pany hereby incorporated had been named or referred to therein, in lieu of the Company by whom such Contract or Agreement may have been made, or such Lands or Works, Powers, Rights, or Privileges, purchased, sold, or taken.

All Rights acquired and Penalties incurred under the repealed Acts saved, and all Matters made Evidence by the said repealed Acts still to be Evidence.

X. And be it enacted, That all Rights and Remedies which at the Time of the passing of this Act had vested in any Person under the said Acts hereby repealed or either of them shall continue, and the same be enforced, as if the said Acts had not been repealed; and all Penalties and Forfeitures to which any Person had at the Time of the passing of this Act become liable under the said Acts hereby repealed, or either of them, shall continue, and the same shall be enforced, as if the said Acts had not been repealed; and all Matters by the said Acts or either of them made Evidence of any other Matter or Thing shall continue Evidence of such Matter or Thing as if the said Acts had not been repealed, and as if the said Acts, so far as relate to the said Rights, Remedies, Penalties, Forfeitures, and Evidence, had been herein expressly re-enacted.

Suits that might have been brought by or against dissolved Company may be brought by or against the Company.

XI. And be it enacted, That all Suits, Actions, and Proceedings which in any Court or before any Magistrate, but for the passing of this Act, might hereafter have been brought or prosecuted in the Name of the dissolved Company, may be brought or prosecuted in the Name of the Company hereby incorporated, and that all Suits, Actions, and Proceedings in any Court or before any Magistrate which, but for the passing of this Act, might have been hereafter brought or prosecuted against the said dissolved Company, may be brought or prosecuted against the said Company hereby incorporated, and the like Judgment and Remedy may be had and obtained for or against the Company hereby incorporated that might have been had and obtained against the dissolved Company if this Act had not been passed.

Actions not to abate.

XII. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced by or against the dissolved Company before, and which may be pending at the Time of the passing of this Act, shall abate or be discontinued or be prejudicially affected by this Act, but the same shall continue and take effect, both in favour of and against the Company hereby incorporated, in the same Manner in all respects as if the said Action and Prosecution or Proceeding had originally been commenced by or against the Company hereby incorporated: Provided always, that any such Action, Suit, Prosecution, or other Proceeding shall be continued in the Name of the said dissolved Company, and in the same Form, as if this Act had not been passed.

Secretary, &c. to remain in Office until removed by Company.

XIII. And be it enacted, That every Secretary, Clerk, Agent, or other Officer appointed by virtue of or acting under the Authority of the dissolved Company shall hold his Office until removed therefrom by the Company hereby incorporated, and until such Removal shall have the same Powers and Authorities, and shall be liable to the same

Pains and Penalties, Rules and Regulations, as though he had been appointed by the last-mentioned Company.

Capital.

XIV. And be it enacted, That the Capital of the Company hereby incorporated shall, on the passing of this Act, consist of the Sum of Two hundred thousand Pounds, being the Capital of the said dissolved Company at the Time of the passing of this Act.

Capital to be divided into Shares corresponding to those in dissolved Company.

XV. And be it enacted, That the said Capital of the Company hereby incorporated shall be divided into the same Number of Shares as that into which the Capital of the said dissolved Company was divided at the Time of the passing of this Act, and that each of the Shares of the said Capital of the Company hereby incorporated shall be distinguished by a Number corresponding to one of the Numbers by which the Shares of the said dissolved Company were distinguished at the Time of the passing of this Act; and each of such Shares shall be of the same Amount as the Amount of the Share of the Capital of the dissolved Company, distinguished by the corresponding Number, and in all respects similar thereto.

Shares in Capital of the Company vested in Proprietors of Shares in dissolved Company.

XVI. And be it enacted, That every Person who immediately before the passing of this Act was a Proprietor of one of the Shares in the Capital or Joint Stock of the said dissolved Company shall be entitled in lieu thereof to the Share in the Capital of the Company hereby incorporated, which shall be distinguished by the same Number as that by which the said Share of which he was Proprietor in the dissolved Company was distinguished, and the same is hereby vested in him.

Power to enforceCalls.

XVII. And be it enacted, That as to any of the Shares in the Company hereby incorporated which are given in lieu of Shares in the said dissolved Company, upon which at the Time of the passing of this Act Calls have been made and not paid up, it shall be lawful for the Company to call for and to enforce the Payment of the Monies due and to become due upon such Shares in the same Manner as if such Monies had been subscribed towards the Undertaking hereby incorporated; and the Directors shall have all such and the same Rights and Remedies for obtaining and enforcing the Payment of such Monies, by Action, Forfeiture, and otherwise, as are by the Companies Clauses Consolidation Act, 1845, provided in respect of Money subscribed towards the Undertaking.

Shares to be held on the subsisting Trusts.

XVIII. And be it enacted, That every Person in whom any One of the Shares of and in the Capital of the Company hereby incorporated is hereby vested shall stand and be possessed of every such Share upon the same Trusts, and for the same Purposes, and under and subject to the same Liens, Charges, Powers, and Provisions respectively, as those for and under and subject to which he stood and was possessed of the said Share in the said dissolved Company in lieu or in respect of which the Share in the Company hereby incorporated is given as aforesaid immediately before the passing of this Act,

Act, and for and under and subject to, and so as to give effect to and not to revoke, any specific Bequest or other testamentary Disposition made previous to the passing of this Act: Provided always, that nothing herein contained shall be construed to bind the said Company to see to the Execution of any Trust, whether expressed, implied, or constructive, to which any of the said Shares may be subject.

Number and Qualification of Directors.

XIX. And be it enacted, That the Number of the Directors of the Company shall be Twelve, and no Person shall be capable of being a Director unless he be a Shareholder possessed of Shares representing an Amount of Capital of not less than Five hundred Pounds fully paid up.

Appointment of Directors.

XX. And be it enacted, That *Joseph Pilkington Brandreth*, *Hardman Earle*, *Richard Earle*, *George Hall Lawrence*, *Alexander Maxwell*, *William M'Crackan Lewin Mozley*, *William Parker*, *Nicholas Robinson*, *William Robertson Sandbach*, *Samuel Henry Thompson*, and *Jonathan Varty*, being the Persons who at the Time of the passing of this Act form the Committee of Management of the said dissolved Company, shall be and the same are hereby rendered the first Directors of the Company: Provided always, that the said first Directors shall retire in the same Rotation as if they had respectively become Directors of the Company at the Time when they respectively became Members of the Committee of Management of the dissolved Company.

8 & 9 Vict. cc. 16. and 18. and 10 & 11 Vict. c. 15. extended to this Act.

XXI. And be it enacted, That the Companies Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Act, 1845, shall, save as herein-after excepted, and save as to such of the Provisions thereof as are or may be inconsistent with the Provisions of this Act, be incorporated with and be read and construed as forming Part of this Act; and the Gasworks Clauses Consolidation Act, 1847, shall, save as to such of the Provisions thereof as are or may be inconsistent with the Provisions of this Act, be incorporated with and be read and construed as forming Part of this Act to all Intents and Purposes as if the Works made under the Powers and Provisions of the said Acts hereby respectively repealed had been made under the Powers and Provisions of the said Gasworks Clauses Act, 1847, instead of the said repealed Acts, and as if the said Gasworks Clauses Act, 1847, had been expressly made applicable and had been applied to or authorized to be applied to the Works of the said *Liverpool* Gaslight Company existing at the Time of the passing of the same Act, as well as to Gasworks which should by any Act which should be passed after the passing of the said Gasworks Clauses Act, 1847, be authorized to be constructed.

As to compulsory Purchase of Lands.

XXII. Provided always, and be it enacted, That nothing contained in the said Lands Clauses Consolidation Act, 1845, shall authorize the Company hereby incorporated to purchase, take, or use any Lands unless by Agreement.

XXIII. Pro-

As to Conversion of borrowed Money into Capital.

XXIII. Provided also, and be it enacted, That nothing herein contained shall be construed to incorporate with this Act so much of the said Companies Clauses Consolidation Act, 1845, as relates to the Conversion of borrowed Money into Capital.

Limiting Quantity of Land to be held by the Company.

XXIV. And be it enacted, That the Quantity of Land to be purchased and held by the Company hereby incorporated shall not exceed Twelve Acres, inclusive of the Land held by the said dissolved Company at the Time of the passing of this Act, and any Land so purchased and held by the said Company hereby incorporated shall be purchased and held under and subject to the Clauses and Provisions of this Act and the said Lands Clauses Consolidation Act; and any Land held by the said dissolved Company at the Time of the passing of this Act shall be held by the Company hereby incorporated, under and subject to the Clauses and Provisions of this Act and the said Lands Clauses Consolidation Act, as if the said last-mentioned Land had been purchased under and subject to the said Provisions and Clauses.

Company empowered to raise additional Capital by Creation of Shares.

XXV. And be it enacted, That it shall be lawful for the Company and they are hereby empowered, when and as they shall think fit, by an Order of any General or Special Meeting, and from Time to Time, to issue such and so many distinct and integral Shares in the Company, of the Amount and Value of Twenty-five Pounds each, as shall be sufficient to raise the Sum of Two hundred thousand Pounds, over and above the Sum of Two hundred thousand Pounds the Capital of the dissolved Company, and which Shares shall be sold by public Auction, duly advertised for Three successive Weeks in Two or more Newspapers published in the Town of *Liverpool*, in Lots of not more than Four Shares each, subject to such Conditions as to the Payment of the Purchase Money and Calls in respect thereof, and at such Times, as the Company shall think fit; and that any Sum of Money which shall arise upon such Sales by way of Premium shall form Part of the said Sum of Two hundred thousand Pounds hereby authorized to be raised, and shall be expended in paying the Expences of this Act, or in extending or improving the Works of the Company, or in paying off Money borrowed by the Company under the Powers of this Act, and shall not be considered as Part of the Capital of the Company entitled to Dividend.

Power to borrow Money on Mortgage.

XXVI. And be it enacted, That it shall be lawful for the Company and they are hereby empowered, at any Time after the passing of this Act, to borrow on Mortgage or Bond any Sum of Money, so that the Sums due by the Company on Mortgage or Bond shall not at any One Time exceed in the whole One hundred thousand Pounds.

Company not bound to see to the Execution of Trusts.

XXVII. And be it enacted, That the Company shall not be bound to see to the Execution of any Trusts, whether express, implied, or constructive, to which any Mortgage or Bond may be subject, and the Receipt of the Person or One of the Persons in whose Name or Names any Mortgage or Bond shall stand in the Books of the Company

Company shall from Time to Time be a sufficient Discharge to the Company for any Principal Money or Interest in respect of such Mortgage or Bond, notwithstanding any Trusts to which such Mortgage or Bond may be then subject, and whether or not the Company have had Notice of such Trusts, and the Company shall not be bound to see to the Application of the Money paid upon such Receipt.

New Shares to be considered as Part of the general Capital.

XXVIII. And be it enacted, That every new Share to be created in pursuance of the Provisions of this Act shall be deemed Personal Estate, and shall be transmissible and transferable as such; and all such Persons as shall become entitled thereto shall be and they are hereby declared to be Owners and Proprietors of Shares in the said Undertaking to the Amount or nominal Value of such Shares as beneficially as the Owners and Proprietors of the Shares in the said Undertaking at the passing of this Act, and shall be entitled to a Share of all the general Profits and Dividends of the Company in the Proportion which the Amount then actually paid up on their respective Shares shall bear to the Capital then actually paid up of the Company, and all such Persons aforesaid shall be deemed to be and are hereby declared to be thenceforth incorporated with the Company, and all such new Shares so to be created as aforesaid shall be considered as Part of the general Capital Stock of the Company, and be under and subject to the same Provisions, Regulations, Directions, and Management in all respects as Shares in the said Undertaking at the passing of this Act.

Manner of voting in respect of new Shares.

XXIX. And be it enacted, That the several Persons who shall become possessed of any of the Shares in the Capital of the Company shall be entitled to vote at the Special or General Meetings of the Company according to the Scale following; that is to say, for any Number of Shares the nominal Amount or Capital of which when added together shall amount to One hundred Pounds and be less than Five hundred Pounds, One Vote; when the same shall amount to Five hundred Pounds and be less than One thousand Pounds, Two Votes; when the same shall amount to One thousand Pounds and be less than One thousand five hundred Pounds, Three Votes; and when the same shall amount to One thousand five hundred Pounds and upwards, Four Votes: Provided always, that no Shareholder shall be entitled to vote at any of such Meetings unless he shall have paid all the Calls then payable upon the Shares held by him.

Two General Meetings to be held every Year.

XXX. And be it enacted, That from and after the passing of this Act Two General Meetings of the Company shall be held on the Third *Tuesday* in *February* and the Third *Tuesday* in *August* in each Year, or within Fourteen Days next after any of the said Days respectively.

Limiting Amount of Profits to be divided.

XXXI. And be it enacted, That the Profits of the said Undertaking divisible amongst the Proprietors of the Company shall not exceed Ten Pounds *per Centum per Annum* in any One Year on the actual Capital of the Company which shall at the Time of making any

Dividend have been actually paid up, exclusive of any Premium on the Sale of any new Shares created and sold by the Company under the Powers of this Act.

Reserved Fund under repealed Act 4 & 5 Vict. c. 28. transferred to Company hereby incorporated.

XXXII. And whereas a reserved or contingent Fund of Six thousand Pounds has been completed and invested by the said dissolved Company pursuant to the Act secondly herein mentioned and hereby repealed; be it enacted, That the said Sum of Six thousand Pounds, and all Interest accrued due thereon, and all Benefit and Advantage therein, shall be and the same is hereby transferred to and vested in the Company hereby incorporated, to be held by them for the Purposes of the reserved Fund constituted under this Act, and under the Provisions of the Gasworks Clauses Act, 1847, with respect to the Amount of Profits to be received by the Undertakers when the Gasworks are carried on for their Benefit as herein-after provided.

Surplus after paying Ten per Cent. to be invested and form a contingent Fund.

XXXIII. And be it enacted, That if the clear Profits of the said Undertaking shall in any Year amount to a larger Sum than shall be sufficient to make Distribution among the Proprietors of the Company of Ten Pounds *per Centum per Annum* on the Capital as hereinbefore provided, the Excess beyond the Sum which may be necessary for such Purposes shall from Time to Time be invested in Government or other Securities, and the Dividends and Interest arising from such Securities shall also be invested in the same or the like Securities in order that the same may accumulate at Compound Interest along with the said Sum of Six thousand Pounds herein-before mentioned, until the Fund so formed shall amount to a Sum which shall be equal in Amount to a Per-centage of Three Pounds upon every One hundred Pounds of Capital then raised by the Company and actually paid up, which Sum shall form a reserved Fund under the Provisions of this Act, and of the Gasworks Clauses Act, 1847, herewith incorporated, to answer any Deficiency which may at any Time happen in the Amount of divisible Profits of the Company, or to meet any extraordinary Claim or Demand which may at any Time arise against the Company; and when such Fund shall, by Accumulation or otherwise, amount to a Sum which shall be equal in Amount to a Percentage of Three Pounds upon every One hundred Pounds of Capital then raised by the Company, the Interest and Dividends thereon shall no longer be invested, but shall be applied to any of the general Purposes of the said Undertaking to which the Profits of the Company are applicable; and if the said reserved Fund shall have been at any Time reduced or exhausted according to the Provisions of this Act and the said Gasworks Clauses Act, 1847, the same may again be raised and applied in the same Manner as herein-before directed, and so *toties quoties* as often as Occasion shall require for the Purposes herein-before mentioned.

Abstract of Account to be laid before the Recorder of Liverpool.

XXXIV. And be it enacted, That a Copy of the annual Account directed by the Gasworks Clauses Act, 1847, to be kept, and whereof a Copy is thereby directed to be transmitted to the Clerk of the Peace of the County in which the Gasworks are situate, together with

with an Account of the said contingent Fund, shall be annually laid before the Recorder of *Liverpool* at the Quarter Sessions of the Peace in and for the Borough of *Liverpool* next or next but One after the Time of making up such Accounts, and be filed with the Clerk of the Peace of the said Borough; and it shall be lawful for any Consumer of the Gas supplied by the said Company to inspect and peruse the Accounts so filed, on Payment to the Clerk of the Peace of the Sum of One Shilling for every such Inspection, and to take or make such Copies thereof, paying for every such Copy the Sum of Sixpence for every One hundred Words.

Powers given to Quarter Sessions in 10 & 11 Vict. c. 15. to be exercised by the Recorder of Liverpool.

XXXV. And be it enacted, That the Recorder of *Liverpool*, at the Quarter Sessions of the Peace in and for the Borough of *Liverpool*, shall have and exercise all the Powers given to the Court of Quarter Sessions by the Clauses of the Gasworks Clauses Act, 1847, with respect to the Amount of Profit to be received by the Undertakers when the Gasworks are carried on for their Benefit; and this Act, and the said Gasworks Clauses Act, 1847, as incorporated herewith, shall be read and construed as if the Words "Recorder of *Liverpool* at the Quarter Sessions of the Peace in and for the Borough of *Liverpool*" were substituted for the Words "Court of Quarter Sessions" in the said Clauses with respect to the Amount of Profit to be received by the Undertakers when the Gasworks are carried on for their Benefit.

Company to remunerate Directors.

XXXVI. And be it enacted, That it shall be lawful for the Company, at any of their General Meetings, to fix and determine what Remuneration (if any), not exceeding Four hundred Pounds *per Annum*, shall be made to the Directors for their Time and Trouble in conducting the Affairs of the Company, and to direct the Amount of such Remuneration to be paid to such Directors out of the Funds of the Company.

Limiting Charge for Gas.

XXXVII. And be it enacted, That the maximum Price which the Company shall be entitled to charge for the Supply of Gas shall be at the Rate of Four Shillings and Sixpence *per* Thousand Cubic Feet.

Power to recover Rent under 20*l.* in the County Court.

XXXVIII. And be it enacted, That if any Person supplied with Gas by the Company, or having hired from the Company any Meters or Fittings for Gas, neglect to pay the Rent due for the same to the Company, and the said Rent so due do not amount to Twenty Pounds, the Company may recover the same, together with the Expences of cutting off the Gas, in the County Court or in any Inferior Court having Jurisdiction for the Recovery of Demands of that Amount within the District in which the said Gas shall have been supplied, as well as in the Manner prescribed for the Recovery thereof in the Gasworks Clauses Act, 1847.

To prevent the fraudulent Consumption of Gas.

XXXIX. And be it enacted, That every Person who shall knowingly and wilfully prevent any Meter from duly registering the Quantity of Gas supplied by the Company, or who, being the Occupier

Occupier of any Building or Premises, shall knowingly and wilfully and without the Consent of the Company, the Burden of proving which Consent shall be upon the Person charged with offending against this Provision, have, in or upon or communicating with such Building or Premises, any Pipe, Burner, or other Apparatus through or by means of which any Gas of the Company can or may be consumed or conveyed away from any Main, Branch, or other Pipe without passing through a Meter for registering the Gas supplied by the Company, shall for every such Offence forfeit and pay to the Company a Penalty not exceeding Ten Pounds: Provided always, that nothing herein contained shall prevent the Operation of the Provisions contained in the Gasworks Clauses Act, 1847, with respect to Waste or Misuse of the Gas or Injury to the Pipes or other Works of the Company.

Penalty on Persons consuming Gas without previous Agreement.

XL. And be it enacted, That if any Person who shall become the Owner or Occupier of any Building or Premises theretofore supplied with Gas by the Company shall consume or cause to be consumed therein any Gas of the Company without having previously contracted or agreed with the Company, or some Clerk or Agent of the Company on their Behalf, for such Supply of Gas, every such Person shall become liable to pay to the Company all Arrears of Rent or Sums of Money which shall or may be due and owing to the Company from the previous Owner or Occupier of such Building or Premises for or in respect of any Gas consumed therein within any Period subsequent to the then last antecedent ordinary Quarter Day for the Collection of such Rent or Sums of Money, and not exceeding Three Calendar Months next before such Person shall have become such Owner or Occupier as aforesaid; and all such Arrears and Sums of Money shall and may be recovered from such Person in such and the like Manner as any Rent or Sum due to the Company is recoverable under this Act; provided that no Person so becoming the Owner or Occupier of any such Premises shall become liable as herein-before mentioned if he shall have given Notice in Writing to the Company at the head Office of the Company in *Liverpool* of the Time of his becoming such Owner or Occupier within One Week of the Time of the Commencement of such Ownership or Occupation, and before he shall have consumed or caused to be consumed any Gas of the Company on such Premises; and provided also, that nothing in this Act shall be held or taken to discharge or release the previous Owner or Occupier of such Premises from any Liability for or in respect of any such Arrears of Rent or Sums of Money respectively.

Company to remove Branch Pipes, &c. on private Property upon Notice.

XLI. And be it enacted, That if any Pipe, Cock, or Branch shall have been carrried by the Company in or against any Building with the Consent of the Owner and Occupier thereof, but without any Compensation or special Agreement made in respect thereof, and the Owner and Occupier of such Building for the Time being shall give Notice in Writing to the Company to alter or remove the same, the Company shall, within Ten Days after the Service of such Notice, alter or remove any such Pipe, Cock, or Branch, or in default thereof it shall

shall be lawful for such Owner and Occupier, or any other Person acting under their Authority, to cause such Pipe, Cock, or Branch to be altered or removed, as the Case may require: Provided always, that the Expence of removing or altering any such Pipe, Cock, or Branch shall be paid by the said Owner and Occupier.

Company to remove Pipes after Notice.

XLII. And be it enacted, That if the Company shall have placed any Main or Pipe in or on any Land other than a Highway with the Consent of the Owner and Occupier of such Land, and the Owner and Occupier of such Land shall give to the Company Notice in Writing to alter the Position of such Pipe and to relay the same in the Manner mentioned in such Notice, the Company shall, within One Month after the Service of such Notice, remove such Pipe and relay the same in the Manner required by such Notice, and the Expences of the said Operation shall be paid to the Company by the Owner and Occupier requiring the same to be done.

Receipt of Guardian of a Minor to be a sufficient Discharge.

XLIII. And be it enacted, That if any Money be payable to any Shareholder being a Minor, Idiot, or Lunatic, the Receipt of the Guardian of such Minor or of the Committee of such Idiot or Lunatic shall be a sufficient Discharge to the Company for the same.

Notice to be given to Liverpool New Gas and Coke Company when any Ground is opened near to their Pipes.

XLIV. And be it enacted, That when and so often as the Company, or their Servants, Agents, or Workmen, shall dig or sink any Trench for laying any Pipe or other Apparatus for the Conveyance of Gas, or shall open any Ground for the Purposes of this Act, in or upon or near to which any Main or Conduit Pipe belonging to the *Liverpool* New Gas and Coke Company shall be laid, the Company shall and they are hereby required to give Three Days previous Notice thereof in Writing to the Manager, Head Clerk, or Engineer of the *Liverpool* New Gas and Coke Company, to be left at the Office for the Time being of the said *Liverpool* New Gas and Coke Company; and on every such Occasion the Company, their Servants, Agents, and Workmen, shall protect and secure such Pipe of the said *Liverpool* New Gas and Coke Company from any Injury or Damage, and shall forthwith repair and make good any Damage that shall or may be done to any such Pipe on any such Occasion; and in default of giving such Notice as aforesaid, and also of forthwith repairing and making good any Damage, the Company shall for each and every of such Default forfeit and pay to the Manager or Chief Clerk for the Time being of the said *Liverpool* New Gas and Coke Company any Sum not exceeding Five Pounds for each and every Day, and for each and every such Default, and also the Costs and Expences which shall have been incurred or sustained by the said *Liverpool* New Gas and Coke Company in and about securing and protecting any such Pipe, or in repairing or making good any Injury or Damage that may have been done to any such Pipe, or repairing or making good the Pavement over or adjoining the same by the Ways or Means aforesaid, and any Loss or Damage which may be sustained by the said *Liverpool* New Gas and Coke Company by reason or means or in consequence of any Injury done to such Pipe, and all which

Damages, Costs, Charges, and Expences shall be ascertained by any Justice of the Peace of the said Borough of *Liverpool* or the County of *Lancaster* (as the Case may require), and be recovered in the same Manner as any Expences or Penalties under this Act may be recovered.

No Gasometer or Works to be erected within 150 Yards of any Station of the Liverpool New Gas and Coke Company without Consent.

XLV. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed, taken, or construed to extend, to authorize or enable the Company, nor shall it be lawful for them, to erect, build, or establish any Gasometers or any other Building or Works used or necessary for the Purpose of creating or making Gas or any Matter or Thing by virtue of this Act within the Distance of One hundred and fifty Yards from any Station belonging to the *Liverpool* New Gas and Coke Company at the passing of this Act, nor to continue the same without the Consent of the Committee of Management of the said Company, on pain of forfeiting for every Day such Building or Works as shall be so used or established as aforesaid the Sum of Fifty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record at *Westminster*; and the said Sum, when recovered, shall be paid to the Committee of Management of the said *Liverpool* New Gas and Coke Company for the Use of such Company.

Gas Pipes to be laid Four Feet from the Pipes of the Liverpool New Gas and Coke Company in a particular Manner.

XLVI. And be it enacted, That all and every the Pipes or other Conduits hereafter to be laid or used for the Conveyance of Gas in, under, through, along, or across or round any Street or other Place in the Town and Parish of *Liverpool* aforesaid, or in the Townships of *Toxteth Park*, *Everton*, *Kirkdale*, and *West Derby*, shall be so laid at the greatest practicable Distance, and wherever the Width of the Carriageway in such Street or Place will allow thereof at the Distance of Four Feet at least from the nearest Part of any Main or Conduit Pipe already laid down or hereafter to be laid down by or by the Order of the *Liverpool* New Gas and Coke Company for the Conveyance of Gas in, under, through, along, across, or round any Streets or other Places in the Town of *Liverpool*, or the Townships of *Toxteth Park*, *Everton*, *Kirkdale*, and *West Derby*, unless in Cases where it shall be unavoidably necessary to lay the Pipes of the Company across any of the Pipes of the said *Liverpool* New Gas and Coke Company, in which Cases the said Pipes of the Company shall be laid over and above such Pipes of the said *Liverpool* New Gas and Coke Company at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and that in such Cases the said Pipes of the Company so crossing the said Pipes of the said *Liverpool* New Gas and Coke Company shall be at least Nine Feet in Length, so that no Part of any of the Pipes of the Company shall be nearer to any Part of the said Pipes of the said *Liverpool* New Gas and Coke Company than Four Feet at least; and that in laying down the said Pipes the Company 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 properly form the jointing with the other Pipes to be added thereto, with proper and sufficient

sufficient Materials, and shall also make and keep all and every of such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, and other Openings therein respectively Air-tight, and in all and every respect prevent the Gas escaping therefrom and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Five Pounds, to be recovered as any Penalty is herein directed to be recovered, and paid to the said *Liverpool* New Gas and Coke Company.

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

XLVII. And be it enacted, That all and every the Pipes or other Conduits hereafter to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street or other Place in the Town of *Liverpool* and Township of *Toxteth Park* shall be so laid at the greatest practicable Distance, and wherever the Width of the Carriageway in such Street or Place will allow thereof at the Distance of Four Feet at least 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 of the *Liverpool and Harrington* Waterworks for the Conveyance of Water in, under, through, or along, across, or round any Street or other Place in the said Town of *Liverpool* and Township of *Toxteth Park*, unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Company's Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Company's Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and that in such Cases the Gas Pipes 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 such Gas Pipes so crossing the said Water Pipes shall for the whole Length thereof be bedded in and surrounded with good sound Clay of a proper Consistence, and well worked and rammed into the Trenches, not less than Twelve Inches thick all round the said Gas Pipes, if the Depth of Earth will admit thereof; and that in laying down the said Gas Pipes the Company 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 properly form the jointing with the other Pipes to be added thereto, with proper and sufficient Materials, and shall also lay and bed each and every of the Joints of the said Main Gas Pipes, and also the Joints and Screws of the Branch or Service Gas Pipes connecting with the Main Gas Pipes, and also the Joints of the Service or Branch Pipes for conveying the Gas from the Main Gas Pipes to the Houses and other Buildings, and all other Joints, Inlets, Apertures, or Openings which are or shall or may be in any of the said Gas Pipes, with such Clay as aforesaid, for Twelve Inches thick all round the said several and respective Joints, Inlets, Apertures, or Openings, and for Twelve Inches in Length each Way from the Centre of each and every of the Caps or Joints in the Main Pipes, and of the Inlets, Apertures, Screws, or Joints connecting the Service Pipes with the Main Pipes, and all other Joints, Inlets, Apertures, or Openings therein, and for Six Inches

at

at the least from the Centre of each of the Joints in the Service Pipes, so as to make and keep all and every such Pipes, and the Screws, Joints, Inlets, Apertures, or Openings respectively Air-tight, and to prevent the said Gas from escaping therefrom.

Penalty on Company allowing Gas to escape.

XLVIII. And be it enacted, That whenever the said Gas shall be found to escape from any of the Company's Pipes already laid or hereafter to be laid as aforesaid, so as to contaminate or affect the Water supplied by the Company of Proprietors of the *Liverpool and Harrington* Waterworks, the Company shall, immediately on Notice thereof, to be left at the usual Office or Place for transacting their Business by the Manager and Chief Clerk for the Time being of the Company of the Proprietors of the *Liverpool and Harrington* Waterworks, cause the most proper and speedy Measures to be taken to stop and prevent such Gas from escaping; and in case the Company shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid of any such Escape of Gas, effectually stop or prevent the same from escaping, and wholly and satisfactorily remove the Cause of every such Complaint, that then in every such Case the Company shall, on each and every Complaint and Conviction of the said Water being tainted, contaminated, or affected by such Gas as aforesaid, forfeit and pay, on Demand, to the Manager and Chief Clerk for the Time being of the Company of Proprietors of the *Liverpool and Harrington* Waterworks, for the Use and Benefit of the same Proprietors, the Sum of Ten Pounds for each and every Day that the said Water shall in each and every Instance be and remain so contaminated, tainted, or affected by such Gas as aforesaid; 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 of One credible Witness, by and in the Name of the Manager and Chief Clerk for the Time being of the said Company of Proprietors of the *Liverpool and Harrington* Waterworks, against the Company before any Justice of the Peace for the Borough of *Liverpool*, with Costs to be ascertained by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs, when so levied, shall be paid to the Manager and Chief Clerk for the Time being of the Company of Proprietors of the *Liverpool and Harrington* Waterworks for the Use of the same Proprietors.

For the Protection of Water Pipes.

XLIX. And be it enacted, That when and as often as the Company, or their Servants, Agents, or Workmen, shall dig or sink any Trench for laying any Pipe for the Conveyance of Gas or other Apparatus, or shall open any Ground for the Purposes of this Act, or any of them, in, upon, or near to which any Water Pipe belonging to the said Company of Proprietors of the *Liverpool and Harrington* Waterworks for conveying Water into, through, or about the said Town of *Liverpool* and the Township of *Toxteth Park*, or any Branch or Service Pipe for the Supply of any Dwelling House or Building, shall be laid, the Company, their

their Servants, Agents, or Workmen, shall and they are hereby required to give Three Days previous Notice thereof in Writing to the Manager and Chief Clerk for the Time being of the Company of Proprietors of the *Liverpool and Harrington* Waterworks, to be left at the Office of the said last-mentioned Company; and on every such Occasion the Company, their Servants, Agents, or Workmen, shall, under the Direction and Inspection of the Manager and Chief Clerk or Engineer for the Time being of the said Company of Proprietors of the *Liverpool and Harrington* Waterworks, protect and secure such Water Pipe from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Pipe on any such Occasion; and in default of repairing and making good any such Damage the Company shall for each and every such Default forfeit and pay to the Manager and Chief Clerk for the Time being of the Company of Proprietors of the *Liverpool and Harrington* Waterworks, for the Use of the said Company of Proprietors, any Sum not exceeding Forty Shillings, and also the Costs and Expences which shall have been incurred by the said last-mentioned Company in and about the securing and protecting of any such Water Pipe, or in repairing and making good any Injury or Damage that may have been done to any such Water Pipe by the means aforesaid, such Costs and Expences to be ascertained by any Justice of the Peace for the said Borough of *Liverpool*, and to be recovered in the same Manner as any Expences or Penalty under this Act may be recovered.

Powers given to the Liverpool and Harrington Waterworks extended to the Bootle Company.

L. Provided always, and be it enacted, That all and every the Powers, Authorities, Stipulations, and Restrictions herein-before contained and enacted relating to the Company of Proprietors of the *Liverpool and Harrington* Waterworks, their Manager and Chief Clerk, Engineers, Servants, Workmen, and others by them employed, for preventing the said Gas from escaping from the Company's Pipes now laid or hereafter to be laid, and for protecting the Water of the said Company of Proprietors of the *Liverpool and Harrington* Waterworks from Contamination, noxious Smell, or Taint by or from such Gas as aforesaid, and for other the Purposes herein-before expressed and enacted, shall be deemed and taken and shall be construed to be deemed and taken to extend and be applicable to the Company of Proprietors of the *Liverpool* Waterworks incorporated by an Act passed in the Thirty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *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, to all Intents, Constructions, and Purposes as if the same Powers, Authorities, Stipulations, and Restrictions were herein repeated and re-enacted. 39 G. 3. c. 36.

No Gasometer, &c. to be erected within 500 Yards of any Station of the Liverpool and

LI. Provided always, and be it enacted, That no Gasometer, or any other Buildings or Works used or necessary for creating or making Gas, Hydrogen, Coke, Oil, Tar, Pitch, Asphaltum, ammoniacal Liquor, or essential Oil, or any other Matter or Thing by virtue of this Act, shall be erected, built, or established within the Distance of Five hundred Yards from any Station or Reservoir belonging to the Company

Harrington Waterworks Company.

Company of Proprietors of the *Liverpool and Harrington* Waterworks without the Consent of the Committee of Directors of the said last-mentioned Company (which Consent, under the Hand of the Chairman of such Committee for the Time being, the said Committee are hereby authorized to give), on pain of forfeiting by the Gas Company for every Day such Gasometer, Buildings, or Works shall be used or established as aforesaid the Sum of Fifty Pounds, to be recovered in the same Manner as other Penalties and Forfeitures are by this Act directed to be recovered, or, at the Option of the said Waterworks Company, by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*; and the said Sum, when recovered, shall be paid to the Directors of the said Company of Proprietors of the *Liverpool and Harrington* Waterworks for the Use of such Company.

No Gasometer to be erected within 400 Yards of the Stations and Works of the London and North western Railway.

LII. Provided always, and be it enacted, That no Gasometer, or any other Building or Work used or necessary for creating or making Gas, Hydrogen, Coke, Oil, Tar, Pitch, Asphaltum, ammoniacal Liquor, or essential Oil, or any other Matters or Things by virtue of this Act, shall be erected, built, or established within the Distance of Four hundred Yards from the Passenger Stations or the Works of the *London and North-western* Railway Company situate at or near to *Edge Hill* within the Township of *West Derby* aforesaid, and in or near to *Lime Street* in *Liverpool* aforesaid, or within One hundred and fifty Yards of the Goods Station or Warehouses of the said Company situate in or near to *Park Lane*, *Wapping*, and *Ironmonger Lane*, and the *King's Dock* in *Liverpool* aforesaid, or within One hundred and fifty Yards of either of the existing Tunnels of the said Railway in *Liverpool* or *West Derby* aforesaid, or of the Line of the said Railway, notwithstanding any thing herein contained.

The Property of the London and North-western Railway not to be taken without Consent.

LIII. And be it enacted, That, notwithstanding any thing in this Act contained, it shall not be lawful for the Company, or for any other Company or Persons, either for or by virtue or in execution of this Act, or for any other Purpose, or in any Manner, either permanently or temporarily, to enter upon, excavate, bore under, take, appropriate, or use any of the Buildings, Lands, Stations, or Property whatsoever of or belonging to the *London and North-western* Railway Company, or in any Manner to alter, vary, or interfere with the said Railway, or any of the Works appertaining thereto, without the special Licence and Consent of the said Railway Company in Writing first had and obtained for any such Purpose from Time to Time: Provided always, that nothing contained in the Provision last aforesaid shall extend to prevent the Company from laying down in a proper Manner, and after reasonable Notice under the Authority of this Act, any Main or other Pipes under any public Highway across which the said Railway passes, so that such Pipes be laid and at all Times maintained by the Company in a substantial and workmanlike Manner, and to the Satisfaction of the said Railway Company, and in such Manner as not in any way whatever to alter the Level of or to injure the said Railway, or any of the Works from Time to Time connected therewith, nor to interfere with, prevent, or in anywise or

at any Time impede the free, uninterrupted, and safe Passage upon and along the said Railway or any Part thereof.

No Gasometer or Works to be erected within 150 Yards of the Dock Quays.

LIV. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed, taken, or construed to extend, to authorize or to enable the Company, nor shall it be lawful for them, to erect, build, or establish any Gasometer or any other Building or Works used or necessary for the Purpose of making or creating Gas or any other Matter or Thing by virtue of this Act, within the Distance of One hundred and fifty Yards from the Quays of any of the present or future Docks or Basins belonging to the Trustees of the *Liverpool* Docks, on pain of forfeiting for every Day such Building or Works shall be so used or established as aforesaid the Sum of Fifty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of Her Majesty's Courts of Record at *Westminster*; and the said Sum, when recovered, shall be paid to the Mayor, Aldermen, and Burgesses of *Liverpool* for the Time being.

Not to enter upon Works of the Liverpool Docks without Consent.

LV. And be it enacted, That nothing herein contained shall authorize the said Company to enter into or upon any of the Docks, Quays, Wharfs, or other Works of the Trustees of the *Liverpool* Docks, nor to break up the Soil or Pavement of the same Docks, Quays, or Wharfs, or any Part thereof respectively, for the Purposes of this Act, without the Consent in Writing of the said Trustees of the *Liverpool* Docks being from Time to Time first had and obtained; and the said Company shall give Seven Days Notice in Writing to the said Trustees of the *Liverpool* Docks, or to their Surveyor for the Time being, describing the Line or Place in which they propose to lay or place any Pipes or other Apparatus from such Pipes; and if the said Trustees shall require the Line or Place thereof to be varied, then the said Company shall cause such Pipes or other Apparatus to be laid or placed in such other Place suitable for the Purpose as the said Trustees or their Surveyor for the Time being shall previous to the Expiration of such Seven Days prescribe and point out.

Proviso for Consents in Writing to enter upon any public Place or private Property of the Earl of Sefton, &c.

LVI. Provided always, and be it enacted, That nothing in this Act contained shall extend to authorize or enable the Company, nor shall it be lawful for them or any of their Servants or Workmen, at any Time or Times hereafter to enter upon or break up the Soil or Payment of *Toxteth Park* aforesaid, or any Part thereof, without the Consent in Writing first obtained for that Purpose of the Right Honourable the Earl of *Sefton*, his Heirs or Assigns, or the Person legally entitled for the Time being to the Freehold or Inheritance in Possession of *Toxteth Park*, or some Person duly authorized by him or them to give Consent; nor to authorize or enable the Company to enter upon or break up the Soil or Pavement of any Street or Place belonging to, or paved or repaired by or under the Directions of, the Mayor, Aldermen, and Burgesses of the Town of *Liverpool* aforesaid, without the Consent in Writing from Time to Time first had and obtained of the said Mayor, Aldermen, and Burgesses, to be signified under the Hand of their Surveyor for the Time being; nor to authorize or enable the Company to enter upon or break up the Soil or Pavement of any Street or Place belonging

belonging to, or paved and repaired by or under the Direction of, the Trustees of the *Liverpool* Docks, without the Consent in Writing from Time to Time first had and obtained of the said Trustees, to be signified under the Hand of their Surveyor for the Time being; nor to authorize or enable the Company to enter upon or break up the Soil or Pavement of any Street or Place belonging to, or paved and repaired by or under the Direction of, the Company of Proprietors of the *Liverpool Exchange*, or their Successors, to be signified under the Hand of the Chairman of the Committee for the Time being of the said Company of Proprietors of the *Liverpool Exchange*, or their Successors; nor to authorize or enable the Company to enter upon or break up the Soil or Pavement of any Street or Place belonging to, or paved and repaired by or under the Direction of, the Devisees in Trust of the late Most Noble *Francis* Duke of *Bridgewater*, their Heirs or Assigns, without the Consent in Writing from Time to Time first had and obtained from the said Devisees in Trust, to be signified under the Hand of the Superintendent or Superintendents for the Time being of the Trust Estates of the said late Most Noble *Francis* Duke of *Bridgewater*, or under the Hand or Hands of his or their Successor or Successors; nor to authorize or enable the Company to enter upon or break up the Soil or Pavement of any Street or Place belonging to, or paved by or under the Direction of, the Company of Proprietors established by an Act made in the Tenth Year of the Reign of His
10 G. 3. c. 114. late Majesty King *George* the Third, intituled *An Act for making and maintaining a navigable Cut or Canal from* Leeds Bridge *in the County* of York *to the* North Ladies Walk *in* Liverpool *in the County Palatine of* Lancaster, *and from thence to the River* Mersey, without the Consent in Writing from Time to Time first had and obtained of such Company of Proprietors, to be signified under the Hand of the Chairman of the Committee for the Time being of such Company of Proprietors; nor to authorize or enable the Company to enter upon or break up the Soil or Pavement of any Street or Place belonging to, or paved or repaired by or under the Direction of, the Company of Proprietors incorporated by an Act made in the Thirty-fourth Year of the Reign of His said late Majesty King *George* the Third, intituled
34 G. 3. c. 37. *An Act for altering an Act passed in the Seventh Year of the Reign of His late Majesty King* George *the First, intituled* 'An Act for 'making the Rivers Mersey *and* Irwell *navigable from* Liverpool *to* 'Manchester *in the County Palatine of* Lancaster, *by incorporating* 'the Proprietors *of the said Navigation, and to declare their respec-* 'tive Shares *therein to be Personal Estate*,' or their Successors, without the Consent in Writing from Time to Time first had and obtained of the said Company of Proprietors of the *Mersey and Irwell* Navigation, or their Successors, to be signified under the Hand of the *Liverpool* Committee for the Time being of such last-named Company of Proprietors; nor to authorize or enable the Company to enter upon or break up any Pavement or Soil of any public or private Street or Place in the Town of *Liverpool* or Township of *Toxteth Park*, being the Property of or belonging to any Person whatsoever, without the Consent in Writing first had and obtained of such Person, or the Owner for the Time being thereof.

LVII. Pro-

Consents may be revoked and afterwards renewed.

LVII. Provided also, and be it enacted, That such Consents as aforesaid shall be revocable, and may in every Case be revoked in like Manner as the same are hereby directed to be obtained, if the Company shall not thereafter do or cause to be done all such Acts, Matters, and Things as aforesaid within such Time, and in such Manner, and according to such Conditions and Stipulations, as shall have been previously agreed upon and consented to by and between the Company and the Person having given such Consent or Consents being so revoked as aforesaid, Notice of such Revocation being given as Notices are in and by this Act directed to be given to the Company, all Power and Authority of the Company, and of their Officers, Servants, or Workmen, under and by virtue of the Clause herein-before contained, shall thenceforth cease and be at an End as fully as if the same had not been consented to, until such Time as such Consent or Consents respectively shall be again obtained, renewed, and signified in manner herein-before mentioned.

Act not to affect Lands in Liverpool of the Earl of Derby,&c.

LVIII. Provided also, and be it enacted, That neither this Act nor any thing therein contained shall extend or be construed to extend so as to empower the Company to enter upon any Lands or Grounds being the Estate of the Right Honourable the Earl of *Derby*, or the Estate of the Heirs, Devisees, or Representatives of the late *Edward Houghton* Esquire, or the Estate of the Heirs, Devisees, or Representatives of the late *John Leigh* Esquire, in the said Town of *Liverpool*, but that the same Lands and Estates respectively shall be completely and entirely exempted therefrom, any thing herein contained to the contrary thereof in anywise notwithstanding.

General Saving.

LIX. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* and their Successors, and to the Trustees of the *Liverpool* Docks and their Successors, and to the Company of Proprietors of the *Liverpool Exchange* and their Successors, and to the Proprietors of the *Mersey and Irwell* Navigation and their Successors, and to the Company of Proprietors of the Canal Navigation from *Leeds* to *Liverpool* and their Successors, and to the *Liverpool* New Gas and Coke Company and their Successors, and to the Heirs and Assigns of the late Duke of *Bridgewater*, and to the Right Honourable the Earl of *Derby*, his Heirs and Assigns, and to the Right Honourable the Earl of *Sefton*, his Heirs and Assigns, and to the Heirs, Devisees, and Representatives of the late *John Leigh* Esquire, and to all other Bodies Politic or Corporate, and other Person and Persons, all their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been passed.

Expences of Act.

LX. And be it enacted, That all Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act shall be paid and discharged by the Company out of the Monies received or to be received by them under the Authority of the said recited Acts and

and this Act, or any or either of them, in preference to any other Payments whatsoever.

Public Act. LXI. And be it enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1847.