ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

***

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,

8 & 9 Vict. c. 18. and 10 & 11 Vict. cc. 16. 14. 34. and 89. incorporated with this Act.

I. That the Acts of Parliament following, (that is to say,) "The Lands Clauses Consolidation Act, 1845," except so much as relates to the Purchase or taking of Lands otherwise than by Agreement, "The Commissioners Clauses Act, 1847," "The Markets and Fairs Clauses Act, 1847," save that Section numbered XIII. shall not apply to Articles produced within the Limits of this Act, "The Towns Improvement Clauses Act, 1847," and "The Towns Police Clauses Act, 1847," shall be incorporated with and form Part of this Act, except so far as the same several Acts or any of them, or any Part or Parts thereof respectively, are expressly altered or varied by this Act.

Short Title.

II. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Runcorn* Improvement Act, 1852."

Commencement of Act.

III. That this Act shall come into operation on the Second Day of *October* One thousand eight hundred and fifty-two, for the Purpose of the Election of Commissioners only, and for all other Purposes that it shall come into operation on the First Day of *November* One thousand eight hundred and fifty-two.

Limits of Act.

IV. That the Limits of this Act shall comprise and include the whole of the Township of *Runcorn* otherwise *Higher* and *Lower Runcorn* in the County of *Chester*, and also such Parts of the Township of *Halton* as lie or are situate within the Boundaries of the said Township of *Runcorn*, and which on the Southerly Side of *Runcorn* aforesaid are intended to comprise all such Parts of *Halton* aforesaid as are situate on the Northerly Side of a direct Line drawn across the Highway leading to *Higher Runcorn* at or near a Place reaching from the Easterly Side of the *Big Pool* there, and ending at the Fence Wall at the Back of certain Buildings on the opposite Side of the said Highway belonging to the "*Runcorn* Working Men's Benefit Building Society," and from thence to continue along the said Fence Wall to the Boundary of *Runcorn* aforesaid.

Act to be carried into execution by Commissioners.

V. That the Commissioners and their Successors, to be appointed and qualified as herein-after mentioned, shall be the Commissioners for the Purposes of this Act, and for making and maintaining all Works and Conveniences and doing all Acts and Things which they may deem necessary for such Purposes, subject to the Provisions contained in

in this Act and the Acts incorporated herewith, and shall be a Corporation, with perpetual Succession and a Common Seal, by the Name of "The *Runcorn* Improvement Commissioners," and may by that Name sue and be sued, and shall have Power to purchase, take, and hold Lands for the Purposes of this Act and of the Acts incorporated herewith, and such Lands shall be vested in the said Commissioners and their Successors for the Time being.

Number of Commissioners.

VI. That the Number of the Commissioners shall be Eighteen.

Qualification of Commissioners.

VII. That every Commissioner under this Act shall be resident within the Limits of this Act, and shall either be rated to the Relief of the Poor in the respective Townships of *Runcorn* and *Halton* in respect of Property within the Limits of this Act in the annual Sum of Twenty-five Pounds or upwards, or be seised or possessed of the Rents or Profits of Lands within the Limits of this Act of the annual Value of Fifty Pounds or upwards, for an Estate of Freehold, or shall be possessed of Personal Estate to the Value of One thousand Pounds, over and above all Debts and Engagements.

First Election of Commissioners.

VIII. That the First Election of Commissioners shall take place within Three Weeks after the said Second Day of *October* One thousand eight hundred and fifty-two, and the Churchwardens and Overseers of the Poor for the Time being o fthe Parish of *Runcorn* shall appoint a Day and a Place (within the Limits of this Act) for such Election, and at such First Election only, and not at any other Election, the said Churchwardens and Overseers shall be the returning and presiding Officers, and shall and may perform all such Functions and do all such Acts as by "The Commissioners Clauses Consolidation Act, 1847," are directed or authorized to be done by the Returning Officer with reference to the Election of Commissioners; and the Expenses of or incident to such First Election incurred by the said Churchwardens and Overseers shall be repaid to them by the Commissioners out of the Monies arising from the General Improvement Rate herein-after authorized to be levied: Provided always, that if any One or more of the said Churchwardens and Overseers shall refuse or neglect to perform the Duties by this Act imposed upon them with reference to such First Election, the other or others of the said Churchwardens and Overseers may act alone in the Performance of such Duties, and such other or others of the said Churchwardens and Overseers so acting alone shall have all the same Powers, Duties, and Authorities as all of them if acting together would have had by virtue of this Act.

Place of Meeting for yearly Election of Commissioners.

IX. That the yearly Meetings for the Election of Commissioners shall be held at such convenient Places within the Limits of this Act as the Commissioners shall from Time to Time appoint.

X. That

Qualification of Electors.

X. That every Person who at the Time of any Election of Commissioners under this Act shall be the Owner of any Lands within the Limits of this Act, and every Person who at the Time of any such Election shall be rated to the Relief of the Poor in respect of any Lands within the Limits of this Act, and who shall, Seven Days at least before such Election, have paid all Poors Rates (if any) which shall have become payable by him in respect of such Rating at any Time previously to the Commencement of the Sixth Month before such Election, shall be entitled to vote at any Election of Commissioners, according to the Scale of voting prescribed by "The Commissioners Clauses Consolidation Act, 1847."

The Trustees of the Duke of Bridgewater and the Mersey and Irwell Navigation Company to appoint respectively One Commissioner.

XI. That it shall be lawful for the Company of Proprietors of the *Mersey and Irwell* Navigation, and for the Trustees for the Time being under the Will of the Most Noble *Francis* late Duke of *Bridgewater*, and after the Termination of the Trust for the Owner or Owners for the Time being of the *Bridgewater* Canal, to nominate and appoint by Writing One Person each, whether qualified or not, to act as a Commissioner under the Provisions of this Act, and from Time to Time as any of such Persons so nominated and appointed shall die, or, in the Opinion of the said Company, or of the said Trustees for the Time being, or of the said Owner or Owners, as the Case may be, shall become disqualified or incapable to act as such Commissioner, or shall go out of Office, it shall be lawful for the said Company, or the said Trustees for the Time being, or the said Owner or Owners, as the Case may be, to nominate and appoint another Commissioner to act under the Provisions of this Act in the Place of him so dying, or becoming disqualified or incapable to act, or going out of Office as aforesaid: Provided always, that, with the Exception of such Two Commissioners to be appointed as last aforesaid, any Person who at any Time after his Appointment or Election as a Commissioner shall accept or continue to hold any Office under the said Company, or Trustees, or Owner or Owners respectively, shall thenceforth cease to be a Commissioner under this Act.

Power to borrow Monies on Mortgage of certain Rates.

XII. That it shall be lawful for the Commissioners to borrow on Mortgage of the Rates herein-after authorized to be levied the Sums herein-after mentioned; (that is to say,)

On Mortgage of the General Improvement Rate, any Sum not exceeding Forty thousand Pounds:

On Mortgage of the Highway Rate, any Sum not exceeding Three thousand Pounds:

On Mortgage of the Sewer Rates, any Sum not exceeding Five thousand Pounds:

On Mortgage of the Lighting and Watching Rates, any Sum not exceeding Two thousand Pounds.

XIII. That

Application of Monies raised by Mortgage.

XIII. That all Monies borrowed by the Commissioners as aforesaid shall be applied as follows; (that is to say,)

All Monies borrowed on Mortgage of the General Improvement Rate shall be applied for the Purposes to which the General Improvement Rate is herein-after directed to be firstly, thirdly, and lastly applied and disposed of:

All Monies borrowed on Mortgage of the Highway Rate shall be applied for the Purposes to which the Highway Rate is herein-after directed to be secondly and lastly applied:

All Monies borrowed on Mortgage of the Sewer Rate shall be applied for the Purposes to which the Sewer Rate is herein-after directed to be secondly and lastly applied:

All Monies borrowed on Mortgage of the Lighting and Watching Rate shall be applied for the Purposes to which the Lighting and Watching Rate is herein-after directed to be secondly and lastly applied.

Amount of Sinking Fund.

XIV. That the Sum to be set apart and appropriated out of the General Improvement Rate, the Highway Rate, the Sewer Rate, and the Lighting and Watching Rate respectively as a Sinking Fund, to be applied in paying off the Principal Monies which shall have been borrowed on Mortgage of such Rates respectively, shall be in each Year One Thirtieth Part of the Monies from Time to Time borrowed or secured thereon respectively.

Power to Commissioners to pave, &c. the Town of Runcorn.

XV. That the Commissioners may, subject to the Provisions of this Act and of the Acts incorporated herewith, cause to be paved, lighted, watched, drained, cleansed, regulated, and otherwise improved the Town of *Runcorn* and Parts of the Township of *Halton* within the Limits of this Act, and do all necessary Acts for promoting the Health and Convenience of the Inhabitants thereof, and for that Purpose may exercise all the Powers vested in them by this Act and the Acts incorporated herewith.

Certain Provisions as to Smoke.

XVI. That the Justice or Justices before whom any Person shall be summoned under or by virtue of the Clause of "The Towns Improvement Clauses Act, 1847," with respect to the Prevention of Smoke, may remit the Penalties enacted by the said Act, if he or they shall be of opinion that such Person has so constructed or altered his Fireplace or Furnace as to consume as far as possible all the Smoke arising from such Fireplace or Furnace, and has carefully attended to the same, and consumed as far as possible the Smoke arising from such Fireplace or Furnace.

Dedication of Highways.

XVII. That if the Owner of any Private or Occupation Road now made or hereafter to be made within the Limits of this Act shall be desirous of dedicating the same to the Use of the Public, and shall give

give One Month's Notice in Writing to the Commissioners of such his desire, any One Justice shall, upon the Application in Writing of any such Owner, summon the Commissioners to appear before any Two Justices, to show Cause why any such Private or Occupation Road should not become a Public Highway, and be kept in repair by the Commissioners; and in case such Two Justices shall determine that such Private or Occupation Road ought to become a Public Highway, the same shall, after being put into good and efficient Order to the Satisfaction of the Commissioners, for ever thereafter be a Public Highway, and be kept in repair by the Commissioners.

Power to levy General Improvement Rate.

XVIII. That it shall be lawful for the Commissioners from Time to Time to make, assess, and levy such equal Rate, to be called the "General Improvement Rate," as may be necessary for the Purposes to which the said Rate is herein-after made applicable, not exceeding in any One Year Two Shillings in the Pound of the full net annual Value of the Property included in such Rate.

Application of General Improvement Rate.

XIX. That all Monies which shall come to the Hands of the Commissioners from the General Improvement Rate shall be applied and disposed of as follows:

Firstly, in defraying the Charges and Expenses which shall have been incurred in or incident to the obtaining and passing this Act;

Secondly, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the General Improvement Rate;

Thirdly, in carrying all the Purposes of this Act into execution (excepting the Purposes to which the Highway Rates, the Sewer Rates, and the Lighting and Watching Rates, and any Rates for Drains and Private Improvements, are by this Act, or any Acts incorporated herewith, made applicable, but including the Purchase of the Gasworks and Property of the *Runcorn* Gaslight Company, herein-after mentioned);

Fourthly, in setting apart and appropriating the Sum herein-after directed to be set apart and appropriated for paying off the Principal Monies which shall have been borrowed or secured on the "General Improvement Rate;"

And, lastly, in paying off all Monies due on the Credit of the General Improvement Rate.

Power to levy Highway Rate.

XX. That it shall be lawful for the Commissioners from Time to Time to make, assess, and levy an equal Rate, to be called "The Highway Rate," to be applied for the Purposes to which the said Rate is herein-after made applicable: Provided always, that the Rates to be levied for such Purposes shall not, without the Consent of the Ratepayers, exceed in any One Year the Sum of Two Shillings and Sixpence

pence in the Pound of the full net annual Value of the Property included in such Rate.

Application of Highway Rate.

XXI. That all Monies which shall come to the Hands of the Commissioners from the Highway Rate shall be applied as follows:

Firstly, in maintaining the existing Roads within the Limits of this Act;

Secondly, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the Highway Rate;

Thirdly, in altering, improving, maintaining, and repairing the public Streets, Roads, Highways, and Bridges within the Limits of this Act;

Fourthly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated for paying off the Principal Monies which shall have been borrowed or secured on the Highway Rate;

And, lastly, in paying off all Principal Monies due on the Credit of the Highway Rate.

Power to levy Sewer Rate.

XXII. That it shall be lawful for the Commissioners from Time to Time to make, assess, and levy such equal Rate, to be called "The Sewer Rate," as may be necessary for the Purposes to which the said Rate is herein-after made applicable: Provided always, that the Rates to be levied for such Purposes shall not, without the Consent of the Ratepayers, exceed in any One Year the Sum of One Shilling in the Pound of the full net annual Value of the Property included in such Rate.

Application of Sewer Rate.

XXIII. That all Monies which shall come to the Hands of the Commissioners from the Sewer Rate shall be applied and disposed of as follows:

Firstly, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the Sewer Rate;

Secondly, in purchasing, building, and repairing Sewers within the Limits of this Act, and in making, executing, and maintaining Sewage Works;

Thirdly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated for paying off the Principal Monies which shall have been borrowed or secured on the Sewer Rate;

And, lastly, in paying off all Principal Monies due on the Credit of the said Sewer Rate.

Power to levy Lighting and

XXIV. That it shall be lawful for the Commissioners from Time to Time to make, assess, and levy an equal Rate, to be called "The Lighting

Watching Rate.

Lighting and Watching Rate," to be applied for the Purposes to which the said Rate is hereafter made applicable: Provided always, that the Rates to be levied for such Purposes shall not, without the Consent of the Ratepayers, exceed in any One Year the Sum of Two Shillings in the Pound of the full net annual Value of the Property included in such Rate.

Application of Lighting and Watching Rate.

XXV. That all Monies which shall come to the Hands of the Commissioners from the Lighting and Watching Rate shall be applied as follows:

Firstly, in paying the Interest of the Monies borrowed and which shall from Time to Time be due and owing on the Credit of the Lighting and Watching Rate;

Secondly, in carrying the Purposes of this Act into execution as to lighting and watching the District within the Limits of this Act;

Thirdly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated for paying off the Principal Monies which shall have been borrowed or secured on the Lighting and Watching Rate;

And, lastly, in paying off all Principal Monies due on the Credit of the Lighting and Watching Rate.

Certain Properties how to be rated.

XXVI. That neither the General Improvement Rate, nor the Sewer Rate, authorized to be made or levied within the Limits of this Act, shall at any Time be made or levied upon or in respect of all or any of the Navigations, Canals, Towing Paths, Basins, Locks, Docks, Wharfs, open Sheds, or Landing Places, or upon or in respect of the Tolls, Dues, and Duties arising therefrom respectively, and of which respective Properties the Trustees for the Time being under the Will of the Most Noble *Francis* late Duke of *Bridgewater*, or the Owners for the Time being of the *Bridgewater* Canal, or the Company of Proprietors of the *Mersey and Irwell* Navigation, are or may become respectively Owners or Occupiers, or upon or in respect of the Owners or Occupiers of any Stone Quarries, or open Sheds used by Water Carriers or other Persons for the stowing of Goods or Merchandize during their Transit along the *Bridgewater* Canal and the *Mersey and Irwell* Navigation, more than in the Proportion of One Third of the net annual Value thereof respectively, anything contained in the Towns Improvement Clauses Act, 1847, or elsewhere, to the contrary thereof notwithstanding.

Power to purchase Gasworks.

XXVII. That it shall be lawful for the Commissioners to purchase by Agreement the present Gasworks, Mains, and Pipes of the *Runcorn* Gaslight Company, and any Messuages, Lands, or other Property of the said Company, or such Parts of the said Works, Messuages, Lands, or Property which may be required for the said Gasworks, or for

for lighting the District comprehended within the Provisions of "The *Runcorn* Gas Act, 1847," as the Commissioners may deem expedient, and for that Purpose the *Runcorn* Gaslight Company are hereby enabled to contract and agree with the Commissioners for such Sale of their Gasworks and other Property.

10 & 11 Vict. c. 15. incorporated with this Act.

XXVIII. That upon such Sale or Transfer as last aforesaid the several Clauses and Provisions of "The Gasworks Clauses Act, 1847," so far as the same are not hereby expressly altered or varied, shall be and the same are incorporated with this Act, and also all the Powers, Provisions, and Authorities now vested in or belonging to the *Runcorn* Gaslight Company shall be transferred to and exercised by the Commissioners.

How Compensation to the Gas Company is to be paid and applied.

XXIX. That the Purchase Money or Compensation payable to the *Runcorn* Gaslight Company for their Works, Mains, Pipes, Messuages, Lands, and other Property, or any Part or Parts thereof, when so purchased as aforesaid, shall be paid to the Chairman and any Three Directors for the Time being of the said Company, whose joint Receipt shall be a sufficient Discharge for the same to the Commissioners; and that such Purchase Money or Compensation, when so paid, shall be applied, first, in paying such Expenses as the said Company may have incurred in or about such Sale as aforesaid, and secondly in Payment of Mortgage Debts and other Debts of the said Company, and that the Balance thereof shall be distributed among the Persons appearing on the Books of the said Company to be Shareholders of the said Company, in proportion to their Interest in the Capital Stock of the said Company; provided that the Portion of such Balance which may be payable to any Person or Persons not absolutely entitled to such Shares, for his or their own Benefit, shall be held by such Person or Persons upon and for the same Trusts, and with, under, and subject to the same Intents and Purposes, as those on, for, with, under, and subject to which the Shares were held in respect of which such Payment was made: Provided also, that upon Payment to the said Chairman and Three Directors in manner aforesaid of the said Purchase Money or Compensation, the said *Runcorn* Gaslight Company shall, whenever required so to do by the Commissioners, by Deed duly stamped, in which the Consideration for the same shall be truly stated, duly convey and assign to the Commissioners all such Works, Mains, Pipes, Messuages, Land, and other Property as aforesaid, which Conveyance or Assignment shall be effectual for the Purpose of vesting the same in the Commissioners; and that if the said Company refuse so to convey and assign, or if the said Company, for a Week after the Commissioners shall by Notice under their Common Seal left at the said Company's Office have signified their Readiness to pay such Purchase Money or Compensation, refuse to accept the same,

it shall be lawful for the Commissioners, if they think fit, to pay such Purchase Money or Compensation into the Bank of *England*, in the Manner pointed out by the "Lands Clauses Consolidation Act, 1845," with respect to Purchase Money or Compensation exceeding the Sum of Twenty Pounds coming to Parties having limited Interests, or prevented from treating, or not making Title, and upon such Deposit being made in the Bank as aforesaid it shall be lawful for the Commissioners to execute a Deed Poll under their Common Seal, reciting the Purchase or taking of the said Works, Mains, Pipes, Messuages, Land, and other Property for the Purposes of this Act, and the Deposit made in respect thereof, and stating the Fact of such Default having been made, and which Deed shall be duly stamped for denoting the Payment of the full and proper Stamp Duty payable by Law in respect of the aforesaid Purchase Money, and thereupon all the Estate and Interest of the said *Runcorn* Gaslight Company in such Works, Mains, Pipes, Messuages, Land, and other Property shall vest absolutely in the Commissioners, and as against the *Runcorn* Gaslight Company and all Persons claiming under them, and the Commissioners shall be entitled to the immediate Possession of such Works, Mains, Pipes, Messuages, Land, and other Property.

Power of Commissioners over Property purchased of the Gas Company.

XXX. That the Works, Mains, Pipes, Messuages, Lands, and other Property of the said *Runcorn* Gaslight Company, when vested in the Commissioners by the Means aforesaid, shall be held by the Commissioners in the same Manner and with the same Powers in all respects as if the same had been constructed, made, or purchased by the Commissioners under the Powers and for the Purposes of this Act; and that the Commissioners shall, excepting only as regards Mortgage and other Debts, which under the last preceding Section ought, as between the Company and the Commissioners, to be paid out of the Compensation payable by the Commissioners to the Company, be liable for all the Debts and Demands which may be payable by or legally made upon the said Company, and shall be bound by the Company's Contracts and Engagements with Third Parties, in the same Manner as if such Debts and Demands, Contracts and Engagements, had been incurred or made by the Commissioners under this Act, and shall have the same Power of enforcing against Third Parties Contracts or Engagements made with the Company as the Company itself would have had.

Gas Company to be dissolved.

XXXI. That after the Execution of such Conveyance or Deed Poll as aforesaid, and the Distribution in manner aforesaid of the said Purchase Money or Compensation, the said *Runcorn* Gaslight Company shall stand and be absolutely dissolved and at an end for all Intents and Purposes whatsoever.

XXXII. That

As to the Disposition of Money belonging to missing or incompetent Shareholders of the Gas Company.

XXXII. That in case any of the Persons who may appear on the Books of the said *Runcorn* Gaslight Company to be Shareholders, and entitled as such to participate in the Distribution of the Purchase Money or Compensation herein-before mentioned, or who may appear on such Books entitled to any Arrear of Dividends in respect of any Shares in the said Company, shall be absent, or incapable of receiving any Part of such Money, or shall refuse the same, or be undiscoverable, then and in such Case it shall be lawful for the said Chairman and Three Directors of the said *Runcorn* Gaslight Company, acting with respect to the Distribution of such Money, to pay all such Monies as would have been payable to such Persons as aforesaid if known and present, and capable and willing to receive the same, with the Privity of the Accountant General of the Court of Chancery, to the Account of the said Accountant General, "In the Matter of the dissolved *Runcorn* Gaslight Company," in trust to attend the Orders of the said Court; and such Chairman or One of such Directors shall, previously to or at the Time of such Payment, file an Affidavit, stating, with regard to each Part of the Sum so paid in by them, on what Account the same is paid in, and who on the Books of the said *Runcorn* Gaslight Company appears to be entitled thereto, with any other necessary Particulars as to the same which may be known to the Person making such Affidavit, by means of such Books or otherwise; and the Receipt of One of the Cashiers of the said Bank for the Money so paid shall be a sufficient Discharge to the Chairman and Board of Directors for the same.

Power of the Court of Chancery over such Money.

XXXIII. That such Orders as shall seem fit shall be from Time to Time made by the Court of Chancery in respect of the Monies so paid in, or any Part thereof, and for the Investment and Payment of any such Monies, or any Part thereof, upon a Petition to be presented in a summary Way to the Court of Chancery, without Bill, by such Party or Parties as to the Court shall appear to be competent and necessary in that Behalf, and Service of such Petition shall be made upon such Person or Persons as the Court shall see fit and direct, but it shall not in any Case be necessary that Service thereof shall be made on such Chairman and Three Directors as aforesaid, or on the Commissioners; and every Order made upon any such Petition shall have the same Authority and Effect, and shall be enforced and subject to Rehearing and Appeal, in the same Manner as if the same had been made in a Suit regularly instituted in the Court; and if it shall appear that any such Funds cannot be safely distributed without the Institution of One or more Suit or Suits, the Court may direct any such Suit or Suits to be instituted.

Power to borrow Money on

XXXIV. That after the Purchase by the Commissioners in manner aforesaid of the Works and Property of the *Runcorn* Gaslight Company,

the Security of the Gasworks when purchased.

pany, the Commissioners shall and may, over and above the Powers and Authorities given to them by this Act or any Act incorporated herewith, have Power from Time to Time to borrow at Interest, on the Security of the said Works and Property, any Sum of Money not exceeding Twenty thousand Pounds, to be applied for the Purposes to which the General Improvement Rate is herein-before directed to be firstly, thirdly, and lastly applied and disposed of.

Power to Commissioners to lay Pipes for lighting Buildings.

XXXV. That, subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Commissioners to lay any Pipe, Branch, or other Apparatus from any Main or Branch Pipes into, through, or against any Building, for the Purpose of lighting the same, and to provide and set up any Apparatus necessary for securing to any Buildings a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

Rate at which Gas is to be supplied.

XXXVI. That the Rate at which Gas shall be supplied by the Commissioners shall not exceed Seven Shillings and Sixpence for every Thousand Cubic Feet of Gas.

Application of Gas Rents, &c.

XXXVII. That the Gas Rents and other Monies which shall from Time to Time be received by the Commissioners from or in respect of the said Gasworks, or shall otherwise arise from the Exercise of their Powers for the Supply of or in connexion with Gas, shall, after making such Appropriation as may be necessary in respect of the Expense of purchasing, improving, managing, or conducting the Gasworks and other Property of the *Runcorn* Gas Company as aforesaid, be from Time to Time applied for the Purposes of this Act in aid of the "General Improvement Rate."

Powers of Inspectors of Lighting under 3 & 4 W. 4. c. 90. abolished.

XXXVIII. That from and after the said First Day of *November* One thousand eight hundred and fifty-two all and every the Powers and Authorities of the Inspectors for Lighting and Watching formed within the Township of *Runcorn*, in pursuance of the Powers of an Act passed in the Third and Fourth Years of *William* the Fourth, Chapter Ninety, shall be abolished within the Limits of this Act: Provided always, that all Contracts for Lighting entered into and made by the said Inspectors under the Authority of the said last-mentioned Act previous to such Sale or Transfer as aforesaid shall be binding on and enforced by and against the Commissioners, and all Persons Parties to the said Contracts, as fully as they would have been binding on or enforceable by and against the said Inspectors respectively, and all such other Persons, as if this Act had not been passed.

XXXIX. That

Highway Board appointed under 5 & 6 W. 4. c. 50. to cease.

XXXIX. That from and after the said First Day of *November* One thousand eight hundred and fifty-two the Board appointed for the Repairs of the Highways within the said prescribed District under the Provisions of the Act Fifth and Sixth *William* the Fourth, Chapter Fifty, or of any other Act relating to the Maintenance and Repair of Highways in that Part of *Great Britain* called *England*, shall cease to exist; and the said Board, and all Officers and Servants appointed by them, or by virtue of or acting in execution of the said last-mentioned Act, or any such other Act as aforesaid, shall cease to exercise any Power or Authority, or to be liable for the Discharge of any Duty, or to be entitled to any Claim or Demand, by virtue of such his or their Office or Employment, save as regards any Salaries or Emoluments or other Monies which may be personally due to them at the Time when this Act shall come into operation; and all Books, Papers, Writings, Accounts, Maps, Plans, and other Property vested in or belonging to such Board at or immediately upon the Commencement in operation of this Act shall vest in and belong to the Commissioners, and all Sums of Money due to or from the said Board in virtue of their Office shall be deemed to be due or owing, as the Case may be, to or by the Commissioners, and may be sued for and recovered accordingly.

Property of Inspectors, &c. under recited Acts, vested in Commissioners under this Act.

XL. That from and after the said First Day of *November* One thousand eight hundred and fifty-two all the Messuages, Buildings, Lands, and Hereditaments, Estates, Rights, and Privileges, of what Kind soever, which at or immediately previous to such Period shall belong to or be vested in or shall be used by the respective Inspectors, Surveyors, or Board acting in execution of the Two last-mentioned Acts or either of them, shall be and the same are hereby vested in the Commissioners, for the like respective Estates, Rights, and Interests as the same would have remained vested in or would have belonged to the said Inspectors, Surveyors of Highways, or Board, or any of them, acting under the said recited Acts or any of them, if this Act had not been passed.

Contracts to remain in force.

XLI. Provided always, That all Contracts, Agreements, Bonds, Covenants, Securities, and Engagements entered into or made before the said First Day of *November* One thousand eight hundred and fifty-two, under or by virtue of the said Two last-mentioned Acts or either of them, shall, notwithstanding anything herein contained, be, remain, and continue of Validity, Force, and Effect in Law and Equity to all Intents and Purposes, and shall be as available for the Purposes for which the same respectively had been entered into or made, and for the Purposes of this Act, as if the same respectively had been entered into or made for the same Purposes to, with, or by the Commissioners, and may be enforced by the Commissioners and by the other Party or

Parties thereto (not being the Inspectors, Surveyors, or Board under the said Acts, or any Person acting in their Behalf) accordingly; and the Liability of the Inspectors, Surveyors, or Board under the said Acts, and of any Person acting on their Behalf, in respect of any such Contract, Agreement, Bond, Covenant, Security, or Engagement, shall immediately from and after the said First Day of *November* One thousand eight hundred and fifty-two cease and determine, and be transferred to the Commissioners.

Books of Inspectors, &c. to be Evidence.

XLII. That all Rate Books, and all Entries therein, and all Registers and Books of Proceedings, and other Books whatsoever, of the said Inspectors, Surveyors, or Board, under the said Acts or either of them, and made Evidence thereby, or which might have been received as Evidence on the said Second Day of *October* One thousand eight hundred and fifty-two, shall at all Times hereafter be admitted in Evidence in all Courts, and by all Judges, Justices, Commissioners, Arbitrators, and others, as the same might have been admitted in Evidence if this Act had not passed.

Actions not to abate.

XLIII. That no Action, Suit, Prosecution, or other Proceeding whatsoever commenced by or against the said Inspectors, Surveyors, or Board acting in execution of either of the said Acts shall abate, cease, be discontinued, or be prejudicially affected by this Act; and that all Persons who before the said First Day of *November* One thousand eight hundred and fifty-two shall have committed any Offence or incurred any Penalty or Forfeiture under the Provisions of either of the said Acts may be sued and prosecuted for such Offences, Penalties, and Forfeitures in such and the like Manner as if this Act had not been passed.

Market Days.

XLIV. That the Commissioners shall hold the Markets within the Limits of this Act on *Tuesday* and *Saturday*, and also on such other Days and also during such Hours in every Market Day as the Commissioners shall from Time to Time appoint: Provided always, that any Market shall not be held on any *Sunday*, *Christmas Day*, or *Good Friday*, or on any Day appointed for a Public Fast or Thanksgiving.

Commissioners empowered to provide Market Places.

XLV. That the Commissioners may build and provide, on such Land as they from Time to Time purchase or appropriate within the Limits of this Act for the Purpose, and for ever after maintain and improve, as they think fit, any public Market Place or Market Places, such Market Places respectively to be so maintained for supplying the Inhabitants within the Limits of this Act and in the Neighbourhood thereof with Provisions, Goods, Wares, Merchandise, Meat, Animals, Poultry, Pigs, Fish, Game, and all other marketable Commodities,

modities, together with all Stalls, Standings, and other Conveniences and suitable Approaches for all Persons resorting thereto.

Power to lease Markets, &c.

XLVI. That the Commissioners may from Time to Time demise and let to any Person the Slaughtering Houses, Weighing Houses or Places, Machines, Stalls, Standing Places, Benches, or other Conveniences in the Market Places or any of them, for any Period not exceeding Three Years, upon such Terms as are agreed upon between the Commissioners and the Person to whom such Lease is made.

Power to assign Lease of Standings.

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

Slaughter-houses.

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

Weighing and Measuring Houses.

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

Tolls for Markets.

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

Tolls for weighing and measuring.

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

Tolls for weighing Carts.

LII. That the Person for the Time being appointed to attend the Machines for weighing Waggons, Carts, or Carriages may demand and

and receive from the Person requiring the same to be weighed such Tolls as the Commissioners may appoint, not exceeding the Tolls specified in respect of the same in Schedule (A.) annexed to this Act; and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

Penalty and Damages for Nuisances in Market Place.

LIII. That any Person who shall spoil, deface, or injure any Part of any Market Place, or the Buildings, Fences, Stalls, or Standings thereof, or in any Market Place causes any Obstruction, or commits any Damage or Injury, shall forfeit for every such Offence any Sum not exceeding Forty Shillings, and shall also pay such Sum of Money as the Justices before whom the Conviction for such Penalty takes place think a reasonable Satisfaction for the Injury done by such Person.

Town Crier.

LIV. That the Commissioners from Time to Time may appoint a Town Crier, with such Remuneration as the Commissioners may think reasonable, and may remove such Town Crier, and appoint another in his Stead; and if while any such Town Crier is in Office any Person other than the Town Crier so appointed shall act as the Town Crier, every Person so acting shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

Saving of Rights.

LV. That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any Estate, Rights, Privileges, Exemptions, Powers, or Authorities vested in or reserved to the Trustees under the Will of the Most Noble *Francis* late Duke of *Bridgewater*, or "The Company of Proprietors of the *Mersey and Irwell* Navigation," or their Successors, or the Lord of the Manor of *Runcorn* and *Halton*, but all such Estate, Rights, Privileges, Exemptions, Powers, and Authorities respectively shall remain, continue, and be held, used, exercised, and enjoyed in the same Manner in all respects as if this Act had not been passed.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Tolls payable.

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

Not exceeding Six Feet by Five Feet, Sixpence:

Not exceeding Nine Feet by Five Feet, Ninepence:

Not exceeding Twelve Feet by Five Feet, One Shilling; and for every Three Feet above, for Stations only, One Penny Halfpenny in addition.

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

Carts.

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

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

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

Butter.

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

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

Poultry and Pigs.

For Poultry, including Fowls, Chickens, and Ducks, Wild Fowls, Pigeons, and Rabbits; videlicet,
Not exceeding Three Couple, One Penny per Day:
For each additional Three Couple, One Penny per Day:
For every Turkey or Goose, One Penny per Day:
For every Hog, Pig, Sheep, or Goat, One Penny Halfpenny.

Eggs.

For every Basket, Parcel, or Quantity of Eggs under Two Dozen, One Halfpenny; for each additional Dozen, One Halfpenny.

Weighing and Measuring.

For weighing every Piece of Meat or Thing weighing not more than Twenty Pounds Avoirdupois, One Halfpenny:
For weighing every Piece of Meat or Thing weighing more than Twenty Pounds and not exceeding One hundred Pounds, One Penny; and so in proportion for any greater or smaller Quantity than One hundred Pounds Weight over and above One hundred Pounds Weight:
For measuring every Quantity of Goods and Things sold by Measure, not exceeding One Bushel, One Halfpenny:
For measuring every Quantity more than a Bushel and not exceeding Two Bushels, One Penny:
And for every Bushel beyond Two Bushels, One Halfpenny.

Weighing Machines.

For weighing any Cart, Waggon, or other Carriage not exceeding One Ton, Threepence, and so in proportion for any greater or smaller Weight than One Ton.

General Tolls.

For every Basket, Hamper, Parcel, or Quantity of any other Goods, Commodity, Article, or Thing exposed or offered for Sale there, not before specifically charged or enumerated, or falling within any of the preceding Heads; (that is to say,)
Not containing more than One Bushel, One Penny:
For every additional Half Bushel, One Halfpenny.

SCHEDULE (B.)

Form of Rate.

THE RUNCORN IMPROVEMENT ACT, 1852.

A Rate for [general Purposes, *or* Lighting, *&c.*] duly made this Day of

Name of Owner.	Name of Occupier	Name of Person rated.	Description of Property rated.	Name or Situation of Property rated.	Esti-mated Extent.	Gross esti-mated Rental.	Rateable Value.	Rate at Sixpence in the Pound.

L. S. (*Common Seal of the Commissioners.*)

Witness to the affixing of the Seal,

A.B., Clerk to the Commissioners.

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