CHAPTER lxxxviii.

An Act for authorising the Local Board for the District of Widnes in the County of Lancaster to extend their Gas and Water Limits, to construct additional Gas and Water Works, to improve their District, and raise further Moneys; and for other purposes. [29th June 1875.]

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WHEREAS by the Widnes Improvement Act, 1867, (in this Act called the Act of 1867,) the Local Board for the district of Widnes in the county of Lancaster (herein-after called the Local Board) were authorised, amongst other things, to purchase and to acquire the undertaking, gasworks, waterworks, and property of the Widnes Gas and Water Company, and to construct, enlarge, and extend gasworks and waterworks, and to provide a Town Hall and public offices, and to acquire compulsorily and by agreement lands, and easements in and over lands, and to supply with gas and water their district and certain places near thereto, and to improve their district, and to raise moneys: 30 & 31 Vict. c. cxxvi.

And whereas the Local Board have put the Act of 1867 into execution, and have purchased and acquired the undertaking of the Gas and Water Company, and have constructed the works by that Act authorised (other than the Town Hall), and raised and expended the moneys they were thereby authorised to raise and expend for such works:

And whereas the population, manufactories, and works within the district of the Local Board have since the passing of the Act of 1867 increased and are rapidly increasing:

And whereas the supply of water under the Act of 1867 is at present insufficient for the purposes of that Act, and it is expedient that the Local Board be enabled to extend their existing waterworks and to make new waterworks:

And whereas the lands vested in the Local Board under the Act of 1867 for gasworks are insufficient for the purposes of that Act, and it is expedient that the Local Board be enabled to acquire

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further lands for gasworks, and to extend their existing gasworks and make new gasworks:

And whereas the Local Board are desirous and it is expedient that they be authorised to supply gas and water to and within the extended limits herein-after defined:

And whereas the Local Board are desirous of effecting improvements in their district, and to appropriate part of the site acquired by them for a market house and market place for the erection thereon of the Town Hall:

And whereas the Local Board, in addition to the moneys which they were authorised by the Act of 1867 to borrow for gasworks and waterworks, have borrowed under the provisions of the Sanitary Acts other moneys for those purposes, and the total amounts owing on the thirty-first day of December one thousand eight hundred and seventy-four were on gasworks account twenty-eight thousand five hundred and forty pounds, and on waterworks account sixty-four thousand two hundred and sixty-nine pounds and fourpence:

And whereas it is expedient that the Local Board be authorised to borrow further moneys for the purposes of their gasworks and waterworks, and for other purposes of the Act of 1867 and of this Act, and that further provision be made with respect to the moneys already borrowed and to be borrowed under this Act:

And whereas estimates have been prepared by the Local Board for the purchase of land and for the execution of the various works by this Act authorised, and such estimates are as follows:

For gasworks - - -	£30,000
For waterworks - - -	£70,000
For a Town Hall - - -	£25,000

And whereas the several works included in such estimates respectively are permanent works within the meaning of section 57 of the Local Government Act, 1858:

And whereas plans showing the lands to be taken for the purpose of erecting the gasworks herein-after authorised, and plans and sections showing the waterworks herein-after authorised, and the lands to be taken for the purposes thereof, and a book of reference to those several plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of those lands respectively, have been deposited with the clerk of the peace for the county of Lancaster:

And whereas an absolute majority of the whole number of the members of the Local Board, at a meeting held on the fifteenth day of December one thousand eight hundred and seventy-four, after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the Runcorn and Widnes Guardian, a

local newspaper published or circulating in the district of the Local Board, such notice being in addition to the ordinary notices required for summoning such meeting, resolved to promote the Bill for this Act, and that the expense in relation to promoting the Bill for this Act should be charged on the public funds and rates under the control of the Local Board:

And whereas such resolution was published twice in the said Runcorn and Widnes Guardian, and has received the approval of one of Her Majesty's Principal Secretaries of State and of the Local Government Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the members of the Local Board at a further special meeting held in pursuance of a similar notice on the fifteenth day of January one thousand eight hundred and seventy-five, being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the district of the Local Board, by resolution in manner provided in the Local Government Act, 1858, for the adoption of that Act, consented to the promotion of the Bill for this Act:

And whereas the objects aforesaid 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, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may for all purposes be cited as "The Widnes Local Board Act, 1875."

This Act and recited Act to be read as one Act.

2. This Act and the Act of 1867 shall be construed together as one Act, but this Act shall supersede the Act of 1867 in all cases where the provisions of the Act of 1867 and of this Act conflict.

Provisions of certain general Acts incorporated.

3. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Gasworks Clauses Act, 1847," and "The Waterworks Clauses Acts, 1847 and 1863," are (save so far as any of the provisions of the same are expressly varied or excepted by this Act) incorporated with and form part of this Act; provided that the provisions of "The Gasworks Clauses Act, 1847," and "The Waterworks Clauses Act, 1847," respectively, with respect to the profits to be received by the undertakers, are not incorporated with but are excepted from this Act, and "The Gasworks Clauses Act, 1871," shall apply to the existing undertaking of the Local Board as if the same were hereby authorised.

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Interpretation of terms.

4. In this Act the several words and expressions to which meanings are assigned by the Act of 1867, or the Acts wholly or partially incorporated herewith, have the same respective meanings, unless there be something in the subject or context repugnant to such construction: the expression "the district" shall mean the district of the Local Board; the expression "the Sanitary Acts" shall have the same meaning as in "The Public Health Act, 1872;" and in the Acts wholly or partially incorporated with this Act, and also in this Act, the expression "the promoters of the undertaking," "the undertakers," or "the company," shall mean the Local Board; and for the purposes of this Act the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Extension of gas limits.

5. The limits of supply of gas by the Local Board under the Act of 1867 and this Act shall, in addition to the limits in that behalf of the Act of 1867, include the townships or places of Hale and Halebank in the county of Lancaster, and so much of the township of Halewood in that county as lies eastward of an imaginary line commencing at the point of junction of the townships of Tarbock and Ditton with Halewood, and running thence in a straight line to the junction of Ramsbrook Lane with Higher Lane, and thence along the westerly side of Ramsbrook Lane to the boundary of the township of Hale.

Extension of water limits.

6. The limits of supply of water by the Local Board under the Act of 1867 and this Act shall, in addition to the limits in that behalf of the Act of 1867, include the townships or places of Hale, Halebank, Halewood, and Tarbock, all in the county of Lancaster.

As to supply of water beyond limits of Act of 1867.

7. No person shall be entitled to demand a supply of water, or to have such supply continued, and it shall not be lawful for the Local Board to furnish or to continue such supply in or to any place out of the limits of the Act of 1867, to the prejudice of a full supply for all purposes in accordance with the provisions of that Act within such limits.

Limits of Act generally.

8. This Act shall for all purposes, not by this Act otherwise expressly provided, be put in force in the district.

Power for Local Board to take land compulsorily.

9. Subject to the provisions of this Act, the Local Board from time to time may enter upon, take, and use for the purposes of this Act such of the lands shown on the deposited plans and specified in the deposited books of reference as are required for the purposes of this Act.

Powers for compulsory purchases limited.

10. The powers under this Act of the Local Board for the compulsory purchase of lands for the waterworks purposes of this Act shall not be exercised after the expiration of five years, and those for other purposes shall not be exercised after the expiration of three years next after the passing of this Act.

Power for Local Board to acquire lands by agreement.

11. The Local Board may from time to time by agreement, and in addition to the lands which by the Act of 1867 or this Act they are authorised to purchase, compulsorily purchase or otherwise acquire for any of the purposes of the Act of 1867 or this Act, any lands not exceeding in the whole ten acres; but no lands shall be used by the Local Board for the purpose of manufacturing gas or residual products except the lands (*a.*) described in the schedule to this Act, and also except such further quantity of land not exceeding two acres adjoining the easterly side thereof, and described as (*a a.*) in the schedule to this Act, as the Local Board may purchase or otherwise acquire by agreement.

Power to take easements, &c. by agreement.

12. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands, may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," and of this Act, grant to the Local Board any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Power for Local Board to make works authorised by Act.

13. Subject to the provisions in this Act contained, and to the powers of deviation hereby given, the Local Board may from time to time make and maintain the works and do the things by this Act authorised, and so far as the lines and levels of the works are shown on the deposited plans and sections respectively, may from time to time make and maintain the works in the lines and in accordance with the levels shown thereon, and in the lands shown on the plans and specified in the deposited books of reference.

Works authorised.

14. The works by this Act authorised to be made and maintained, and the things by this Act authorised to be done by the Local Board, comprise the following works and things, with all such incidental works, conveniences, and things connected therewith as the Local Board from time to time find requisite or convenient; (that is to say,)

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GASWORKS.

Gasworks for the manufacture, storage, and supply of gas, with all necessary conveniences, houses, buildings, apparatus, roads, and approaches upon the land (*a.*) described in the schedule to this Act annexed, and with power to do all such acts as they may think proper for manufacturing and storing gas, and for supplying gas within the limits of this Act for the supply of gas, and to convert, manufacture, sell, and dispose of coke, coal, tar, pitch, asphaltum, ammoniacal liquor, oil, and all other refuse or residuary products arising, remaining, produced by, or obtained from the manufacture of gas by them, or the materials used therein, and to manufacture and sell such articles as can be produced from or by means of the several matters and things aforesaid, and to contract for, take, and use any leave, license, or authority to work, use, exercise, or put in practice any invention or inventions under any letters patent at any time heretofore made or hereafter to be made, granting any right or privilege of working, using, exercising, or vending any invention in relation to the manufacture and distribution of gas or the utilization of the residual products arising from the manufacture of gas, or otherwise in relation thereto, but so that the Local Board shall not acquire any exclusive right to any such invention, and with power to the Local Board also to manufacture, and sell, let, or deal in gas fittings, tubes, meters, pipes, and all other articles and things in any way connected with gasworks, or with the supply of gas to the consumers thereof, in such manner as the Local Board may think proper, and generally to carry on the business usually carried on by gas companies, or which is or may become incident thereto.

WATERWORKS.

Pumping stations, wells, engines, pipes, and other works and conveniences upon the lands (*b.*) and (*d.*) described in the schedule to this Act annexed:

A road over and along the land (*c.*) in such schedule described, commencing in Belle Vale Road at or near the termination of the boundary wall of "Belle Vale House," and terminating in the piece of land (*b.*) therein described:

A conduit or line of pipes, commencing in the said piece of land (*b.*), and running along the said proposed road to Belle Vale Road, and thence to the said piece of land (*d.*):

A conduit or line of pipes, commencing in the said piece of land (*d.*), and terminating by a junction with the forcing main

connecting the existing pumping station of the Local Board at Stock's Well in Ditton aforesaid, with their service reservoir at Pex Hill in Cronton aforesaid at or near the point (adjacent to Stock's Well House) where such main enters Stock's Well Lane: A.D. 1875.

All necessary and convenient approaches, roads, ways, tanks, sluices, channels, drain, pipes, engines, and conveniences for collecting, raising, drawing, and distributing water:

All which works are to be made, and the lands to be taken or used therefor are situate in the several townships, parishes, and extra-parochial places following, or some of them; that is to say, Ditton, Little Woolton, Gateacre, Tarbock, Cronton, Childwall, Huyton, and Prescot, all in the county of Lancaster.

Gas and Water.

The making, erecting, extending, repairing, renewing, and maintaining in any lands now vested in and from time to time belonging to the Local Board, and applicable, in accordance with the Act of 1867 and this Act, for the purpose of all such buildings, embankments, wells, reservoirs, aqueducts, conduits, drains, sluices, cuts, channels, pipes, engines, and other works and conveniences, as the Local Board from time to time think requisite for the purposes of this Act with respect to gas and water.

For the protection of the Earl of Sefton's property.

15. The Local Board shall not, in the exercise of any powers conferred on them by this Act, enter upon, take, or use any lands other than public highways which the Local Board are entitled to use for purposes of this Act, under the Acts or any or either of the Acts incorporated herewith, belonging or reputed to belong to the Right Honourable William Philip, Earl of Sefton, or the trustees of his marriage settlement, without the consent of the said Earl, or of the person or persons for the time being seised of such lands, but the Local Board with such consent may purchase and take, and the said Earl, or the person or persons aforesaid, may sell and grant accordingly, on such terms and conditions as he or they and the Local Board may agree on, any easement or right of using any of his or their lands for the purposes of this Act; and the Local Board, notwithstanding any other provisions of this Act, may, as part of such terms and conditions, contract to supply water to the lessees or tenants of the said Earl in the township of Tarbock for such time and in such quantity and generally on such terms and in such manner as they may consider expedient.

For protection of certain land-owners.

16. Nothing in this Act contained shall authorise the Local Board to enter upon, take, or use any lands belonging or reputed to

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belong to Andrew Barclay Walker, or to Edward Moss and John Dutton, as trustees of the will of the late Thomas Dutton, deceased, or to erect, construct, or lay down any pumping stations, wells, buildings, machinery, pipes, apparatus, or other works, otherwise than is provided by two several agreements between them respectively and the Local Board, dated respectively the first and fifteenth days of January one thousand eight hundred and seventy-five; but nothing in this section shall be deemed to prohibit or interfere with the right of those persons respectively to enter into any other agreements or arrangements for the grant to the Local Board of any of their respective lands, or any easement or right in or over such lands.

As to works affecting railways and canal of London and North-western Railway Company.

17. Notwithstanding anything in this Act contained, section 30 of the Act of 1867 shall extend and apply to any mains, pipes, or other works to be laid down, made, constructed, or executed in the exercise of the powers conferred by or in carrying into execution the purposes of this Act in any way affecting any railway, canal, lands, or property of the London and North-western Railway Company, or any of the stations, bridges, or works of any such respective railway or canal, as if such section was expressly enacted in this Act.

Lateral and vertical deviations.

18. In executing the works shown on the deposited plans and sections the Local Board may deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon, and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits, and may also deviate vertically from the levels thereof shown on the deposited sections to any extent not exceeding in any place five feet.

Period for completion of works.

19. The works hereby authorised shall be completed within seven years after the passing of this Act, and on the expiration of that period the powers by this Act granted to the Local Board for making the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed; provided that the Local Board from time to time may, subject to the provisions of this Act, renew, enlarge, extend, and add to their gasworks and waterworks, mains, pipes, and apparatus, whenever for any of the purposes of this Act they find it expedient so to do.

Rights of way over lands taken by Local Board extinguished.

20. All rights of way and other easements and rights in, over, and affecting the lands described in the schedule from time to time taken by the Local Board under this Act, when and as those lands are vested in the Local Board, are by this Act absolutely extinguished.

Power to use part of market site for Town Hall.

21. The Local Board may appropriate and use so much as may be necessary of the land acquired by them for the purpose of a market house and market place for the erection thereon of the Town Hall, public offices, and other buildings and conveniences authorised by the Act of 1867.

Supply of gas and water beyon d limits.

22. The Local Board may from time to time, on terms mutually agreed on, supply gas and water to places beyond the respective gas and water limits, provided the same can be supplied without prejudice to a full supply for all purposes to the inhabitants within those limits: Provided always, that nothing in this section contained shall prejudice any application by any company or sanitary authority for parliamentary powers to supply with gas or water any places adjoining the limits of this Act which may be so supplied by the Local Board under this section; and if such powers be granted the Local Board shall, if so required by such company or sanitary authority, sell to them all the mains, pipes, and other works of the Local Board within the district of such company or sanitary authority, other than and except any gasworks, wells, pumping stations, mains, pipes, or other works used for service beyond the limits of such company or sanitary authority, at the price to be fixed, in default of agreement, by arbitration under the provisions of the Lands Clauses Acts.

As to charges for gas and water.

23. The price to be charged for gas by the Local Board within the extended gas limits shall not exceed six shillings per thousand cubic feet of gas, and the rates for the supply of water within the extended water limits for domestic purposes shall not be greater than ten per centum beyond the rates in that behalf limited by the Act of 1867, and the powers for recovering the same given by that Act shall extend and be applicable to such respective limits.

As to testing place and testing of gas.

24. For the purposes of the Gasworks Clauses Act, 1871, the prescribed testing place shall be the existing testing place of the Local Board at their gasworks, or other the testing place from time to time of the Local Board, and the illuminating power of the gas, and the testing, and the apparatus to be used therefor, shall be subject to the provisions of sections 44 to 48, both inclusive, of the Act of 1867.

Pressure of gas.

25. All gas supplied by the Local Board to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipes supplying

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such consumer; and any gas examiner appointed under "The Gasworks Clauses Act, 1871," may, subject to the terms of his appointment, from time to time test the pressure at which the gas is supplied, and may for that purpose open any street road, passage, or place vested in or under the control of any local or road authority, and the provisions of "The Gasworks Clauses Act, 1871," with reference to testing of gas and penalties, shall, mutatis mutandis, apply to such testing of pressure, provided that sufficient notice in writing shall be given to the Local Board of the time and place at which such testing shall be conducted, to enable them to be represented thereat.

Power for Local Board to borrow on mortgage of gasworks and gasworks fund, waterworks and waterworks fund, and general district rate.

26. In addition to the existing debt of the Local Board, and to any other moneys which under the Sanitary Acts they may borrow, the Local Board from time to time, under the authority and for the purposes of this Act, may borrow at interest on mortgage or debenture, but not by way of annuity, such moneys as they think fit, not exceeding the sums following; (that is to say,)

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(*a.*) For purposes of this Act with respect to gas, and on mortgage of the gasworks undertaking and the gasworks fund and the general district rate - - - - -	30,000
(*b.*) For purposes of this Act with respect to water, and on mortgage of the waterworks fund and the general district rate - - -	70,000
(*c.*) For other purposes of this Act, and on mortgage of the general district rate - -	25,000

Priority of existing mortgages.

27. All mortgages granted by the Local Board in pursuance of any Act of Parliament before the passing of this Act, and subsisting at the passing thereof, shall during their respective continuance, and with respect to the property comprised in the same respectively, have priority over all mortgages granted under this Act.

Mortgages under Act to be in accordance with Sanitary Acts.

28. The mortgages from time to time granted by the Local Board under this Act shall be granted under the authority of this Act, subject to the provisions of this Act, in accordance with the provisions of the Sanitary Acts with respect to mortgages of the general district rate; and all the powers and provisions of the Sanitary Acts applicable with respect to mortgages of the general district rate, and transfers of the mortgages, and otherwise, shall, except as is by this Act otherwise provided, apply and have effect with respect to the mortgages granted under this Act by the Local Board, as if those mortgages respectively were mortgages of the general district rate.

Restrictions of Sanitary Acts as to borrowing moneys.

29. The powers of the Local Board of borrowing under this Act shall not be in any way restricted by any of the provisions of the Sanitary Acts, and in calculating the amounts which the Local Board may borrow under this Act the amounts which they may borrow under the Sanitary Acts shall not be reckoned.

Sinking fund for moneys already borrowed.

30. A sinking fund in accordance with the Sanitary Acts for paying off the existing mortgage debts of the Local Board with respect to water, or, as the case happens, with respect to gas, shall be formed by setting aside yearly for the respective sinking fund such sum as, with the interest and accumulations, shall in the opinion of the Local Government Board be sufficient for the redemption of the respective debt in fifty years from the passing of this Act, and the sinking fund shall be kept up until the whole of the respective debts be paid off, and the moneys carried to the respective sinking fund, so soon and so far as conveniently can be, may from time to time be applied in or towards the discharge of the respective debts, and until so applied shall be invested in Government securities in the name of the Local Board.

Sinking fund for moneys borrowed under this Act.

31. A sinking fund in accordance with the Sanitary Acts for paying off moneys borrowed on mortgage for purposes of this Act with respect to water, or, as the case happens, with respect to gas, shall be formed by setting aside yearly for the respective sinking fund such sum as, with the interest and accumulations, shall in the opinion of the Local Government Board be sufficient for the redemption of the respective debt in sixty years, and the sinking fund shall be kept up until the whole of the respective moneys so borrowed under this Act by the Local Board be paid off, and the moneys carried to the respective sinking fund, so soon and so far as conveniently can be, may from time to time be applied in or towards the discharge of the respective moneys so borrowed, and until so applied shall be invested in Government securities in the name of the Local Board.

As to debt of waterworks fund.

32. Whereas the waterworks fund of the Local Board is indebted to the general district rate in the sum of four thousand and ninety-two pounds three shillings and eightpence for moneys advanced for purposes of the Act of 1867 with respect to water, and which ought to be repaid under the 103rd section of that Act, but it is not expedient that the same should be repaid; therefore, notwithstanding anything in the said 103rd section of the Act of 1867 contained to the contrary, it shall not be obligatory on the Local Board to apply the sum above mentioned out of the waterworks fund in repaying the said sum so advanced out of the general district rate.

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

33. The clerk to the Local Board shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Act, transmit to the Local Government Board a return in such form as may be prescribed by that Board, and verified by statutory declaration if so required by them, showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return such clerk shall be liable to a penalty not exceeding twenty pounds. If it appear to the Local Government Board by such return or otherwise that the Local Board have failed to set apart the sum required by this Act for the sinking fund, or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act, the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the Court of Queen's Bench.

Power to Local Board to re-borrow.

34. The Local Board from time to time may re-borrow any amount from time to time paid off by them of the respective moneys borrowed by them, unless it be paid off by means of the respective sinking fund, in which case, and to the extent of the amount paid off by means of the sinking fund, their powers of borrowing and re-borrowing shall cease.

Application of moneys borrowed.

35. All moneys borrowed by the Local Board under the powers of this Act shall be applied for the purposes of the Act of 1867 and this Act in the manner and order prescribed by the Act of 1867, as varied by this Act, with reference to moneys borrowed under the authority of that Act.

Depreciation fund.

36. The Local Board may appropriate and set apart annually such proportion of their revenue arising from the sale of gas and water respectively, not exceeding five hundred pounds in any one year, as they shall think fit, and shall carry the sums so set apart to the credit of the gasworks depreciation fund or the waterworks depreciation fund, as the case may be, but the respective depreciation fund shall not exceed in the aggregate the sum of three thousand pounds, and so soon as it shall reach that amount such appropriation and setting apart as aforesaid shall be suspended until the respective

fund shall from any cause fall below the said sum of three thousand pounds; and any interest arising from the respective depreciation fund shall be carried from time to time to the credit of the gasworks fund or the waterworks fund, as the case may be.

Power as to certain land on Westbank estate.

37. The trustees of the estate belonging or reputed to belong to Mary, wife of William Wright, and called or known as the Westbank estate in Widnes, may transfer or surrender to the Local Board certain land belonging or reputed to belong to the said trustees, and adjoining Mersey Road in the said township, for the purpose of widening and improving that road, upon such terms and conditions, and with or without pecuniary consideration, as may be agreed upon between the trustees and the Local Board.

As to wages under the Act of 1867 and this Act.

38. In addition to the funds between which the Local Board are required under the 104th section of the Act of 1867 to apportion the payments therein mentioned, they may apportion such part as they think fit of such payments between the funds therein mentioned and the general district rate.

As to improving streets and highways.

39. It shall be lawful for all persons under disability authorised by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands, to enter into such arrangements as may be agreed upon between such persons and the Local Board for the making, widening, opening, enlarging, or otherwise improving streets and highways over the lands of such persons, or for granting easements or other rights for public purposes in or over such lands.

As to retirement of certain members of Local Board.

40. And whereas by an order of the Local Government Board made on the twenty-second day of March one thousand eight hundred and seventy-five, the number of members of the Local Board was increased from nine to fifteen, and at the election of members held on the twelfth day of April one thousand eight hundred and seventy-five nine persons were elected members of the Local Board accordingly instead of three; be it enacted, that the Local Board may by resolution, or, if they shall think fit, by lot, determine the order in which the said nine members shall retire, and which of such members shall go out of office in each of the years one thousand eight hundred and seventy-six and the two next succeeding years.

Expenses of Act.

41. All the costs, charges, and expenses of and incident and preparatory to the obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Local Board out of any funds or rates belonging to or under the control of the Local Board, and may be charged by them to such accounts and in such proportions as they shall think fit.

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The SCHEDULE referred to in the foregoing Act.

(*a.*) A piece of land containing three acres or thereabouts, situate in the township of Ditton in the county of Lancaster, and bounded on or towards the north by the New Ditton Road, on or towards the south by the Warrington and Garston Railway of the London and North-western Railway Company, on or towards the west by an intended road running from the New Ditton Road to the said railway, and on or towards the east by land of the Widnes and Ditton Land Company, Limited, and which piece of land belongs to the said Land Company and is in the possession of the Local Board.

(*a a.*) A piece of land containing two acres or thereabouts, situate in the said township of Ditton, and bounded on or towards the north by the New Ditton Road, on or towards the south by the said railway, on or towards the west by the piece of land (*a.*) herein-before described, and on or towards the east by other land of the said Land Company.

(*b.*) A piece of land as shown on the deposited plans forming part of Knowles's tenement, situate at or near to Belle Vale in the township of Little Woolton in the said county, which said piece of land contains six acres or thereabouts, and belongs to and is occupied by Andrew Barclay Walker.

(*c.*) A narrow strip of land in the same township of Little Woolton, lying between and connecting the piece of land (*b.*) herein-before described with Belle Vale Road, and which piece of land also belongs to the said Andrew Barclay Walker and forms part of Knowles's tenement.

(*d.*) A piece of land situate at Netherly in Little Woolton aforesaid, adjoining Netherly Lane and the brook dividing Little Woolton from Tarbock, and which last-mentioned piece of land contains three acres or thereabouts, and belongs to the trustees of the late Thomas Dutton.

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