

**CHAPTER lxxxviii.**

An Act to extend the boundaries of the city of Liverpool to authorise the Corporation of that city to construct new streets additional tramways and other works to confer further powers upon them with respect to their tramways waterworks and electricity undertakings to make better provision for the health local government and finance of the city to provide for the disuse and deconsecration of the Chapel of the Liverpool School for the Indigent Blind to empower the Mersey Docks and Harbour Board to contribute towards the cost of a new arterial road between Liverpool and East Lancashire and for other purposes. A.D. 1927.

[29th July 1927.]

WHEREAS the city of Liverpool (in this Act referred to as "the city") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and is subject to the jurisdiction of the lord mayor aldermen and citizens of the city (in this Act referred to as "the Corporation"):

And whereas the city now comprises the parish of Liverpool which is situate in the West Derby Poor Law Union:

And whereas the parishes of Croxteth Park and West Derby Rural adjoin the city and are subject to the juris-

A.D. 1927. diction of the rural district council of Sefton and also form part of the said poor law union :

And whereas the said parishes are already situate within the limits for the supply of water by the Corporation and the Corporation are carrying out extensive housing schemes therein and the sewerage of the said parishes when developed can only be efficiently and economically dealt with by the Corporation :

And whereas it is expedient that the boundaries of the city and of the parish of Liverpool should be extended so as to include the said parishes therein :

And whereas the unrepealed provisions of the several Acts Provisional and other Orders specified in the First Schedule to this Act are immediately prior to the passing of this Act in force within the city and it is expedient that those Acts and Orders as amended by this Act should apply throughout the city as extended by this Act :

And whereas it is expedient that the new arterial road within the city (partly in tunnel) by this Act authorised should be made so as to complete a direct communication between the central portions of the city and the proposed new arterial road between Liverpool and East Lancashire and that in connection therewith an improvement of certain congested areas should be carried out and that the Corporation should be empowered to acquire lands for those and other purposes :

And whereas it is expedient that the Corporation should be empowered to construct certain tramways within the city and that further powers should be conferred upon them with respect to their tramways undertaking :

And whereas it is expedient that the limits within which the Corporation are empowered to supply water should be extended so as to include the township of Rainhill in the rural district of Whiston within which water is now supplied by the Rainhill Gas and Water Company and that a portion of the water undertaking of the said company should be transferred to the Corporation and that in connection with such transfer and for the purposes of the supply of water in the said township the Whiston Rural District Council should be empowered to borrow money as by this Act provided :

A.D. 1927.

And whereas it is expedient that further powers should be conferred upon the Corporation in connection with their waterworks undertaking :

And whereas it is expedient that the undertaking of the Hightown Electricity Company should be vested in the Corporation and that the limits within which they are authorised to supply electricity should be extended as provided by this Act :

And whereas it is expedient that further and better provision should be made with reference to baths streets infectious disease and police and sanitary matters fire prevention and otherwise for the local government health improvement and finance of the city and that the powers of the Corporation in relation thereto should be enlarged and extended :

And whereas by the Act 10 Geo. IV. cap. xv. the president vice-presidents treasurer and members of the Liverpool School for the Indigent Blind (in this Act referred to as "the charity") were incorporated and provision was made for regulating and supporting a chapel attached to the said school :

And whereas the chapel originally established in connection with the said school was acquired by the London and North Western Railway Company in pursuance of the Lime Street (Liverpool) and Crewe Stations Extension Act 1847 and by an indenture dated the twenty-fifth day of April one thousand eight hundred and fifty-one and made between the Corporation of the first part two of the Lords Commissioners of Her Majesty's Treasury of the second part and the charity of the third part the reversion in the site of a new chapel and the chapel erected thereon (which had previously been held by the charity on lease from the Corporation) were granted and conveyed by the Corporation to the charity upon the trusts mentioned in the said indenture :

And whereas the said trusts provide (inter alia) that the said chapel should for ever be set apart and dedicated to and for the worship and service of Almighty God and the celebration of divine offices therein according to the rites and usages of the United Church of England and Ireland in connection with the said school and that if the charity or their successors should ever sell mortgage charge incumber demise or lease or otherwise dispose of the said chapel and the site thereof without the consent

A.D. 1927. of the Corporation it should be lawful for the Corporation or their successors to enter upon and take possession of the said chapel and the site thereof and thenceforth to have hold and enjoy the same for ever:

And whereas the said chapel was consecrated in the year one thousand eight hundred and fifty-one when the district in which it is situate was of a residential character and for many years the said chapel was attended not only by blind persons but by a general congregation out of whose voluntary contributions together with the pew rents the expenses of the chapel and the incumbency were defrayed:

And whereas owing to the alteration in the character of the neighbourhood in which the said chapel is situate the services therein are now attended almost exclusively by the blind residents in the adjoining premises of the charity and for many years there has been an increasing deficit on the chapel account which has been met annually out of the general fund of the charity to the detriment of the general purposes thereof:

And whereas ample provision exists in the immediate neighbourhood of the said chapel for divine worship according to the rites and usages of the Church of England by the residents in the adjoining premises of the charity and it is expedient that the said chapel should be closed and used and disposed of as by this Act provided:

And whereas the Lord Bishop of Liverpool has consented to the provisions of this Act with respect to the said chapel:

And whereas it is expedient that the Mersey Docks and Harbour Board should be empowered to contribute towards the cost of a new arterial road between Liverpool and East Lancashire and to apply their funds for that purpose:

And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which they are by this Act authorised to borrow money and such estimates are as follows:—

| | |
|---|-------------|
| For the purchase of lands and for the construction of the tunnels and street works by this Act authorised - | £ 1,192,750 |
| For the construction and equipment of the tramways by this Act authorised - | 198,700 |

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years as by this Act provided : A.D. 1927.

And whereas it is expedient that the other powers contained in this Act should be conferred :

And whereas plans and sections showing the lines and levels of the works to be authorised by this Act and a book of reference to the plans containing the names of the owners or reputed owners and lessees or reputed lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Lancaster which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

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

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

PART I.

PRELIMINARY.

1. This Act may be cited as the Liverpool Corporation Act 1927. Short title.

2. This Act is divided into Parts as follows :—

Part I.—Preliminary.

Part II.—Extension of city.

Part III.—Tunnels street works and lands.

Part IV.—Tramways.

Part V.—Water.

Part VI.—Electricity.

Part VII.—Baths.

Division of
Act into
Parts.

A.D. 1927.

- Part VIII.—Streets.
Part IX.—Fire prevention.
Part X.—Infectious disease and sanitary provisions.
Part XI.—Police.
Part XII.—Employment agencies.
Part XIII.—Superannuation.
Part XIV.—Unclaimed stock and dividends.
Part XV.—Finance.
Part XVI.—Miscellaneous.

Incorporation of Acts.

3. The following Acts and parts of Acts so far as the same are applicable to the purposes of and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act (that is to say) :—

- (1) The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845;
- (2) Section 3 (Interpretation of terms), section 19 (Local authority may lease or take tolls) and Parts II and III of the Tramways Act 1870 Provided that the said section 19 shall be read and have effect as if the words “but
“ nothing in this Act contained shall authorise
“ any local authority to place and run carriages
“ upon such tramways and to demand and
“ take tolls and charges in respect of the
“ use of such carriages ” were omitted from that section.

Interpretation.

4. Subject to the provisions of this Act and unless the subject or context otherwise requires the several words and expressions to which by the Acts wholly or partially incorporated with this Act and by the Public Health Acts meanings are assigned shall in this Act have in relation to the relative subject-matter the same respective meanings And in this Act—

“ The appointed day ” means the first day of April one thousand nine hundred and twenty-eight;

“ The existing city ” means the city of Liverpool as it exists at the passing of this Act;

“The city” means until the appointed day the existing city and thereafter the existing city as extended by this Act; A.D. 1927.

“The parish” means the parish of Liverpool as formed by the amalgamation by this Act authorised of the existing parish of Liverpool and the existing parishes of Croxteth Park and West Derby Rural;

“The council” means the council of the city;

“The Corporation” means as the context requires the lord mayor aldermen and citizens of the existing city or of the city acting by the council;

“The town clerk” “the medical officer” and “the treasurer” mean respectively the town clerk the medical officer of health and the treasurer of the city and respectively include any person duly appointed by the Corporation to discharge temporarily the duties of any such officer;

“The city engineer” means the officer appointed by the Corporation pursuant to the Public Health Acts and therein called the surveyor and includes any person duly appointed by the Corporation to discharge temporarily the duties of such officer;

“The city fund” and “the city rate” mean respectively the city fund and the city rate of the city until the date when the first new valuation list made under Part II of the Rating and Valuation Act 1925 comes into force in the city and thereafter the general rate fund and the general rate of the city;

“The city map” means the map marked “Map of the city of Liverpool as extended by the Liverpool Corporation Act 1927” and signed in triplicate by the Right Honourable the Earl of Clarendon the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one of which has been deposited in the Parliament Office of the House of Lords one in the Committee and Private Bill Office of the

A.D. 1927.

- House of Commons and one with the town clerk at his office;
- “The county” and “the county council” mean respectively the administrative county of Lancaster and the county council of that county;
- “The Sefton District” and “the Sefton Council” mean respectively the rural district of Sefton and the rural district council of that district;
- “The parish council” means the parish council of West Derby Rural;
- “The added area” means the parishes of Croxteth Park and West Derby Rural by this Act added to the city;
- “Existing” in relation to any area altered by this Act means existing immediately before the appointed day;
- “The Minister” means the Minister of Health;
- “Local authority” means a local authority as defined in section 3 of the Local Government and other Officers’ Superannuation Act 1922 and includes the standing joint committee of a county;
- “Officer” means an officer whose remuneration is paid by a local authority;
- “The Act of 1888” and “the Act of 1894” mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- “The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and the Acts amending and extending the same;
- “The Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same;
- “The Act of 1907” means the Public Health Acts Amendment Act 1907;
- “The Act of 1921” means the Liverpool Corporation Act 1921;
- “The tunnels” means the tunnels by this Act authorised;
- “The new streets” means the new streets by this Act authorised;

- “The Lands Clauses Acts” means those Acts and the Acquisition of Land (Assessment of Compensation) Act 1919;
- “The arbitrator” means the arbitrator to whom any question of disputed compensation is referred under the provisions of this Act;
- “The tramways undertaking” means the tramways undertaking of the Corporation as from time to time authorised;
- “The tramways” means the tramways by this Act authorised;
- “Telegraphic line” has the same meaning as in the Telegraph Act 1878;
- “The waterworks undertaking” means the water undertaking of the Corporation as from time to time authorised;
- “The water limits” means the limits within which the Corporation are from time to time authorised to supply water;
- “The Rainhill Company” means the Rainhill Gas and Water Company;
- “The Whiston Council” means the Whiston Rural District Council;
- “The electricity undertaking” means the electricity undertaking of the Corporation as from time to time authorised;
- “The electricity limits” means the limits within which the Corporation are from time to time authorised to supply electricity;
- “The date of transfer” means the thirty-first day of December one thousand nine hundred and twenty-six;
- “The Hightown Company” means the Hightown Electricity Company;
- “The Hightown undertaking” includes all lands buildings plant machinery instruments apparatus stores mains service lines and works together with all sinking funds reserve funds and the moneys and assets of the Hightown Company and all books of account letter books and records and other books and documents relating

A.D. 1927.

to the business of the Hightown Company (excepting and reserving their minute books share registers and transfer books) together with all rights powers and privileges vested in or belonging to or had or enjoyed by the Hightown Company at the date of transfer;

“The markets undertaking” means the markets undertaking of the Corporation as from time to time authorised;

“Daily penalty” means a penalty for every day on which any offence is continued after conviction;

“The Act of 1925” means the Rating and Valuation Act 1925;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed; and.

“Revenues of the Corporation” includes the revenues of the Corporation from time to time arising from any land undertaking or other property for the time being of the Corporation and the rates or contributions leviable by or on the order or precept of the Corporation. A.D. 1927.

PART II.

EXTENSION OF CITY.

5. This Part of this Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the appointed day: Commence-
ment of
Part II.

Provided that for the purposes of all proceedings preliminary or relating to any local government election to be held in the year one thousand nine hundred and twenty-eight for any area affected by this Act and for the purposes of Part III of the Education Act 1921 this Part of this Act shall operate from the passing of this Act.

6.—(1) The boundary of the existing city shall be altered so as to include the parishes of Croxteth Park and West Derby Rural. Extension
of city.

(2) The boundary of the city shall be that shown by the red line on the city map and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the city and shall be the county borough of Liverpool for the purposes of the Act of 1888.

7. The existing parishes of Croxteth Park and West Derby Rural shall be added to the existing parish of Liverpool. Alteration
of parishes.

8.—(1) Copies of the city map deposited with the town clerk certified by him to be true shall be sent within one month after the passing of this Act to the clerk to the county council to the clerk to the Sefton Council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister to the Minister of Deposit of
maps.

A.D. 1927. Transport to the Minister of Agriculture and Fisheries
— and to the Electricity Commissioners.

(2) Copies of or extracts from the city map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *primâ facie* evidence of the contents of the city map so far as it relates to the boundaries of the city and the city map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the city and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(3) All fees so received shall be carried to the credit of the city fund.

Number of
councillors
and alder-
men.

9. Subject to the provisions of this Act and of the Act of 1921 the number of councillors of the city shall be increased from one hundred and thirteen to one hundred and fourteen and the number of aldermen shall be thirty-eight.

Division of
city into
wards.

10. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of the number or boundaries of wards and the number of councillors the following provisions shall have effect:—

(a) For the purposes of the election of councillors the city shall be divided into forty wards;

(b) The existing wards and subject to the provisions of the Act of 1921 the number of councillors respectively apportioned thereto shall remain unaltered;

(c) So much of the city as comprises the added area shall constitute a new ward to be named the Croxteth Ward and subject to the provisions of the section of this Act of which the marginal note is "Future increase in representation of Croxteth Ward" one councillor shall be assigned to the new ward.

First
election and
retirement
of councillor
for new
ward.

11.—(1) The first election of a councillor for the new ward constituted by this Act shall be held on the twenty-first day of March one thousand nine hundred and twenty-eight and the lord mayor of the existing city or some other person appointed by him shall be the

returning officer at the election and subject to the provisions of the section of this Act of which the marginal note is "Future increase in representation of Croxteth Ward" the councillor so elected shall retire on the first day of November one thousand nine hundred and thirty-one.

A.D. 1927.

(2) If between the appointed day and the ninth day of November one thousand nine hundred and twenty-eight a casual vacancy shall occur in the office of councillor for the Croxteth Ward the returning officer at the election to fill such vacancy shall be an alderman assigned for that purpose by the council.

12.—(1) If the number of persons rated in the Croxteth Ward or the aggregate rating of the ward increases so as to justify an increase of the number of the councillors of the ward it shall be lawful for the council to petition the King for an alteration of the number of the councillors of the ward and for the purposes of any such petition and the proceedings thereon the provisions of section 30 of the Municipal Corporations Act 1882 as amended by the Municipal Corporations Act 1893 and extended by the Borough Councillors (Alteration of Number) Act 1925 shall apply with the necessary modifications as in the case of a petition presented by the council of a borough not divided into wards praying only for an alteration of the number of councillors of the borough :

Future increase in representation of Croxteth Ward.

Provided that so much of subsection (10) of section 30 of the said Act of 1882 as requires that the number of councillors assigned to each ward shall be a number divisible by three and section 3 of the said Act of 1893 shall not apply.

(2) The provisions of this section shall be in addition to and not in substitution for the provisions of the general law relating to the alteration of the number of wards or boundaries of wards or the number of councillors of a municipal borough but nothing in this section shall authorise the increase of the number of councillors of the Croxteth Ward to a number greater than three.

13. Where under the provisions of any local Act an alderman has been or may hereafter be elected whose period of office will expire in any year in which the period of office of aldermen would not normally expire

As to date of retirement of certain aldermen.

A.D. 1927. — the council may determine that such alderman shall retire in a year in which the period of office of aldermen would normally expire.

Application
of County
and Borough
Councils
(Qualification)
Act 1914.

14. For the purposes of the application to the city of the provisions of the County and Borough Councils (Qualification) Act 1914 the added area shall be deemed to have always formed part of the city.

County
electoral
division.

15. The added area shall be separated from the existing Sefton electoral division of the county and the person who immediately before the appointed day is the county councillor representing that electoral division shall be deemed to have been elected to represent that division as altered by this Act and shall retire on the day on which he would have retired if this Act had not been passed.

Powers and
duties of
justices &c.
extended.

16.—(1) The powers rights privileges authorities and duties of the quarter sessions recorder clerk of the peace and coroner of the existing city of the Court of Passage and of the judge registrar and other officers thereof and of the justices of the peace for the existing city and of the clerk to those justices and of the police constables and other peace officers of the existing city shall extend to and apply throughout the city :

Provided that—

- (a) every person committing an offence in any part of the added area prior to the appointed day shall be tried and dealt with as if this Act had not been passed; and
- (b) every proceeding which prior to the appointed day shall have been begun by or before any justice or any coroner in relation to any matter arising in or concerning any part of the added area may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.

(2) The added area shall cease to form part of the petty sessional division of Kirkdale.

Officers of
Corpora-
tion con-
tinued.

17. The town clerk and all other officers and servants of the Corporation of the existing city who hold office on the appointed day shall continue to be the town clerk and officers and servants of the Corporation of the

city and shall hold their offices by the same tenure as on that day. A.D. 1927.

18. Subject to the provisions of this Act all property vested in the Corporation at the appointed day for the benefit of the existing city shall by virtue of this Act be held by the Corporation for the benefit of the city and the Corporation shall hold enjoy and exercise for the benefit of the city all the powers which on the day aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing city and all liabilities which on the day aforesaid attach to the Corporation in respect of the existing city shall from and after that day attach to them in respect of the city. Corporation
property
&c.

19.—(1) The liability for repayment of so much of any moneys borrowed by the Sefton Council or the county council or their respective predecessors for a purpose relating exclusively to any part of the added area as will be owing at the appointed day and for the payment of the interest thereon shall by virtue of this Act be transferred to and attach to the Corporation. Mortgage
debts of
Sefton
Council
county
council
and Cor-
poration.

(2) So much as will at the appointed day be owing in respect of any moneys borrowed as aforesaid together with so much of any sums borrowed by the Corporation as will at the appointed day be owing and charged upon the revenues city fund and city rate of the existing city shall by virtue of this Act be charged upon the revenues of the Corporation and the city fund and city rate.

(3) All borrowed moneys to which this section applies shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

(4) Nothing in this Act shall prejudice or affect any mortgage or other security which has been granted in respect of any borrowed moneys the liability for the repayment of which is transferred to the Corporation by subsection (1) of this section or the powers of any person entitled under any such mortgage or other security to enforce the same as if this Act had not been passed and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this

A.D. 1927. — Act the power may continue to be exercised as if this Act had not been passed and the city rate shall for any such purpose be levied and have effect in substitution for the rate which would have been leviable if this Act had not been passed.

Jurisdiction of county authorities to cease.

20. Subject to the provisions of this Act the powers rights privileges authorities and duties of the county council and the standing joint committee of the county respectively shall as from the appointed day cease to be exercisable by or attach to that council and committee so far as regards the added area.

Local Acts and Orders.

21.—(1) Subject to the provisions of this Act the unrepealed provisions of the local Acts and Orders specified in the First Schedule to this Act and of any other local Act (including any local Act passed or to be passed during the present session of Parliament) or of any other Order confirmed by or having the effect of an Act of Parliament and affecting the existing city or the Corporation as the same respectively are in force within the existing city at the appointed day shall extend and apply to the city and any reference therein to the existing city and the Corporation shall be deemed to refer to the city and the Corporation. Provided that the provisions of section 509 (Extraordinary fire expenses) of the Act of 1921 shall not apply within any portion of the added area.

(2) So much of Article XVIII (Property &c. of district councils) of the City of Liverpool Order 1895 as is excepted from repeal by and is set forth in the Sixth Schedule to the Act of 1921 is hereby repealed.

(3) Any provisions in any local Act or any Order duly confirmed or having effect as if enacted by Parliament for the benefit or protection of the parish council or their predecessors or for the benefit or protection of the county council or of the standing joint committee of the county or of the Sefton Council or their respective predecessors shall so far as they relate to or affect any part of the added area from and after the appointed day enure for the benefit and protection of the Corporation and shall be construed as if a reference to the Corporation were substituted for any reference to any such council or committee or their predecessors as the case may be.

22. The added area shall for all purposes be included within the limits for the supply of electricity by the Corporation as if it had been referred to in section 177 (Area of supply) of the Act of 1921. A.D. 1927.
—
Electricity limits.

23.—(1) The provisions of—

Adoptive
Acts.

The Baths and Washhouses Acts 1846 to 1925;
The Infectious Disease (Prevention) Act 1890;
Parts II III and IV of the Public Health Acts Amendment Act 1890;
The Museums and Gymnasiums Act 1891;
The Private Street Works Act 1892;
The Notification of Births Act 1907;
The Public Libraries Acts 1892 to 1919; and
Parts II (except sections 25 29 32 and 33) III (except sections 40 and 41) IV and V of the Public Health Act 1925;

as in force in the existing city shall be in force in and apply to the city as if the same had been adopted for the city.

(2) The provisions of any adoptive Act other than of Acts in force in the existing city shall cease to be in force in the added area.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which may be in force at the appointed day throughout the existing city shall extend and apply to the added area and any such order in force at the appointed day in the added area shall cease to be in force therein.

24. Subject to the provisions of any order which the Minister or the Secretary of State may make after the appointed day— Powers under Act of 1907.

(a) The provisions of section 8 (Powers under Public Health Acts Amendment Act of 1907) of the Act of 1921 and of any order made before the appointed day whereby any parts or sections of the Act of 1907 are in force immediately before the appointed day in the existing city shall have effect as if any reference in those provisions to

A.D. 1927.

the existing city extended and applied to the city and as if the said parts or sections were accordingly in force in the city;

- (b) Any other order under the Act of 1907 which is in force at the appointed day throughout the existing city shall extend and apply to the added area;
- (c) The provisions of any order made before the appointed day and declaring to be in force in any part of the added area any parts or sections of the Act of 1907 shall cease to apply to any such part and subject to the provisions of this section the parts or sections declared by any such order to be in force shall cease to be in force in any such part but this provision shall not prejudice or affect any proceedings which are pending on the appointed day.

Corporation
to be burial
board.

25. The added area shall be included within the limits for which the Corporation act as a burial board. Provided that nothing in this Act shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day or prejudicially affect any right privilege or authority which immediately prior thereto is exerciseable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906.

Orders
under
sections 33
and 34 of
Act of 1894.

26.—(1) The provisions of any order under section 33 or section 34 of the Act of 1894 in force at the appointed day in the existing city shall (so far as such provisions still have effect) have effect as if any reference in that order to the city as it existed at the date of the order extended and applied to the city and as if any reference in that order to the parish of Liverpool or to any parish in the existing city at the date of the order also extended and applied to the parish.

(2) An order may be made by the Minister under section 33 of the Act of 1894 with respect to any charity held wholly or partly for the benefit of the inhabitants of any existing parish affected by this Act as if this Act had not been passed.

A.D. 1927.

27. Any order in force under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Orders under Shop Hours Act 1904 or Shops Acts 1912 to 1920.

28. Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force immediately before the appointed day in any area affected by this Part of this Act shall subject to the provisions of those Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Orders under Wild Birds Protection Acts.

29.—(1) Subject to the provisions of this Act—

Byelaws &c.

(a) All byelaws and every scale of charges made by the Corporation or the watch committee of the Corporation which at the appointed day are in force throughout the existing city shall thenceforth apply to the city until or except in so far as any such byelaws or scale of charges may be altered or repealed;

(b) All byelaws made by the county council the standing joint committee of the county or the Sefton Council (or their predecessors) and in force immediately before the appointed day in any part of the added area shall on that day cease to be in force therein except as regards any work which has been begun before that day or as regards any work which has not been so begun but for which plans have been approved before that day by the Sefton Council or have been sent to their surveyor or clerk one month at least before that day and have not been disapproved by the Sefton Council. Provided that any such work is completed within two years after the appointed day;

(c) As regards any work within the exception in paragraph (b) of this subsection the byelaws in force immediately before the appointed day shall continue to apply until the completion of the work (not being later than two years after the appointed day) in like manner

A.D. 1927.
—

and with the like effect as if those byelaws had been made by the Corporation or the watch committee of the Corporation and as if the Corporation or the said watch committee and the city were referred to therein instead of the Sefton Council (or their predecessors) and the Sefton district;

(d) Any proceedings which if this Act had not been passed might have been taken for any offence committed before the appointed day against any byelaws which by virtue of this section cease to be in force may be taken by the Corporation as if those byelaws had remained in force and the Corporation had been substituted therein for the authority by whom such byelaws were made or their predecessors.

(2) In this section "byelaws" includes any regulation or order and "scale of charges" includes any list of tolls or table of fees or payments.

Education
byelaws
and
managers.

30.—(1) Any byelaws under the Education Act 1921 or any enactment repealed by that Act which may be in force in the existing city immediately before the appointed day shall apply to the city until revoked or altered by the Corporation and from and after that day any byelaws then in force in the added area shall cease to be in force therein.

(2) Any manager of any public elementary school in the added area who was appointed by the county council or by the parish council shall vacate office at the appointed day.

County
police.

31.—(1) At the appointed day such number of the members of the police force of the county as shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the county and the watch committee of the city or in default of any such agreement as shall be determined by the Secretary of State shall be transferred to and become part of the police force of the city :

Provided that no member of the police force of the county shall be so transferred without his consent.

(2) Every member of the county police force so transferred shall hold office in the police force of the city upon the same tenure and subject to the same terms and conditions as the other serving members of that police force of the same rank as such member and any period of service which he was entitled to reckon before such transfer for purposes of pay promotion or pension in the county police force shall be reckoned for the same purposes in the police force of the city :

A.D. 1927.
—

Provided that where the scale of ordinary pensions applicable to a member of the county police force who is so transferred is by virtue of section 29 (1) (a) of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of the county police force transferred under this section as if that member had removed with the written sanction of the chief constable of the county and notwithstanding that at the date of the transfer such member may not have completed one year's approved service in the county police force.

32. Any county police station and the site thereof situate in the added area with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Act be transferred to and vest in the Corporation as from the appointed day for all the estate and interest therein of the county council and section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this section.

County
police
stations.

33.—(1) The Sefton Council shall cease to exercise any powers or discharge any duties within any part of the added area.

Powers
property
&c. of
Sefton
Council.

(2) Subject to any necessary adjustment all property or liabilities which immediately before the appointed day are vested in or attach to the Sefton Council in relation exclusively to any part of the added area shall by virtue of this Act be transferred to and vest in the Corporation as urban authority.

A.D. 1927.

(3) Any property or liabilities vested in or attaching to the Sefton Council in relation to any part of the added area conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

(4) The agreement (relating to the supply of water) dated the thirteenth day of February one thousand nine hundred and seven made between the Corporation and the Sefton Council is hereby cancelled.

Provisions
in reference
to Land
Charges
Act 1925.

34.—(1) The local registrars for the county and for the Sefton district under the Land Charges Act 1925 and the rules made thereunder shall within one calendar month after the appointed day supply to the local registrar for the city an office copy of every entry in the local land charges register relating to any premises situate within the added area and shall in respect thereof be paid by the Corporation such fees as are prescribed by the said rules.

(2) The local registrar for the city shall within one calendar month after the receipt of the office copies mentioned in subsection (1) of this section enter the same with any necessary modifications in the appropriate part of the local land charges register of the city.

(3) Until the entries are made as aforesaid or until the expiration of two calendar months from the appointed day whichever be the earlier the following provisions shall have effect in respect of all land in the added area :—

(a) The local registrar for the city shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the Sefton district and in the register for the county;

(b) Where application is made for an official search the local registrar for the city shall issue free of charge a certificate of official search in the register of the city and shall forward to the local registrar for the Sefton district the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the county a copy of the application;

(c) The local registrar for the Sefton district and the local registrar for the county shall permit

and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed; A.D. 1927.

- (d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation;
- (e) Where a local land charge duly registered in the local land charges register of the county council or of the Sefton Council is in pursuance of this Act transferred from the county council or the Sefton Council to the Corporation such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the local land charges register of the city.

35.—(1) The number of councillors of the Sefton district shall be reduced by two. As to Sefton rural district councillors.

(2) The persons who immediately before the appointed day are the rural district councillors for the parishes of Croxteth Park and West Derby Rural respectively shall at such appointed day cease to hold that office.

(3) If between the passing of this Act and the appointed day any casual vacancy shall occur in the office of rural district councillor for the parish of Croxteth Park or the parish of West Derby Rural respectively the vacancy shall not be filled.

36.—(1) The number of guardians for the West Derby Poor Law Union shall be reduced by one. As to guardians of West Derby Union.

(2) The added area shall constitute a new guardians' ward to be named the Croxteth Guardians' Ward of the parish of Liverpool and one guardian shall be assigned to that ward.

(3) Subject to the provisions of subsection (4) of this section the person who immediately before the appointed day is the rural district councillor and by

A.D. 1927. — virtue thereof the guardian of the poor for the parish of West Derby Rural shall at such day cease to hold that office and the rural district councillor who by virtue of such office at the appointed day holds the office of guardian of the poor for the parish of Croxteth Park shall be deemed to represent the Croxteth Guardians' Ward of the parish of Liverpool and shall retire from office on the day on which he would have retired if this Act had not been passed.

(4) If between the passing of this Act and the appointed day any casual vacancy shall occur in the office of guardian of the poor for the parish of Croxteth Park or the parish of West Derby Rural respectively the vacancy shall not be filled and the person who is the rural district councillor and by virtue thereof the guardian of the poor for the other of the said parishes shall be deemed to represent the two parishes and the Croxteth Guardians' Ward until the date on which he would have retired if this Act had not been passed.

Dissolution of
parish council.

37. The parish council shall cease to exist.

Powers
property
&c. of
parish
council.

38. Subject to the provisions of this Part of this Act—

(1) Any powers and duties transferred by or under the Act of 1894 to the parish council (except powers and duties under any of the adoptive Acts as defined in that Act) shall be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if the parish of West Derby Rural had been included in a parish in the existing city on the appointed day within the meaning of the Act of 1894 :

(2) Any property or liabilities held or incurred by the parish council for the purposes or by virtue of the powers and duties transferred by subsection (1) of this section shall by virtue of this Part of this Act be transferred to and vest in or attach to the persons and authorities aforesaid :

(3) Except as provided by the section of this Act of which the marginal note is "As to fund of West Derby Rural parish" any property or liabilities held or incurred by the parish council

for the purposes of any of the adoptive Acts (as defined in the Act of 1894) or otherwise than for the purposes or by virtue of the powers and duties above mentioned shall by virtue of this Part of this Act be transferred to and vest in or attach to the Corporation : A.D. 1927.
—

- (4) Any property or liabilities held or incurred by the parish council in relation to the said parish or any part thereof conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

39. Notwithstanding anything contained in this Act forthwith after the appointed day an amount of three hundred pounds five per cent. War Loan (1929-1947) now standing in the books of the Bank of England in the names of John Ellis John Orrett and Thomas Johnson and held by them in trust to apply the income derived therefrom in relief of the poor rates of the parish of West Derby Rural shall be transferred to the Liverpool Royal Infirmary and shall be applied by them towards the endowment of a cot in the said infirmary to be dedicated to the residents in the area comprising the existing parish of West Derby Rural. As to fund
of West
Derby
Rural
parish.

40. Subject to the provisions of this Part of this Act— Powers
property
&c. of
parish
meeting of
Croxteth
Park.

- (1) Any powers and duties transferred by or under the Act of 1894 to the parish meeting of the existing parish of Croxteth Park (except powers and duties under any of the adoptive Acts as defined in that Act) shall be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if that parish had been included in a parish in the existing city on the appointed day within the meaning of the Act of 1894 :

- (2) Any property or liabilities held or incurred by the chairman of the parish meeting and overseers of the said parish for the purposes or by virtue of the powers and duties transferred by subsection (1) of this section shall by virtue of this Part of this Act be transferred to and vest in or attach to the persons and authorities aforesaid :

A.D. 1927.

- (3) Any property or liabilities held or incurred by any authority under any of the adoptive Acts as defined in the Act of 1894 in relation exclusively to the said parish for the purposes of any such adoptive Act or otherwise than for the purposes or by virtue of the powers and duties above mentioned shall by virtue of this Part of this Act be transferred to and vest in or attach to the Corporation :
- (4) Any property or liabilities held or incurred on behalf of the said parish meeting in relation to the said parish or any part thereof conjointly with any other area shall be a matter for adjustment under section 62 of the Act of 1888.

Adjustment
of financial
relations
between
county and
county
boroughs.

41.—(1) In any case where the extension of the existing city by this Act affects the distribution between the county and the city or between the county and the city on the one hand and any other county borough on the other hand of the moneys payable out of the local taxation account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) or any financial relations or questions between the areas aforesaid or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made between the areas interested.

(2) Any such adjustment as is authorised by subsection (1) of this section may be made by agreement between the councils of the city the county and any other county borough affected and if such adjustment has not been made before the thirty-first day of December one thousand nine hundred and twenty-eight then on the application of any of the councils interested the Minister may if he think fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made or so far as any such agreement does not extend the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Minister or an

arbitrator appointed by him as the case may be shall be substituted in those provisions for the commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Act or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed by him shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

A.D. 1927.

Provided that—

- (a) in lieu of subsection (6) of section 61 of the Act of 1888 subsections (1) and (5) of section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Minister under this section and to the costs of those inquiries ; and
- (b) subsection (6) of section 32 of the Act of 1888 shall apply to any agreement or award made under this section.

42.—(1) An equitable adjustment shall be made between the county and the city respecting the interest of the added area in any compensation fund constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

Adjust-
ment for
purposes of
Licensing
(Consolida-
tion) Act
1910.

(2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the city within twelve months from the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly.

43.—(1) As soon as practicable after the appointed day the county council and the Sefton Council shall as regards any cash balance in their hands at the appointed

Apportion-
ment of
balances

A.D. 1927.
—
and sums
received
under
precepts.

day estimate the proportion thereof derived from contributions paid by the added area and subject to a deduction on account of undischarged liabilities in respect of the added area accruing up to the appointed day shall transfer such amount to the Corporation.

(2) Any sum received after the appointed day by the county council or the Sefton Council under a precept issued before that day in respect of the added area shall be dealt with in the manner prescribed by subsection (1) of this section.

(3) The apportionment under this section of any balance or sum received under a precept shall be subject to review on an adjustment under this Act.

As to
adjustments
between
Corporation
and other
authorities.

44. In any adjustment between the Corporation and any council or other authority which may be made in consequence of this Act regard shall be had to the interest or share (if any) of the added area or any part thereof in any property—

(a) which is retained by or transferred to such council or other authority after or as from the appointed day who will thereby be relieved from providing accommodation; or

(b) which was prior to the appointed day subject to beneficial user by the inhabitants of the added area or any part thereof; or

(c) which or some part of which is realisable;

and due credit shall be given in such adjustment to the Corporation in respect of such interest or share (if any).

Insurance
committees.

45.—(1) The Minister may at any time after the passing of this Act by order make such provisions as appear to him to be necessary for transferring to the insurance committee for the city such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the added area.

(2) An order made under this section may authorise the insurance committee for the county to continue to act as insurance committee for the added area until such date not being later than the thirtieth day of June one thousand nine hundred and twenty-eight as may be specified in the order and may for that purpose postpone

the operation of this Part of this Act so far as relates to the rights and duties of the respective insurance committees for the county and the city until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient. A.D. 1927.

(3) An order under this section shall have effect as if enacted in the National Health Insurance Act 1924 and may be revoked revised or amended by an order made in like manner as the original order.

(4) Subject to any order made under this section the persons who immediately before the appointed day are members of the respective insurance committees for the county and the existing city shall be deemed to have been appointed or elected as and shall be the members of the respective insurance committees for the county and the city as altered by this Act.

46.—(1) Subject to any future revision the basis or standard of the county rate for the county shall be altered by the omission therefrom of the amount appearing in such basis or standard as the annual value of the property in the added area. County rate basis.

(2) For the purpose of the preparation of any order for county contributions to be issued by the county council after the appointed day this section shall operate from the passing of this Act.

47. Until new valuation lists are in force the valuation lists of the existing parishes of Liverpool Croxteth Park and West Derby Rural shall be deemed to form the valuation list of the parish. Valuation lists.

48. For the purposes of summoning jurors and jury service any parish affected by this Part of this Act shall be deemed to continue unaltered until a new jurors' book relating to the parish comes into force. Jury service.

49.—(1) All rate books books of account minutes of proceedings deeds papers and writings belonging to any of the existing parishes affected by this Part of this Act and all documents directed by law to be kept with the public books writings and papers of those parishes respectively except any book or document relating to Parish books and documents.

A.D. 1927. ecclesiastical matters shall be deposited in such custody as the Corporation may direct.

(2) Any ratepayer of any of the existing parishes aforesaid shall at all times have the same right of inspection and of making extracts from the books minutes deeds papers or writings referred to in this section which he would have had if this Act had not been passed.

Duplicate entries in electors' lists.

50.—(1) The registration officer of the parliamentary county of Lancaster shall on publication of the electors' lists for each registration unit comprising any part of the added area supply the registration officer of the parliamentary borough of Liverpool with a sufficient number of copies of those lists.

(2) It shall be the duty of the registration officer of the parliamentary borough of Liverpool to issue such notices and otherwise to take such steps as are required by rule 23 in the First Schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the city for the purpose of city council elections.

(3) Where the registration officer of the parliamentary borough of Liverpool considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors' lists of any registration unit comprising any part of the added area he shall forthwith notify the registration officer of the parliamentary county of Lancaster and that officer shall make such correction accordingly.

(4) This section shall apply to the preparation of the register in the year one thousand nine hundred and twenty-eight and of later registers.

Provision as to register of electors.

51.—(1) For the purposes of the register of local government electors of the city prepared in the year one thousand nine hundred and twenty-eight and of all matters connected with incidental to or consequent upon those purposes, the added area shall be deemed to have formed part of the city as from the first day of the qualifying period for the register for that year.

(2) If the register of local government electors for any area affected by this Act is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for a ward or other voting area the town clerk in the case of an election for a voting area within the city and the registration officer of the parliamentary county of Lancaster in the case of an election or parish meeting for any other voting area shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election. A.D. 1927.

(3) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this Act and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

52. Subject to any adjustment all rates not collected at the appointed day and levied upon any hereditament situate in any parish affected by this Act shall be collected and recovered by the rating authority under the Act of 1925 in respect of the rating area in which the hereditaments will be situate by virtue of this Act or by other officers of such rating area last mentioned competent in that behalf. Arrears of rates made by rating authorities.

53.—(1) The Sefton Council shall by the levy of a rate liquidate as far as practicable before the appointed day all current debts and liabilities incurred by them in respect of the added area. Liquidation of current debts and liabilities.

(2) If default is made in complying with the provisions of subsection (1) of this section the Corporation may after the appointed day levy over the added area as an additional item of the city rate such an amount in the pound as will be sufficient to meet the precept and defray the liability of that area in respect of the current debts and liabilities of the Sefton Council in respect thereof.

(3) Any such additional item of the city rate may be made retrospectively to raise money for the payment of charges and expenses incurred by the Sefton Council at any time within one year before the appointed day.

A.D. 1927.

Adapta-
tion of
provisions
as to
adjustment.

54. For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Act that section shall have effect—

- (a) as if in subsections (5) (6) and (7) thereof the expression “council” included any authority affected by this Act or by anything done in pursuance of this Act; and
- (b) as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Minister may sanction.

Parochial
adjust-
ments.

55. For the purposes of the application of section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Act so far as it relates to the abolition of any existing parish that section shall have effect—

- (a) as if the poor rate or the general rate leviable under the Act of 1925 in pursuance of the said section as applied by this Act were substituted for any fund mentioned in the section; and
- (b) as if for subsections (6) and (7) of the said section there were substituted the subsections hereunder appended (that is to say):—

“ (6) If it is necessary for the purpose of
“ giving effect to any agreement or award
“ for an adjustment that any amount shall
“ be charged separately on a part only of a
“ rating area the agreement or award may
“ authorise the levying of that amount on
“ that part of the rating area together with

“ and as an additional item of the poor A.D. 1927.
“ rate or the general rate as the case may be; —
“ (7) Any capital sum paid for the purposes
“ of any adjustment or in pursuance of
“ any order or award of an arbitrator shall
“ be applied by such person in such manner
“ and for such purpose as the Minister of
“ Health may authorise or direct.”

56. Any balances standing at the appointed day in the books of the guardians of the poor of the West Derby Union to the credit or debit of the parishes of Croxteth Park or West Derby Rural shall be carried by the said guardians to the credit or debit of the parish of Liverpool. Balances in accounts of West Derby Guardians.

57.—(1) All persons who at the passing of this Act are officers or servants employed whole time by the county council (otherwise than in connection with education services) or employed whole time by the Sefton Council exclusively in the added area shall be transferred to and become officers or servants of the Corporation. Existing officers &c. in added area.

(2) Every officer or servant so transferred shall hold his office or employment by the same tenure and upon the same terms and conditions as if this Act had not been passed and while performing similar duties to those which he was required to perform immediately before the appointed day shall receive not less salary wages or remuneration and shall be entitled to not less pension (if any) than the salary wages remuneration or pension to which he would have been entitled if this Act had not been passed.

(3) The Corporation may distribute their business among the transferred officers and servants and other officers and servants of the Corporation in such manner as they may think proper and every officer and servant shall perform such duties in relation to that business as may be directed by the Corporation and the Corporation may abolish the office of any officer.

(4) If at any time within five years after the appointed day any transferred officer is required by the Corporation to perform duties which are not analogous to or which are an unreasonable addition to those which

A.D. 1927. — that officer was required to perform before the appointed day the officer may relinquish his office.

Compensation to existing officers.

58.—(1) Every officer in office at the passing of this Act who by virtue of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary (and for whose compensation no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

(2) Any transferred officer who relinquishes his office under subsection (4) of the section of this Act of which the marginal note is "Existing officers &c. in added area" or any officer whose services are dispensed with or whose salary is reduced within five years after the appointed day because his services are not required or his duties are diminished in consequence of this Act and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Act.

(3) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Act regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed two-thirds of the annual pecuniary loss suffered by virtue of this Act or of anything done in pursuance or in consequence of this Act or if the compensation is payable otherwise than by way of an annual sum two-thirds of the capital value of such annual pecuniary loss.

(4) Any compensation payable under this Act to any officer shall be paid out of the city fund and city rate and the provisions of section 120 of the Act of 1888 shall apply subject to the following and any necessary modifications:—

(a) Any reference in that section to the Treasury and to the county council shall be construed as a reference to the Minister and to the Corporation respectively and in subsection (7) of that section for the words "the same or any other county council" there shall be substituted the

words "any local authority as defined in the A.D. 1927.
"Local Government and other Officers' Super-
"annuation Act 1922";

- (b) References in that section to "the passing of this Act" shall be construed as references to the date on which the abolition or relinquishment of office takes effect or the direct pecuniary loss commences as the case may be; and
- (c) The expression in subsection (1) of that section "the Acts and rules relating to Her Majesty's Civil Service" shall mean the Acts and rules relating to Her Majesty's Civil Service which were in operation at the date of the passing of the Act of 1888.

(5) The compensation payable under this Act to an officer who at the passing of this Act shall hold two or more offices under any local authority or local authorities and who shall have devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices.

(6) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty's forces or the forces of the allied or associated powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence. Provided that in the case of an officer who after the armistice voluntarily extended his term of service with the forces no period of absence during such extension shall be so reckoned.

(7) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer not holding a temporary appointment add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be

A.D. 1927. — entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this Act.

(8) The foregoing provisions of this section shall apply to a teacher employed in a public elementary school maintained by the local education authority at the passing of this Act as if he were an officer employed by the authority. Provided that in the case of a teacher employed in a public elementary school maintained but not provided by the authority the said provisions shall only apply if such teacher be discharged by the authority or by the direction or with the consent of the authority (otherwise than for misconduct) within five years after the appointed day. Provided also that in the application of subsection (7) of section 120 of the Act of 1888 in the case of a teacher to whom a compensation allowance has been granted in pursuance of this subsection service in a public elementary school maintained but not provided by a local authority shall be deemed to be service in an office under that authority.

Compensation and superannuation.

59. No officer shall be entitled to receive compensation under this Act for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Audit of accounts of parish council.

60. The accounts of the parish council and of their committees and officers shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Act had not been passed :

Provided that the audit may be held as soon as practicable after the appointed day and that any sum certified by the district auditor to be due from any person shall be paid to the Corporation and shall if necessary be a matter for adjustment under section 62 of the Act of 1888.

Differential rating.

61. The total amount in the pound of the city rate to be made and levied by the Corporation upon any rateable hereditament situate in the part of the city which comprises the respective portions of the added area described in the Second Schedule to this Act shall in each of the years specified in the said schedule be less than the total amount in the pound of the city

rate to be made and levied by the Corporation in the same year upon any hereditament of the like kind within the part of the city which prior to the passing of the Act of 1921 comprised the parish of Liverpool by the sum stated in the said schedule under the year in question opposite to the description of each such portion of the added area.

A.D. 1927.

62. The Corporation shall not at any time hereafter construct or lay out any additional sewage farm or erect any public abattoir in the added area.

Prohibition of
sewage farms
and abattoirs in
added area.

63. If the Corporation shall promote legislation or otherwise attempt to alter or vary any of the provisions of this Part of this Act so far as the same relate to the added area and the county council the Sefton Council and/or any owner or ratepayer in the added area affected thereby shall petition Parliament against or otherwise oppose any such attempt the Corporation shall not be entitled to object to the locus standi of any such council or person and the costs of any such petition and opposition shall be borne and paid by the Corporation.

As to
attempts
by Cor-
poration to
vary certain
provisions
of Act.

64. Any alderman councillor or guardian who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification by reason of the alterations of area made by this Act.

Saving for
qualification
of aldermen
&c.

65.—(1) No alteration effected by this Act in the area of any local authority shall cause to abate prejudicially affect or prevent the continuance of any action cause of action or proceeding which at the appointed day is pending or existing by or against any such authority or any contract deed bond agreement or other instrument (subsisting at the appointed day) entered into or made by any such authority or their predecessors :

Saving for
actions
contracts
&c.

Provided that—

- (a) Any action cause of action or proceeding which at the appointed day is pending or existing by or against any such authority in relation exclusively to any part of the added area may be continued prosecuted and enforced by or against the Corporation;

A.D. 1927.

(b) All contracts deeds bonds agreements and other instruments (subsisting at the appointed day) entered into or made by any such authority or their predecessors in relation exclusively to any part of the added area may be continued and enforced as fully and effectually as if instead of such authority or their predecessors the Corporation had been a party thereto.

(2) All legal proceedings pending at the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act.

Saving for contribution orders and precepts.

66. Notwithstanding the alteration in the areas effected by this Act all contribution orders issued and precepts made before the appointed day shall be as valid in law as if this Act had not been passed.

Saving for powers of Minister &c.

67. Nothing in this Act shall be construed as restricting the powers of the Minister under the Acts relating to the relief of the poor or the powers of the Secretary of State the Minister the county council or the Corporation under the Act of 1888 or the Act of 1894.

Saving for Parliamentary divisions.

68. Nothing in this Act shall alter the area of any parliamentary borough or parliamentary county or any division thereof or affect the powers of a county council under section 31 of the Representation of the People Act 1918 or any order or scheme for the division of a constituency into polling districts for parliamentary elections and the appointment of polling places for parliamentary elections.

Saving for ecclesiastical divisions.

69. Nothing in this Part of this Act shall affect the ecclesiastical divisions of any parish.

Saving for charities.

70. Except as provided by the section of this Act of which the marginal note is "As to fund of West Derby Rural parish" nothing in this Part of this Act shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment.

Saving as to land tax and income tax.

71. Nothing in this Act shall affect land tax and for the purposes of imperial taxes or duties other than land tax the provisions of the section of this Act of

which the marginal note is "Alteration of parishes" A.D. 1927.
shall not come into operation during any year in which
under any enactment the annual value of any property
adopted for the purpose of income tax under Schedules A
and B for the preceding year is taken as the annual value
of that property for the same purpose for that year.

PART III.

TUNNELS STREET WORKS AND LANDS.

72. Subject to the provisions of this Act the Corporation may make and maintain in the city in accordance with the deposited plans and sections and upon the lands delineated on those plans and described in the deposited book of reference the following works comprising a new arterial road and for the purposes thereof or for the purpose of recoupment or exchange or for rehousing persons displaced under the provisions of this Act they may enter upon take and use all or any of the lands delineated on the deposited plans relating thereto and described in the deposited book of reference (that is to say) :—

Power to construct new arterial road.

A new street No. 1 (Byrom Street to Kermode Street) commencing in Byrom Street near its junction with Clayton Street and terminating at the junction of Prince Edwin Street with Kermode Street;

A tunnel and approaches No. 1 (Kermode Street to Robson Street) commencing at the point of termination of new street No. 1 and terminating in Robson Street near its junction with Towson Street;

A tunnel and approach No. 2 (Roscommon Street Branch) commencing in Netherfield Road opposite Roscommon Street and terminating by a junction with the tunnel and approaches No. 1 at a point beneath the premises known as No. 34 Stonewall Street;

A new street No. 2 (Glaisher Street to Walton Breck Road) commencing in Glaisher Street near its junction with Granton Road and terminating in Walton Breck Road near its junction with Houlding Street;

A.D. 1927.

A tunnel and approaches No. 3 (Kermode Street to Breckfield Road North) commencing at the junction of Prince Edwin Street with Kermode Street and terminating in Breckfield Road North near its junction with Granton Road;

together with all such approaches tunnels lifts stairs subways passages means of ingress or egress shafts stagings buildings apparatus plant machinery and subsidiary and incidental works and conveniences as may be necessary or convenient.

Power to
construct
street
widening.

73. Subject to the provisions of this Act the Corporation may make and maintain in the city in accordance with the deposited plans and sections and upon the lands delineated upon those plans and described in the deposited book of reference a widening of Aigburth Road on the south side thereof throughout the length of the frontage to that road of the yard and precincts of St. Anne's Church together with all necessary incidental works and for the purposes thereof may enter upon take and use all or any of the lands delineated on the deposited plans relating thereto and described in the deposited book of reference.

Power to
stop up
streets.

74. Subject to the provisions of this Act the Corporation may for the purposes of and in connection with the works by this Act authorised stop up the whole or part of the streets known as Cuerdon Street St. Stephen Street Hunter Street Cartwright Place Lionel Street Baptist Street Byrom Terrace Circus Street Gerard Street Gregory Place Kilin Street Downe Street Holly Street Thurlow Street Redmond Place Tomkinson Place Birkett Street Great Richmond Street Beau Lane Beau Street Juvenal Place Back Beau Street Chambers Street and Wye Street and thereupon all rights of way thereover shall be extinguished and the site and soil thereof shall vest in the Corporation but the Corporation shall not stop up any such street or portion thereof or appropriate the site and soil thereof unless they are owners in possession of all houses and lands on both sides of the street or portion to be stopped up except so far as the owners lessees and occupiers of such houses and lands may otherwise agree Provided that the Corporation shall make full compensation to all parties interested in respect of

any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement. Provided also that notwithstanding the stopping up of the whole or part of the said streets the Postmaster-General may if he so desires (without derogation from any other right vested in him) remove from the said streets or parts thereof any telegraphic line of the Postmaster-General which is in under upon along over or across the same and the Corporation shall pay to the Postmaster-General the expenses incurred by him of and incidental to the removal of such telegraphic line and of any telegraphic line connected therewith which in consequence will be rendered useless and the substitution of a telegraphic line in such other place as the Postmaster-General may require.

A.D. 1927.

75. The Corporation may within the limits of deviation defined on the deposited plans break up make junctions and communications with and alter the line and levels of any street or road which may be interfered with by or be contiguous to the works by this Act authorised and may relay and alter the line or level of any tramways in or along any street or road to be altered under the powers of this Act and may provide during such relaying and alteration any temporary line or lines of tramway which may be necessary for continuing the traffic on any tramway to be so relaid or altered.

Power to break up and alter streets and tramways.

76. In executing any of the works by this Part of this Act authorised the Corporation may subject to the provisions of this Act deviate laterally to any extent from the line or situation thereof within the limits of deviation defined on the deposited plans and vertically from the levels thereof defined on the deposited sections to any extent not exceeding in the case of the tunnels ten feet upwards and to any extent downwards and in the case of the other works by this Part of this Act authorised to any extent not exceeding six feet.

Power to deviate in respect of new streets and tunnels &c.

77. If the tunnels are not completed within a period expiring on the first day of October one thousand

Period for completion of works.

A.D. 1927. — nine hundred and thirty-seven then on the expiration of that period the powers by this Act granted to the Corporation for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof respectively as is then completed.

Power temporarily to stop up or interfere with streets.

78. Subject to the provisions of this Act the Corporation for the purposes of this Act and during the execution of the works by this Act authorised may in or upon the lands shown upon the deposited plans stop up break up interfere with alter or divert temporarily all or any part of any road street bridge stairs footpath way stream or watercourse which they shall think necessary for such purposes to be stopped up broken up or interfered with altered or diverted and may put up or cause to be put up sufficient palisades hoardings bars posts and other erections and may construct temporary works for keeping any such road street bridge stairs footpath or way open for traffic and may make such orders for regulating the traffic as to them shall seem proper Provided that the Corporation shall provide reasonable access for all persons bona fide going to or returning from any house or building in any such road street or place.

Vesting of soil of streets stopped up.

79. On the stopping up (otherwise than temporarily) of any street or part of a street under the powers of this Act all rights of way over the same shall be extinguished and the site and soil thereof shall vest in the Corporation but the Corporation shall not stop up any street or portion thereof or appropriate the site and soil thereof unless they are owners in possession of all houses and lands on both sides of the street or portion to be stopped up except so far as the owners lessees and occupiers of such houses and lands may otherwise agree.

Underpinning of houses near works.

80. And whereas in order to avoid in the execution and maintenance of the tunnels injury to the houses and buildings within one hundred feet thereof it may be necessary to underpin or otherwise strengthen the same therefore the Corporation at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as hereinafter provided underpin or otherwise strengthen

the same and the following provisions shall have effect A.D. 1927.
(that is to say) :—

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened :
- (2) Each such notice if given by the Corporation shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the town clerk :
- (3) If any owner lessee or occupier of any such house or building or the Corporation shall within seven days after the giving of such notice give a counter-notice in writing that he or they as the case may be disputes or dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of an engineer to be agreed upon or in case of difference appointed at the instance of either party by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to the reference :
- (4) The arbitrator shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building :
- (5) The Corporation shall be liable to compensate the owners lessees and occupiers of every such house or building for any loss or damage which may result to them by reason of the exercise of the powers granted by this section :

A.D. 1927.

- (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against any further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall have been done in pursuance of the requirements of and in the mode prescribed by the arbitrator the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof :
- (7) Nothing in this section contained nor any dealing with any property in pursuance of this section shall relieve the Corporation from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act :
- (8) Every case of compensation to be ascertained under this section shall be ascertained according to the provisions of the Lands Clauses Acts :
- (9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

Power to pump water and use sewers for removing water.

81. The Corporation may pump any water found by them in the execution and maintenance of the works by this Act authorised and may use for the discharge of any such water any available stream or watercourse or any sewer or drain and for that purpose may lay down take up and alter conduits pipes and other works and make any convenient connections with any such stream watercourse sewer or drain within the limits of deviation shown on the deposited plans. Provided that the Corporation shall not under the powers of this section pump or discharge directly

or indirectly into the River Mersey any water or effluent containing solid matter. A.D. 1927.

82.—(1) Subject to the provisions of this section the Corporation may for the purposes of this Act upon the lands acquired by them under the powers or for the purposes of this Act and also in any street road or place within the limits of deviation defined on the deposited plans raise sink or otherwise alter the position of any watercourse water pipe or gas pipe belonging to or connected with any house or building and also any main pipe or apparatus laid down or used by any company authority or person for carrying a supply of water or water for hydraulic power or gas and also any pipe tube wire or apparatus laid down or placed for telegraphic postal or other purposes or for supplying electricity (all of which mains pipes tubes wires and apparatus are in this section included in the expression "apparatus") and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit and making reasonable compensation to any company authority or person who suffers damage by any such alteration.

Alteration
of position
of water
gas and
other
pipes.

(2) Before the Corporation alter the position of or execute any work which would interfere with or endanger any apparatus laid down or used by any such company authority or person they shall (except in cases of emergency) give to the company authority or person to whom the same belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given except in case of emergency fourteen days at least before the commencement of the work and such work shall be done at the expense of the Corporation under the superintendence of the company authority or person to whom such apparatus belongs unless such company authority or person refuses or neglects to give such superintendence at the time specified in the notice for the commencement of such work or discontinues the same during the execution of such work and the Corporation shall execute such work to the reasonable satisfaction of the engineer of such company authority or person.

A.D. 1927.

(3) If within seven days of the receipt of such notice any such company or authority shall give notice to the Corporation of their desire themselves to execute any such work of alteration they shall forthwith proceed to do so and the cost reasonably incurred by them in so doing shall be repaid to them by the Corporation. Provided that such alterations shall be carried out in accordance with the directions and to the reasonable satisfaction of the Corporation.

(4) The Corporation shall not cause any street road or way to be lowered or raised nor the position of any apparatus to be altered so as to leave over such apparatus in any part a covering of less than three feet where the covering now existing is not less than three feet unless the Corporation shall in such case protect such apparatus from frost or injury by artificial covering to the reasonable satisfaction of the engineer of the company authority or person to whom the same belongs or more than six feet where the covering now existing does not exceed six feet or more than such existing covering where the same exceeds six feet unless the Corporation in such case provide special means of access to the same to the reasonable satisfaction of the engineer of such company authority or person.

(5) If any difference arises between the Corporation and any such company authority or person touching the amount of any costs expenses or charges under the provisions of this Act to be paid by the Corporation to any such company authority or person or touching any work matter or thing with reference to such apparatus under such provisions to be done or executed by the Corporation or the mode of doing or executing the same such difference shall unless otherwise agreed be settled by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers whose decision shall be final and binding and the expenses of the reference shall be borne as the referee may direct.

(6) The Corporation shall not raise sink or otherwise alter the position of or interfere with any telegraphic line or other apparatus belonging to or used by the Postmaster-General except under and subject to the provisions of the Telegraph Act 1878.

83. The Corporation may within the limits of deviation defined on the deposited plans and for the purposes of this Act—

A.D. 1927.
Power to alter steps areas &c. and execute protective works.

(a) raise sink or otherwise alter or cause to be altered the position of any of the steps areas vaults cellars cellar-flaps pavement lights gratings boundary walls railings fencings windows watercourses pipes or spouts belonging to any house or building and may remove all other obstructions so as the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the Corporation shall make reasonable compensation to any person who suffers damage by any such alteration;

(b) execute any works and do any things necessary for the protection of any adjoining land or buildings and for the strengthening and supporting of any walls of such buildings.

84.—(1) The Corporation may lay out the tunnels and approaches Nos. 1 and 2 or any part thereof for carriageways and for footways as they may think proper and may sewer level pave metal flag channel and complete such carriageways and footways and may from time to time execute all such works and do all such acts in under or upon any of the said carriageways and footways as they may from time to time think proper for preserving repairing lighting ventilating or improving the same and may for that purpose enter upon and break open the soil rock and pavement of such carriageways and footways and any sewers drains or tunnels within or under the same causing as little inconvenience as may be in the execution of the powers hereby conferred and restoring the said carriageways footways sewers drains or tunnels as nearly as practicable to the same condition as they were in before such breaking and opening.

Laying out repair and lighting of tunnels and approaches Nos. 1 and 2.

(2) The Corporation may also at any time (if they think it expedient so to do) close the tunnels and approaches Nos. 1 and 2 wholly or in part for the purpose of repairing or cleansing the same or any part thereof and for the purpose of sewerage levelling paving flagging or channelling such carriageways and footways or any part thereof or of the approaches thereto.

A.D. 1927.

(3) The tunnels and approaches Nos. 1 and 2 and the carriageways and footways thereof when completed and opened for public traffic shall be public highways but the soil or rock thereunder shall remain vested in the Corporation for such estate or interest as shall have been acquired by them therein and the said works shall subject to the provisions of this Act be maintained repaired and lighted by the Corporation.

Provisions
as to tunnel
and
approaches
No. 3.

85. The tunnel and approaches No. 3 shall be used only for tramway traffic and such other traffic (if any) as the Corporation may from time to time determine and the Corporation may at any time if they think it expedient so to do close the said tunnel and approaches wholly or in part for the purposes of repairing and cleansing the same or any part thereof and the Corporation may from time to time execute all such works and do all such acts in under or upon any part of the said tunnel and approaches as they may from time to time think proper for preserving repairing lighting ventilating or improving the same.

No mains
or pipes to
be laid in
tunnels.

86. Notwithstanding anything contained in any enactment no person shall enter upon break up or interfere with the tunnels or the carriageways and footways of the same for the purpose of laying down any main pipe or wire or executing any work therein thereon or thereunder except with the consent of the Corporation in writing and in accordance with such terms and conditions either as to the payment of rent or other valuable consideration or otherwise as the Corporation may determine Provided that nothing in this section contained shall alter prejudice or affect any of the rights powers and authorities of the Postmaster-General under the provisions of the Telegraph Acts 1863 to 1926.

Reserva-
tion of
accommo-
dation for
Post Office
telegraphs
in tunnel
and
approaches
No. 1.

87. The Corporation shall in constructing the tunnel and approaches No. 1 provide for the telegraphic lines of the Postmaster-General such reasonable accommodation as shall be sufficient for six lead-covered cables each with an external diameter not exceeding three inches. The accommodation shall be provided and constructed in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the Postmaster-General. Provided that if within one month of the receipt of the said plans sections and particulars

the Postmaster-General shall not have intimated to the Corporation his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same. A.D. 1927.

88. The Corporation may sell or dispose of all materials excavated in the construction of the works by this Act authorised and all building and other materials of any houses buildings or structures acquired by them under the powers or for the purposes of this Act and not required for those purposes and also all materials in or upon any road street or other place altered by them for the purposes of this Act and any materials obtained in the alteration of or interference with any drain or sewer under the powers of this Act. Power to sell materials.

89. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto therefore the following provisions shall have effect:— Owners may be required to sell parts only of certain properties.

- (1) The owner of and persons interested in any of the properties specified in the Third Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are in this section included in the term "the owner" and the said properties are in this section referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and

A.D. 1927.

making compensation for any damage sustained by the owner by severance or otherwise :

- (3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the arbitrator shall in addition to the other questions required to be determined by him determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed :
- (4) If the arbitrator determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the arbitrator shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the arbitrator :
- (5) If the arbitrator determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the arbitrator may in his absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner :
- (6) If the arbitrator determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not he shall determine that any other portion can be so severed) the Corporation may withdraw

their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice : A.D. 1927.

- (7) If the arbitrator determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the arbitrator shall having regard to the circumstances of the case and his final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

90. With respect to the properties shown on the deposited plans which are described or referred to in the Fourth Schedule to this Act notwithstanding anything contained in this Act or shown on the said plans the Corporation shall not be required to purchase or take the same or any part of the surface thereof but the Corporation may purchase and take and the owners of and other persons interested in any such property shall sell an easement or right of using the subsoil and under-surface of such property for the purposes of this Act and the provisions of the Lands Clauses Acts with respect to lands shall extend and apply to such easement or right of user as fully as if the same were lands within the meaning of those Acts except that no such easement or right of user shall be deemed part of a house or other

Owners may be required to grant easements only.

A.D. 1927. — building or manufactory within the meaning of section 92 of the Lands Clauses Consolidation Act 1845 Provided that the Corporation shall not acquire compulsorily an easement or right of using the subsoil and under-surface of any such property the ground surface of which is at a less height than twenty-five feet above the crown of any tunnel as the same shall be constructed.

Period for compulsory purchase of lands.

91. The powers granted by this Act for the compulsory purchase of lands shall cease on the first day of October one thousand nine hundred and thirty.

As to private rights of way over lands taken compulsorily.

92. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished Provided that the Corporation shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement.

Saving for inclusion of certain lands in improvement scheme under Housing Act 1925.

93. Nothing in this Act shall operate to prevent the Corporation from including in an improvement or reconstruction scheme prepared by them under Part II of the Housing Act 1925 any of the lands within the limits of deviation shown upon the deposited plans of new street No. 1 by this Act authorised and situate between the commencement of the said new street and Fox Street but the provisions of section 46 of the Housing Act 1925 as to the assessment of compensation in respect of land included in an improvement or reconstruction scheme and acquired compulsorily shall not apply to land in respect of which notice to treat shall have been served under the powers granted by this Act for the compulsory purchase of lands.

Compensation in case of recently altered buildings.

94. In settling any question of disputed purchase money or compensation for lands acquired by the Corporation under this Act the arbitrator shall not award any sum of money for or in respect of any improvement or alteration made or any building erected after the first day of November one thousand nine hundred and twenty-six if in the opinion of the arbitrator the improvement alteration or building in respect of which the claim is made was made or erected with a view to obtaining or

increasing compensation nor in the case of any estate or interest in the lands created after the said date which in the opinion of the arbitrator was created with a view to obtaining or increasing compensation shall any sum of money be awarded so as to increase the total amount of compensation which would otherwise have been required to be paid in respect of the acquisition of such lands but nothing in this section shall apply to any improvement or alteration in any premises so far as made for the purpose of putting the same into a sanitary condition.

A.D. 1927.
—

95. In estimating the amount of compensation or purchase money to be paid by the Corporation under this Act the benefits accruing to the person to whom the same shall be paid by reason of the construction of the works by this Act authorised shall be fairly estimated and shall be set off against the said compensation or purchase money except in cases to which the provisions of the section of this Act of which the marginal note is "Saving for inclusion of certain lands in improvement scheme under Housing Act 1925" applies.

Benefits to be set off against compensation.

96. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the city for the correction thereof and if it appear to the justices hearing the application that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county and a duplicate thereof shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans or book of reference shall be deemed to be corrected according to such certificate and the Corporation may take the lands and execute the works in accordance with such certificate.

Errors in plans and book of reference.

A.D. 1927.

Power to enter upon property for survey and valuation.

97. The Corporation and their surveyors officers contractors and workmen may at all reasonable hours in the daytime upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into the lands and premises by this Act authorised to be taken and used by them for the purpose of surveying and valuing the same without being deemed trespassers and without being subject or liable to any fine penalty or punishment for entering or continuing upon any part of the said lands and premises.

Persons under disability may grant easements &c.

98. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act 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.

Agreements with owners of property.

99. Subject to the provisions of this Act the Corporation may in connection with the powers granted to them by this Act enter into and carry into effect agreements with any person being the owner of or interested in any lands or property abutting on any portion of the works by this Act authorised with respect to the sale or purchase by the Corporation of any lands or property or any rights or easements in on or affecting the same for such consideration as may be agreed upon between the Corporation and such person and the Corporation may accept as satisfaction of the whole or any part of such consideration the grant by such person of any lands or other property required by them for the purposes of this Act.

Power to develop lands &c.

100.—(1) The Corporation may lay out and develop any lands acquired by them under the powers of this Act and not required for the purposes for which they were acquired and erect and maintain flats shops offices warehouses and other like buildings and construct pave flag channel and kerb streets roads and ways on any such lands and may sell lease exchange or otherwise dispose of any

such flats shops offices warehouses or buildings upon and subject to such terms conditions and restrictions as they may think fit.

A.D. 1927.

(2) The Corporation may also grant building leases of any such lands as aforesaid subject to such restrictions and conditions as they may see fit to impose and may grant any easements rights or privileges in under or over such lands or any part or parts thereof and may use or dispose of the building or other materials of any houses and premises on any lands acquired or appropriated by them which they may deem it necessary or desirable to pull down.

(3) The Corporation in selling or disposing of such lands may attach to the same and may convey the same subject to any conditions and restrictions upon the use thereof and as to the buildings to be erected thereon and as to the use to which such buildings may be put.

(4) The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired under the provisions of this Act or which may be in the neighbourhood of the works by this Act authorised or any of them with respect to the reinstatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

(5) Nothing in this section shall authorise the Corporation to create or permit any nuisance on any such lands as are referred to therein.

(6) The Corporation shall not (unless the Minister otherwise direct) sell lease exchange or otherwise dispose of any of the lands to which this section applies except at the best price or on the best terms which can be obtained for the same but a purchaser or lessee shall not be concerned to inquire whether the direction of the Minister is necessary or has been obtained.

101.—(1) In addition to the provisions of the Acts incorporated herewith with respect to compensation for lands taken or injuriously affected the Corporation shall make compensation to the owner lessee and occupier of

Compensation for damage by user of tunnels.

A.D. 1927. — any land house or building which shall be injuriously affected by reason of vibration caused by the user of any of the tunnels notwithstanding that no part of the property of such owner lessee or occupier is taken by the Corporation. Provided that all claims for compensation under this section shall be made within five years from the date when the tunnel in respect of the user of which the claim is made shall be first opened for vehicular traffic and shall be settled by a single arbitrator under and subject to the provisions of the Arbitration Act 1889 save that where the parties do not concur in the appointment of an arbitrator the Minister of Transport shall have the power of the court or a judge under section 5 of the said Act.

(2) An arbitrator under this section may with the consent of all parties concerned hear together any class or group of claims under this section.

Byelaws
in regard
to tunnels.

102.—(1) The Corporation may in pursuance of this Act and any other Act enabling them in that behalf make and enforce byelaws for the control and the protection of the tunnels and the approaches thereto and of persons resorting to or using the same and for the management regulation direction and control of traffic of every description using the tunnels and approaches with power to fix a speed limit for motor vehicles to prohibit the passage of particular traffic at certain hours and to appropriate any portion of the tunnels for the exclusive use of any particular class of vehicle or traffic.

(2) All byelaws from time to time made in pursuance of this section shall be made under and according to the provisions contained in sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority except that as regards confirmation of such byelaws and inquiries in relation thereto the Minister of Transport shall be substituted for the Minister.

(3) The Minister of Transport shall before confirming any byelaw made in pursuance of this section for the management regulation direction and control of traffic take into consideration any objections to such byelaw submitted to him by any representative body of the users of mechanically propelled vehicles.

(4) A copy of all byelaws made in pursuance of this section shall at all times be exhibited in a conspicuous place at each entrance to the tunnels. A.D. 1927.

103. The powers conferred upon the Corporation by the Act of 1921 for the compulsory purchase of the lands (which have not already been acquired by the Corporation) required for the purposes of new street No. 2 described in section 192 (Power to construct street works) of the Act of 1921 are hereby revived and extended and may be exercised by the Corporation during a period expiring on the first day of October one thousand nine hundred and twenty-nine. Extension of time for purchase of certain lands under Act of 1921.

104. Notwithstanding anything in this Act the following provisions for the protection of the Liverpool Gas Company (in this section referred to as "the company") shall unless otherwise agreed between the Corporation and the company have effect (that is to say): For protection of Liverpool Gas Company.

(1) The provisions of section 48 (For protection of Liverpool Gas Company) of the Mersey Tunnel Act 1925 shall extend and apply to any works constructed by the Corporation under the powers of Part III of this Act as if that section were re-enacted in this Act with the substitution of "the Corporation" for "the Corporations" and the insertion of the words "Part III of" before the words "this Act" wherever they occur in the said section:

(2) Notwithstanding the stopping up temporarily of any public street or place under the powers of this Act it shall be lawful for the company during such stopping up to exercise the same rights of access as they now enjoy to all or any of their apparatus situate in or under any such street or place.

105. There shall be reserved to the London Midland and Scottish Railway Company out of any of their lands to be acquired for the purposes of new street No. 1 an easement for the existing tunnel of the said railway company and the right to make a second tunnel at a level which shall not (except with the consent of the Corporation) be higher than that of the adjoining portion of the existing tunnel. For protection of London Midland and Scottish Railway Company.

A.D. 1927.

PART IV.

TRAMWAYS.

Power to
construct
tramways.

106. Subject to the provisions of this Act the Corporation may make form lay down renew work use and maintain in the lines and according to the levels shown on the deposited plans and sections the tramways within the city hereinafter described with all proper rails plates works sidings and conveniences connected therewith or necessary for the purposes thereof and may take up remove and alter the position of any existing tramway of the Corporation and the rails and other works connected therewith which may be necessary for the purpose of laying down the tramways. Provided that nothing in this Act shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1926 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

The tramways authorised by this Act are—

Tramway No. 1 (Byrom Street to Kermode Street) (double line 5 furlongs 5·47 chains in length) commencing by a junction with the existing tramway in Byrom Street at a point opposite Clayton Street proceeding in a north-easterly and northerly direction along new street No. 1 into Prince Edwin Street and terminating therein at the point of termination of new street No. 1;

Tramway No. 2 (Kermode Street to Breckfield Road North) (double line 5 furlongs 8·1 chains in length) commencing in Prince Edwin Street by a junction with Tramway No. 1 at its point of termination and continuing in a north-easterly and northerly direction along and through tunnel and approaches No. 3 and terminating in Breckfield Road North near its junction with Granton Road;

Tramway No. 3 (Robson Street to Oakfield Road) (single line 2 furlongs 6·18 chains in length) commencing by a junction with the

existing tramway in Robson Street near its junction with Herschell Street passing thence along Herschell Street and continuing in a north-easterly direction along new street No. 2 into and terminating in Oakfield Road by a junction with the existing tramway therein 3·7 chains north-west of its junction with Granton Road;

A.D. 1927.

Tramway No. 4 (Breckfield Road North to Arkles Road) (single line 2 furlongs 9·3 chains in length) commencing in Breckfield Road North by a junction with the southern line of Tramway No. 2 at its termination near the junction of Breckfield Road North with Granton Road passing thence along Granton Road to its junction with Glaisher Street and continuing thence in a north-easterly direction along new street No. 2 and terminating in Arkles Road by a junction with the existing tramway therein at a point near its junction with Walton Breck Road;

Tramway No. 5 (Redland Road to Melling Road) (single line 1 furlong 3 chain in length) commencing in Warbreck Moor by a junction with the existing tramway therein near its junction with Redland Road passing thence along Redland Road Lyncot Road and Melling Road into and terminating in Warbreck Moor by a junction with the existing tramway therein near its junction with Rugby Road;

Tramway No. 6 (Woolton Road) (double line 2 miles 1 furlong 5·3 chains in length) commencing in Church Road Wavertree by a junction with the existing tramway therein near its junction with Fir Lane passing thence along Woolton Road and Rose Brow and terminating therein at Woolton Hill Road;

Tramway No. 7 (Childwall Road) (double line 1 mile 4 furlongs 3 chain in length) commencing in High Street Wavertree by a junction with the existing tramway therein at a point 1·5 chains west of the Picton Clock Tower passing thence along Childwall Road Childwall Priory Road and Childwall Abbey

A.D. 1927.

Road and terminating therein near the Abbey Hotel;

Tramway No. 8 (Mount Vernon) (single line 1 furlong 3 chains in length) commencing in Mount Vernon Road by a junction with the existing tramway therein near its junction with Parron Street passing thence along Mount Vernon and North View into and terminating in Edge Lane by a junction with the existing tramway therein at a point near its junction with Adelaide Road;

Tramway No. 9 (Christian Street) (double line 2 furlongs 9·5 chains in length) commencing in Islington by a junction with the existing tramway therein near its junction with Christian Street passing thence along Christian Street into and terminating in Cazneau Street by a junction with the existing tramway therein near its junction with Rose Place:

Provided that—

- (1) Tramways Nos. 1 to 4 shall not be constructed otherwise than subsequently to or concurrently with the construction of the new street or tunnel by this Act authorised in which the said tramways respectively shall be laid; and
- (2) No part of Tramways Nos. 6 and 7 shall be constructed so that a less space than nine feet six inches shall intervene between the kerb on either side of the street or road and the nearest rail of the tramway.

Tramways to form part of tramways undertaking.

107. Subject to the provisions of this Act the tramways shall for all purposes form part of "the tramways" and "the tramways undertaking" within the meaning of the Act of 1921 and the provisions of that Act (as amended by this Act) shall so far as applicable apply to and in respect of the tramways as if they had been described in the First Schedule thereto.

For protection of Postmaster-General.

108. Subsection (4) of section 140 (For protection of Post Office telegraph lines) of the Act of 1921 shall be read and have effect as if the words "generated or used by or supplied to" were inserted in that subsection in substitution for the words "generated by."

A.D. 1927.

—
Period for
completion
of tram-
ways.

112. The tramways shall be completed within the period expiring on the first day of October one thousand nine hundred and thirty-two and on the expiration of that period the powers by this Act granted to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Extension
of time for
construction
of Tramway
No. 7
authorised
by Act of
1921.

113. The time now limited for the completion of Tramway No. 7 described in section 122 (Power to construct maintain and work tramways) of the Act of 1921 is hereby extended for a period expiring on the first day of October one thousand nine hundred and thirty If the said tramway be not completed within the said period then at the expiration of that period the powers granted to the Corporation for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Extension
of time for
purchase of
certain
lands under
Liverpool
Corporation
Light
Railways
Order 1923.

114. The powers conferred upon the Corporation by the Liverpool Corporation Light Railways Order 1923 for the compulsory purchase of the lands required for the purposes of Railway (No. 6) by that Order authorised are hereby revived and extended and may be exercised by the Corporation during a period expiring on the first day of October one thousand nine hundred and twenty-nine.

Cloak-rooms
&c.

115. The Corporation may provide cloak-rooms and rooms or sheds for the storage of bicycles and other vehicles at any depôt or building used by them in connection with the tramways undertaking and at suitable places on any of their tramway or light railway routes and may make charges for the use of such cloak-rooms rooms and sheds and for the deposit of articles and things and bicycles and other vehicles therein but shall not use for the purpose any part of the highway without the consent of the road authority thereof :

Provided that no such cloak-rooms rooms or sheds shall be provided so as to interfere with the access to or exit from any railway station or depôt.

Removal
of obstruc-
tions.

116. If any obstruction to the traffic on any of the tramways or light railways of the Corporation is caused by any vehicle breaking down or any load falling from

109.—(1) Where any part of the tramways is to be constructed on a special track separate from the carriage-way such special track shall not for any purpose form part of the highway and the provisions of the Tramways Act 1870 relating to roads and the following provisions of the Act of 1921 shall not apply thereto or to the construction of the tramway thereon (namely):—

A.D. 1927.
—
Special track not to form part of highway.

Section 130 (Penalty for not maintaining rails and roads in good condition);
and

Section 131 (Tramways to be kept on level of surface of road).

(2) The Corporation shall provide and maintain adequate ways across such special track (except where the same is situate in or near the tunnel and approaches No. 3 by this Act authorised) at such points as may from time to time be fixed by the Corporation with the approval of the Minister of Transport or be prescribed by the said Minister.

(3) Nothing in this section contained shall prejudice alter or affect any of the rights and powers of the Postmaster-General under the Telegraph Acts 1863 to 1926 and under section 141 (Use of tramway posts by Postmaster-General) of the Act of 1921 and such special track except where the same is situate in or near the tunnel and approaches No. 3 by this Act authorised shall be deemed to be a "street" or "public road" for the purposes of the said Acts and section respectively.

110. In laying down the tramways in or along any new street or tunnel and approaches by this Act authorised the Corporation may subject to the provisions of this Act deviate laterally to any extent from the line or situation thereof within the limits of deviation defined on the deposited plans Provided that no part of any such tramway shall be constructed so that a less space than nine feet six inches shall intervene between the kerb on either side of the street or road and the nearest rail of the tramway.

Power to deviate in respect of certain tramways.

111. No part of the tramways shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by an officer appointed by the Minister of Transport.

Inspection by Minister of Transport.

a vehicle the person in charge of the vehicle shall forthwith remove the vehicle or load so as to prevent the continuance of the obstruction and if he fail to do so the Corporation may so remove the vehicle or load and may remove any other obstruction of the like character to such traffic and may provide and use all necessary plant and apparatus and take all necessary steps to remove any such obstruction and may recover the reasonable cost of so doing from the owner of the vehicle.

A.D. 1927.

117.—(1) Any person who shall trespass upon any portion of a tramway or light railway now or hereafter belonging to the Corporation which is constructed on a special track separated from the carriageway (except at public ways across the special track) by a fence shall on summary conviction be liable to a penalty not exceeding forty shillings.

For prevention of trespass on special tracks.

(2) No person shall be subject to any penalty under this section unless it shall be proved to the satisfaction of the court before whom complaint is laid that public warning has been given to persons not to trespass upon the special track by notices painted on boards or printed on paper and pasted on boards or enamelled on metal or otherwise as the Corporation may think fit and clearly exhibited and that one or more of such notices has been affixed at the public way across such special track nearest to the spot where such trespass is alleged to have been committed and such warning shall be renewed as often as the same shall be obliterated or destroyed and no penalty shall be recoverable unless such warning is so placed and renewed.

PART V.

WATER.

118. As from the transfer day as defined in the agreement set forth in Part I of the Fifth Schedule to this Act the water limits for the purposes of Part IV (Water) of the Act of 1921 shall include the township of Rainhill in the rural district of Whiston and the provisions of the Act of 1921 shall subject to the provisions of this Act apply as if the said township had been included within the water limits as defined by section 54 (Limits for supply of water) of that Act.

Extension of water limits.

A.D. 1927.

Confirma-
tion of
agreements
as to
transfer of
part of
Rainhill
Company's
water under-
taking &c.

119.—(1) The agreements made the tenth day of December one thousand nine hundred and twenty-six between the Rainhill Company of the one part and the Whiston Council of the other part and between the Corporation of the one part and the Whiston Council of the other part which agreements are set forth in the Fifth Schedule to this Act are hereby confirmed and made binding on the parties thereto respectively and effect may and shall be given thereto accordingly.

(2) Upon the transfer to the Corporation of "the water undertaking of the Company" as defined in the said first-mentioned agreement the undertaking so transferred shall for all purposes form part of the waterworks undertaking of the Corporation.

Contracts
to be
binding.

120. Subject to the provisions of the agreements set forth in the Fifth Schedule to this Act all agreements contracts deeds and other instruments affecting the Rainhill Company and in force at the transfer day as defined in the agreement set forth in Part I of the said schedule shall thereafter so far as the same relate to or affect the portion of the water undertaking of the Rainhill Company transferred in pursuance of this Act be as binding and of as full force and effect against or in favour of the Corporation and may be continued or enforced as fully and effectually as if instead of the Rainhill Company the Corporation had been a party thereto.

Books &c.
to remain
evidence.

121. All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against the Rainhill Company shall be admitted in evidence in respect of the same and the like matter for or against the Corporation.

Release of
Rainhill
Company
from
obligation
to supply
water.

122. As from the transfer day as defined in the agreement set forth in Part I. of the Fifth Schedule to this Act all powers rights duties and obligations of the Rainhill Company with reference to the supply of water under the Rainhill Gas and Water Act 1870 shall cease and determine and so much of the said Act as relates to the portion of the water undertaking of the Rainhill Company transferred to the Corporation and the Rainhill Gas and Water Company (Modification of Charges) Order 1923 shall as from the said day be

repealed except section 10 (Company to give notice before interfering with property of London and North Western Railway Company) and section 11 (Company liable for nuisance) of the said Act of 1870 which shall continue to apply in relation to the portion of the said undertaking so transferred as if the expression "the company" where used therein meant the Corporation. A.D. 1927.

123. The Rainhill Company may sell and dispose upon such terms and conditions as they think fit of any portion of their water undertaking which is excluded from "the water undertaking of the company" as defined in the agreement between the Rainhill Company and the Whiston Council set forth in the Fifth Schedule to this Act. Power to Rainhill Company to sell remainder of water undertaking.

124. All moneys received by the Rainhill Company in pursuance of the agreements set forth in the Fifth Schedule to this Act or of the section of this Act of which the marginal note is "Power to Rainhill Company to sell remainder of water undertaking" shall be applied only to purposes to which capital is properly applicable. Application of moneys by Rainhill Company.

125. As from the transfer to the Corporation of "the water undertaking of the company" referred to in the section of this Act of which the marginal note is "Confirmation of agreements as to transfer of part of Rainhill Company's water undertaking &c." the name of the Rainhill Company instead of being the Rainhill Gas and Water Company shall be "the Rainhill Gas Company" and for that purpose Part IV (relating to change of name) of the Companies Clauses Act 1863 is incorporated with this section. Change of name of Rainhill Company.

126.—(1) The Whiston Council may in addition to any moneys now borrowed by them or which they are authorised to borrow or which they may be authorised to borrow under the provisions of any public Act borrow at interest for the purpose of capital expenditure by them under the agreements set forth in the Fifth Schedule to this Act a sum or sums not exceeding seven thousand five hundred pounds together with the sum or sums requisite for defraying the costs and expenses of the Whiston Council incidental to the purchase and transfer of the water undertaking of the Rainhill Company (including any costs charges Power to Whiston Council to borrow.

A.D. 1927. — and expenses in relation and incidental to procuring the passing of this Act) and the provisions of sections 236 to 239 of the Public Health Act 1875 shall be applicable to any mortgage granted by the Whiston Council under this section.

(2) Any moneys borrowed by the Whiston Council under this section and the interest payable thereon shall be respectively charged on all the separate rates leviable for special expenses within the contributory place of Rainhill in the Whiston Rural District under the Public Health Act 1875 and all and every other moneys and rates (if any) which the Whiston Council have power to mortgage for the purposes aforesaid and shall be repaid within twenty-five years from the date or dates of borrowing the same in accordance with the provisions of the Public Health Act 1875 as if the same were borrowed under that Act.

(3) The clerk to the Whiston Council shall if and when he is requested by the Minister so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Whiston Council under the authority of this section.

(4) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the said clerk or other the chief accounting officer of the Whiston Council and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the said clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(5) If it appear to the Minister by such a return as aforesaid or otherwise that the Whiston Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this section or by the Minister in virtue thereof to be paid

appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Whiston Council shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court. A.D. 1927.

127. If in the opinion of the Corporation any waste of water or injury or risk of injury to person or property is caused or likely to be caused by reason of any injury to or defect in any communication pipe within the water limits which the Corporation are not under obligation to maintain it shall be lawful for the Corporation to execute such repairs to the communication pipe as they may think necessary or expedient in the circumstances of the case without being requested so to do and if any injury to or defect in the communication pipe shall have been found the expenses incurred by the Corporation for the purpose of ascertaining the injury or defect and executing the repairs (including the expenses of breaking up filling in reinstating and making good any road pavement or soil for those purposes) shall be recoverable by the Corporation from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier in like manner as the water rents in respect of the premises are recoverable Provided that except in case of emergency the Corporation shall not under the powers of this section enter into any house or private premises unless they shall have given notice to the occupier of such house or premises and in any case where the communication pipe is repairable by the owner thereof to such owner not less than twenty-four hours' previous notice of their intention so to enter. Power to Corporation to repair communication pipes.

128.—(1) For the purpose of complying with any obligation under the Waterworks Clauses Acts 1847 and 1863 or under any other Act relating to the Corporation to maintain any pipe or apparatus the person liable to maintain the same shall have the like Power to person liable to maintain pipes &c. to open ground.

A.D. 1927.

power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

(2) The Corporation may by agreement with any owner or occupier entitled or required to lay maintain repair or remove any communication pipe and for that purpose to open or break up any street within the water limits execute such works on behalf of such owner or occupier and any expenses incurred by the Corporation in so doing shall be repaid by the owner or occupier with whom the agreement is made and shall be recoverable summarily as a civil debt.

Penalty
for closing
valves and
apparatus.

129. Every person who shall wilfully (without the consent of the Corporation) or negligently close or shut off any valve cock or other work or apparatus belonging to the Corporation whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Corporation) be liable on summary conviction to a penalty not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage by them sustained Provided that this section shall not apply to a consumer closing a valve fixed on his communication pipe.

Penalty for
opening
valves &c.

130. Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of a supply of water by the Corporation who shall without the authority of the Corporation turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Corporation and provided or available for the purposes of affording such supply shall be deemed to commit an offence under section 60 of the Waterworks Clauses Act 1847 and the said section shall extend and apply accordingly.

Cleansing
of cisterns.

131. The Corporation may make byelaws for securing the cleanliness and freedom from pollution of tanks cisterns and other receptacles for storing water supplied by the Corporation and used or likely to be

used by man for drinking or domestic purposes or for manufacturing drink for the use of man. A.D. 1927.

132. The provisions of section 85 (As to laying of pipes by Liverpool Gas Company Chorley Corporation and Corporation) of the Act of 1921 shall extend and apply to the Corporation and the Liverpool Gas Company in regard to the exercise of any of the powers of this Part of this Act as though those powers were powers conferred by Part IV of the Act of 1921. For further protection of Liverpool Gas Company.

PART VI.

ELECTRICITY.

133. The area of supply for the purposes of Part VI (Electricity) of the Act of 1921 and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall include the urban district of Little Crosby and the provisions of the Act of 1921 shall subject to the provisions of this Act apply as if the said urban district had been included within the electricity limits as defined by section 177 (Area of supply) of that Act. Extension of electricity limits.

134. In addition to the powers conferred by section 181 (Power to lay electric mains in private streets) of the Act of 1921 the Corporation may subject to the provisions of the Act of 1921 and of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with the Act of 1921 break up the streets and parts of streets not repairable by the local authority and the railways following (that is to say):— Further power to break up streets and railways.

Lower Alt Road (portion unadopted) Blundell Road and Blundell Avenue;

The level crossing over the Liverpool Crosby and Southport branch of the London Midland and Scottish Railway at Alt Road and the road proposed to be carried over the said railway by means of a new bridge at and adjoining the northerly end of Hightown Station on the said railway.

135.—(1) As from the date of transfer the Hightown undertaking shall become and be by virtue of this Act transferred to and vested in the Corporation and shall for all purposes form part of the electricity undertaking. Transfer of Hightown undertaking.

A D. 1927.

(2) In consideration of such transfer and vesting the Corporation shall within two months after the date of the passing of this Act pay to the Hightown Company the sum of three thousand pounds together with a sum reckoned at the rate of one hundred and fifty pounds per annum from the thirtieth day of June one thousand nine hundred and twenty-seven until the date of payment of the said sum of three thousand pounds.

(3) The receipt in writing of two directors of the Hightown Company for the said sums shall effectually discharge the Corporation from the amount which in such receipt shall be acknowledged to have been received and from being answerable or accountable for the loss mis-application or non-application thereof. Provided that if from any cause the Corporation are unable to obtain such receipt they may pay the money into the Bank of England in the name of the Paymaster-General for and on behalf of the Supreme Court to an account to be opened in the matter of this Part of this Act and a receipt shall be given to the Corporation by the cashier of the said bank for the money which shall have the same effect as the receipt of the two directors of the Company.

Contracts
to be
binding
upon Cor-
poration.

136. Subject to the provisions of this Part of this Act all purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made and subsisting in respect of the Hightown undertaking at the date of transfer and then in force shall be as binding and of as full force and effect in every respect against or in favour of the Corporation and may be enforced as fully and effectually as if instead of the Hightown Company the Corporation had been a party thereto.

Corporation
to indemnify
company.

137. As from the date of transfer the Corporation shall indemnify the Hightown Company against the statutory obligations of the Hightown Company relating to the supply of electricity and shall pay and discharge all debts liabilities and obligations incurred in carrying on the Hightown undertaking and shall indemnify the Hightown Company therefrom and shall be entitled to collect and receive for their own use all debts and moneys due to the Hightown Company or the Corporation in respect of the said undertaking apportioned as from such date.

138. All documents books and writings which if the transfer of the Hightown undertaking had not been made would have been receivable in evidence in respect of any matter for or against the Hightown Company shall after the transfer be admitted in evidence in respect of the same and the like matter for or against the Corporation.

A.D. 1927.
—
Books and documents to remain evidence.

139. The Hightown Gas and Electricity Act 1914 is hereby repealed except so far as may be necessary to enable the Hightown Company to wind up its affairs and except as regards section 67 (For protection of Liverpool Corporation) of the said Act which shall continue to apply as if the expression "the company" where used therein meant the Liverpool Gas Company.

Repeal of Hightown Company's Act.

140.—(1) Forthwith after the passing of this Act the Hightown Company shall subject to the provisions of this Part of this Act be wound up under and in accordance with the provisions of and in the same manner and with the same incidents as if the Hightown Company were a company registered under the Companies Acts 1908 to 1917 and had at the date of the passing of this Act duly passed a special resolution requiring the Hightown Company to be wound up voluntarily and for the purpose of such winding up the Hightown Company shall from and after the passing of this Act be deemed to be registered in England under the said Acts and for the purpose of calling and holding meetings and passing resolutions and other matters incident to such winding up resolutions of meetings of the Hightown Company convened and held in pursuance of and in accordance with the provisions contained in the Hightown Gas and Electricity Act 1914 may and shall take effect as resolutions of a company duly registered.

Winding up of Hightown Company.

(2) Upon the completion of the winding up of the Hightown Company their minute books share registers and transfer books shall be handed over to the Corporation and pending such winding up shall at all times be open to the inspection of the Corporation.

141. The Hightown Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if

Copy of Act to be registered.

A.D. 1927. such copy is not so delivered within three months from the passing of this Act the Hightown Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Hightown Company who knowingly and wilfully authorises such default shall incur a like penalty. Every penalty under this section shall be recoverable summarily.

There shall be paid to the registrar by the Hightown Company on such copy being registered the like fee as is for the time being payable under the Companies (Consolidation) Act 1908 on registration of any document other than a memorandum of association or the abstract required to be filed with the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding up in England.

Further powers as to entry upon premises.

142. Where any person occupying any premises which the Corporation are entitled to enter in pursuance of section 24 of the Electric Lighting Act 1882 shall prevent an officer appointed by the Corporation from entering the same in pursuance of the said section the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to them and if he cannot be ascertained by them after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

Supply to premises partly outside electricity limits.

143. The Corporation may by agreement supply electrical energy to any house or building which or the curtilage of which is partly within and partly outside the electricity limits in the same manner as if such premises were wholly within such limits.

As to use of transformers.

144. Where a separate transformer is provided at the expense of the Corporation for the purpose of affording a supply of electrical energy to any consumer the Corporation may use such transformer for the purpose of affording a supply of electrical energy to other consumers so long as such use does not prejudice or interfere with the supply for which such transformer was originally provided.

PART VII.

A.D. 1927.

BATHS.

145. The Corporation may at or in connection with any swimming bath provided by them whether being used as a bath or for any other lawful purpose supply refreshments and provide and maintain refreshment rooms and either manage the same themselves or if they think fit let them to any person for a term not exceeding three years.

Power to supply refreshments at baths.

146.—(1) The Corporation may erect construct provide maintain furnish equip regulate and manage sea water or fresh water Turkish Russian medicated and other baths including baths the efficient properties of which are due to agencies other than water and they may demand and take such reasonable charges for the use thereof as they may think fit.

Sea water medicated and other baths.

(2) The provisions of the Baths and Washhouses Acts 1846 to 1899 relating to charges shall not apply to the charges to be made by the Corporation to persons using the baths provided under this section.

147. The Corporation may in connection with any public baths or washhouses hereafter erected by them provide equip and maintain buildings for use as offices or other purposes and may let such buildings upon such terms and conditions as they may think fit The provision and equipment of buildings in pursuance of this section shall be deemed to be a purpose of the Baths and Washhouses Acts 1846 to 1899 for the execution of which the Corporation may borrow moneys with the sanction of the Minister.

Power to erect offices in connection with baths.

148. Any moneys received by the Corporation under the provisions of this Part of this Act or Part X (Baths and washhouses) of the Act of 1921 shall be carried to the credit of the city fund and the expenses incurred by them in the exercise of the powers contained therein shall be paid out of that fund.

Receipts and expenses.

PART VIII.

STREETS.

149.—(1) The Corporation during and for the purpose of the execution by them of any work which

Temporary stoppage of streets.

A.D. 1927. — they may lawfully execute in any street may temporarily stop up divert and interfere with any street (other than a street on the estate of the Mersey Docks and Harbour Board) and may for any reasonable time by the erection of barriers or posts or otherwise prevent all persons other than those bonâ fide going to or from any house or building in the street from passing along and using the same and the Corporation shall provide reasonable access for foot passengers bonâ fide going to or from any such house or building Provided that the Corporation shall at all times during the execution of any such work maintain a reasonably sufficient access both for vehicular and pedestrian traffic to or from any railway station or depôt.

(2) Any person who shall take down alter or remove any such barrier or post or extinguish or remove any light used in connection therewith shall be liable to a penalty not exceeding five pounds.

Power to Corporation to construct crossings over foot-ways.

150. The Corporation may on giving notice of their approval of any plan submitted under section 18 of the Public Health Acts Amendment Act 1907 intimate that they themselves desire to execute the necessary works in which case the works shall be executed by the Corporation who may recover summarily as a civil debt the cost of so doing from the person desiring the provision of the new means of access.

Applica- tion of Acquisition of Land (Assessment of Compen- sation) Act 1919 to certain provisions of Act of 1921.

151. In the application of the following sections of the Act of 1921 to cases in which the amount of any purchase money or compensation in respect of land as defined by the Acquisition of Land (Assessment of Compensation) Act 1919 is required to be settled by arbitration the Act of 1921 shall be read and have effect as if the words "the Lands Clauses Acts and " the Acquisition of Land (Assessment of Compensation) " Act 1919 " were inserted in lieu of the words " the Arbitration Act 1889 " in—

- (i) Subsection (4) of section 298 (Width of new streets);
- (ii) Subsection (6) of section 303 (Building line in new streets to be shown on plan);

(iii) Subsection (9) of section 305 (Corporation may fix a line of frontage in existing streets); and A.D. 1927.

(iv) Subsection (1) of section 308 (As to adjustment of boundaries on exchange of lands) of that Act;

and as if the words "and the Acquisition of Land (Assessment of Compensation) Act 1919" were inserted after the words "the Lands Clauses Acts" in—

(i) Section 301 (As to direction or position of new streets); and

(ii) Section 304 (Corporation may prescribe line of building) of that Act.

152. Any person who puts up or causes to be put up any such hoarding or fence as is referred to in section 320 (Regulation of hoardings) of the Act of 1921 without receiving permission so to do from the city engineer or who fails to remove any such hoarding or fence within the period limited for the purpose by the city engineer shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings. Penalty for contraventions of section 320 of Act of 1921.

PART IX.

FIRE PREVENTION.

153. The fire prevention committee of the Corporation may subject to such terms and conditions as they may impose relax the provisions of paragraph (2) of section 347 (Dangerous trades &c.) of the Act of 1921. As to certain dangerous trades.

154. Section 350 (Storage of inflammable merchandise) of the Act of 1921 shall be amended by the addition of the following paragraph after paragraph (e) in subsection (3) of that section :— Storage of matches and metal polish.

“(f) to a reasonable quantity of matches and metal polish in the premises of a wholesale dealer therein for the purpose of distribution to retail dealers therein;”

and by the insertion of “and (f)” after (c) in the proviso to that subsection.

A.D. 1927.

Storage of
saltpetre
nitrate of
soda and
chlorates.

155. The Act of 1921 shall have effect as though the following section were substituted for section 351 (Storage of saltpetre nitrate of soda and chlorates) thereof (namely) :—

“ 351.—(1) It shall not be lawful for any quantity of saltpetre nitrate of soda or of chlorates exceeding together half a ton to be received into any premises other than—

“ (a) a room cellar or vault complying in all respects with the provisions of this Part of this Act regulating the construction of fireproof warehouses and into which room cellar or vault no goods or merchandise other than such saltpetre nitrate of soda or chlorates shall be received; or

“ (b) an ordinary warehouse detached from any other building and into which warehouse no goods or merchandise other than such saltpetre nitrate of soda or chlorates shall be received; or

“ (c) other premises approved by the Committee.

“ (2) Any person offending against the provisions of this section shall be liable to a penalty not exceeding fifty pounds and to a daily penalty not exceeding ten pounds.

“ (3) This section shall not apply to any saltpetre nitrate of soda or chlorates in a manufactory or any place or yard immediately adjoining thereto and in the same occupation if such materials are bonâ fide received and held therein for the purpose of manufacture in such manufactory place or yard or having been manufactured therein are held therein for sale or for delivery after sale thereof.”

PART X.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

Prohibition
of infected
person
carrying on
business.

156.—(1) If a person who is suffering from an infectious disease or who is living in a house in which there is a case of infectious disease knowingly engages in the cooking preparation or handling of food intended

for consumption by persons other than himself or members of his household in such a manner as to be likely to spread the infectious disease he shall be liable to a penalty not exceeding forty shillings. A.D. 1927.

(2) In this section the expression "infectious disease" means any infectious disease which is from time to time notifiable within the city under the Infectious Disease (Notification) Act 1889 or under any regulations made by the Minister under section 130 of the Public Health Act 1875 and in addition paratyphoid fever and infective enteritis.

157. Section 467 (Regulation dustbins) of the Act of 1921 is hereby repealed and the Corporation may by notice in writing require the owner or occupier of any dwelling-house warehouse or shop to provide and maintain in proper order and condition galvanised iron dustbins in lieu of ash-pits or ash-tubs or other portable receptacles for refuse and such bins shall be of such size and construction as may be approved by the Corporation and any owner or occupier who fails within fourteen days after notice given to him to comply with the requirements of the Corporation shall for every such offence be subject to a penalty not exceeding twenty shillings and to a daily penalty not exceeding five shillings Provided that in any case where the Corporation under this section require a galvanised iron dustbin to be provided in lieu of any ash-pit or ash-tub or other portable receptacle for refuse in use on the fourth day of August one thousand nine hundred and five which at the time such requirement is made is of suitable size and construction and in good order and condition the Corporation shall pay the cost of providing such galvanised iron dustbin. Regulation dustbins.

PART XI.

POLICE.

158. Sections 10 11 12 and 15 of the Town Police Clauses Act 1847 incorporated with the Act of 1921 by section 6 (Incorporation of Acts) of that Act shall apply and have effect as if the constables of the police force of the city were appointed under the said Act of 1847. Application of certain sections of Town Police Clauses Act 1847.

A.D. 1927.

—
Extension
of section
484 of Act
of 1921.

159. As from the first day of November one thousand nine hundred and twenty-seven the words “or to any farmer or other person driving his own cattle or a servant in the regular employment of such farmer or other person driving such cattle as aforesaid” in subsection (7) of section 484 (Licensing of cattle drovers) of the Act of 1921 shall be repealed and the provisions of the said section shall apply to any such farmer person or servant.

Regulations
for con-
trolling
traffic.

160.—(1) The Corporation may from time to time make regulations prescribing—

- (a) the streets which are not to be used for traffic by vehicles of any specified class or description either generally or during specified hours;
- (b) the streets in which vehicular traffic shall pass in one specified direction only either generally or during specified hours;
- (c) the places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers:

Provided that—

- (i) any regulation made under paragraph (a) of this subsection shall not apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises whilst so engaged nor outside the central area to any omnibus licensed by the Corporation to ply for hire;
- (ii) any regulation made under paragraph (b) of this subsection shall apply only within the central area and in streets outside that area the carriageway of which is permanently divided longitudinally;
- (iii) any regulation made under paragraph (c) of this subsection shall apply only within the central area:

Provided also that any regulations made under this subsection shall not apply to any part of the estate of the Mersey Docks and Harbour Board without the consent of that board.

(2) Before any regulations made under this section shall come into force the Corporation shall submit.

A.D. 1927.
—

the same to the Minister of Transport for his approval and shall give notice of the subject-matters of the regulations by advertisement in a local newspaper circulating in the city and in the London Gazette and in such other manner (if any) as the said Minister may direct. The said notice shall name a place where copies of the regulations can be obtained free of charge and shall state a date (not being less than twenty-one days from the date of the notice) by which and the manner in which any person aggrieved by the regulations may make representations thereon to the said Minister and that any such person shall at the same time send a copy of his representations to the town clerk.

(3) The Minister of Transport shall consider any regulations submitted to him by the Corporation and any representations thereon which may be duly made and may approve the regulations with or without modifications or may disapprove the same.

(4) Before approving any regulations the Minister of Transport may and if any representation is duly made and is not withdrawn shall (unless the representation appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the Corporation shall pay to the said Minister any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the said Minister for the services of such person.

(5) The Corporation shall give at least fourteen days' notice of the intention to hold such local inquiry with particulars of any proposed regulations by advertisement in a local newspaper circulating in the city and shall also give similar notice in writing to each person who has duly made any representation and has not withdrawn the same.

(6) The regulations shall take effect as approved by the Minister of Transport and shall come into force on a date to be fixed by him.

(7) The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in a local newspaper circulating in the city and

A.D. 1927. otherwise in such manner as may be prescribed by the Minister of Transport and shall also during the continuance of any regulation approved under paragraph (b) of subsection (1) of this section cause to be erected and maintained in suitable positions a warning notice in a form approved by the Minister indicating the effect of the regulation and the street to which it relates.

(8) A copy of any regulations approved under this section purporting to be signed by the town clerk and certified by him to be a true copy and to have been duly approved shall be evidence (until the contrary is proved) in all legal proceedings of the due making approval and existence of such regulations without further or other proof.

(9) As respects any regulation made and approved under this section (subject to any modification or extension made by the Minister of Transport as aforesaid) any person who—

(a) shall contravene any regulation under paragraph (a) of subsection (1) of this section after warning given by word or signal by a police constable in uniform; or

(b) shall drive or cause to be driven any vehicle in any street in relation to which a regulation shall be in force under paragraph (b) of subsection (1) and a warning notice shall have been erected pursuant to subsection (7) of this section in contravention of such regulation; or

(c) shall contravene any regulation under paragraph (c) of subsection (1) of this section;

shall be liable to a penalty not exceeding forty shillings.

(10) Any company body or person running omnibuses in the city may at any time apply to the Minister of Transport to modify any regulation made under this section on the ground that such regulation as in force for the time being has been found to be or has become unsuitable for the traffic requirements of the city or has been unfairly enforced and upon any such application the said Minister after considering any representations made to him by the Corporation may modify the regulation to which the application relates.

(11) In this section—

A.D. 1927.

(a) “the central area” means the portion of the city comprised within a circle having a radius of one and a half miles from St. George’s Hall; and

(b) “specified” means specified in any regulations made or approved under this section.

161.—(1) The Corporation may from time to time make regulations prescribing—

Regulations as to stands or stopping places for omnibuses.

(a) the stands to be occupied exclusively by omnibuses of any specified class or description or used on any specified route or running according to a published time-table such stands to be fixed with due regard to the centres of collection and distribution of omnibus and other traffic; and

(b) the time during which any omnibus shall be allowed to remain at any one stand;

and any omnibus standing upon any such stand in accordance with regulations made under this section shall be deemed to be within the exception in the ninth paragraph of section 28 of the Town Police Clauses Act 1847:

Provided that any regulations made under this subsection shall not apply to any part of the estate of the Mersey Docks and Harbour Board without the consent of that board.

(2) Upon the coming into force of the regulations first made under this section the sixth paragraph of section 6 of the Town Police Clauses Act 1889 shall cease to extend to the city and any byelaws made by the Corporation under that paragraph shall be repealed.

(3) Where the Corporation propose to make regulations under this section they shall cause notice of their proposal and a statement of the effect of the proposed regulations to be published in at least one newspaper circulating within the city and shall serve a copy of the notice upon the proprietor of every omnibus licensed to ply for hire within the city.

A.D. 1927.

(4) Every such notice shall indicate the date (which shall not be less than twenty-eight days) within which any objection to the regulations shall be sent in writing to the Corporation and shall contain a notification of the place at which copies of the proposed regulations may be obtained free of charge.

(5) The Corporation shall consider and determine any objection to the proposed regulations which is sent to them in writing within the time fixed in that behalf and shall send notice of their decision to the objector who if he is dissatisfied with their decision may within fourteen days after the receipt of the notice appeal to the Minister of Transport.

(6) A notification of the right of appeal under this section shall be included in any notice sent by the Corporation of their decision on an objection to the regulations and upon any appeal being made to the Minister of Transport notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the Corporation.

(7) The Minister of Transport shall consider any appeal duly made to him and may make such order in the matter as he thinks fit and his decision shall be final.

(8) Before making any order under this section the Minister of Transport may and if an appeal duly made is not withdrawn shall (unless the appeal appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the provisions in subsections (4) and (5) of the section of this Act the marginal note whereof is "Regulations for controlling traffic" as to expenses and notices of local inquiries shall extend to any local inquiry so directed by the said Minister.

(9) Where an objection has been made to regulations proposed by the Corporation under this section the regulations shall not be sealed by the Corporation until after the expiration of the time within which an appeal may be made by the objector to the Minister of Transport or if an appeal to the said Minister has been made by the objector until after the determination or withdrawal of the appeal.

(10) Any company body or person running omnibuses in the city may at any time apply to the Minister of Transport to modify any regulation made under this section on the ground that such regulation as in force for the time being has been found to be or has become unsuitable for the traffic requirements of the city or has been unfairly enforced and upon any such application the said Minister after considering any representations made to him by the Corporation may modify the regulation to which the application relates. A.D. 1927.

162. The provisions of the Town Police Clauses Act 1847 shall extend to empower the Corporation to make byelaws for declaring that to the extent determined by such byelaws those provisions and the byelaws of the Corporation in force with respect to hackney carriages except so much of such byelaws as relates to the fixing of fares shall apply to every horse-drawn or motor vehicle standing or plying for hire notwithstanding that such vehicle stands or plies for hire on private premises only. Provided that this section shall not apply to any such vehicle which is kept and used ordinarily for the purpose of being let on hire by the hour or the day or for longer periods of hire or for journeys under special contract or to an omnibus as defined in the Town Police Clauses Act 1889. Provisions as to certain vehicles let for hire.

163. The Corporation may in their discretion refuse to grant a licence to ply for hire with a hackney carriage or omnibus if the applicant fails to satisfy them that he effects and keeps on foot an insurance with a responsible insurance company against or makes adequate financial provision for meeting any liability that may be incurred by him in respect of any injury or damage occasioned by such hackney carriage or omnibus to any person or property but in the event of any licence to ply for hire with an omnibus being refused under this section the applicant shall be entitled to appeal to the Minister of Transport under the provisions of subsection (3) of section 14 of the Roads Act 1920 and the provisions of that subsection shall apply accordingly. Insurance by hackney carriage proprietors.

164.—(1) Section 508 (Gaming and betting) of the Act of 1921 is hereby repealed. Gaming and betting.

(2) Section 3 of the Gaming Act 1845 in its application to the city shall be read and have effect as if the

A.D. 1927. — words “ and to seize all tables and instruments of gaming
“ found in such house or premises and also to seize all
“ moneys and securities for money found therein ” were
added after the words “ been personally present.”

(3) Sections 6 and 7 of the Gaming Act 1845 shall apply to the city with the substitution of the words “ city police force ” for “ metropolitan police force ” “ chief constable ” for “ Commissioners of Police of the metropolis ” and “ city ” for “ metropolitan police district.”

(4) Section 3 of the Betting Act 1853 in its application to the city shall be read and have effect as if the words “ and any person found in such house office room “ or place without lawful excuse shall be liable to a “ penalty not exceeding five pounds ” were added at the end of such section.

(5) Section 11 of the Betting Act 1853 in its application to the city shall be read and have effect as if the words “ and also to seize all moneys and securities for money found therein ” were inserted in the said section after the words “ in such house or premises.”

(6) Section 12 of the Betting Act 1853 shall apply to the city with the substitution of the words “ city police ” for “ metropolitan police force ” “ chief constable ” for “ Commissioners of Police of the metropolis ” and “ city ” for “ metropolitan police district ” and the said section in its application to the city shall be read and have effect as if the words “ and also to seize all moneys or securities for money found therein ” were added at the end of such section.

(7) Section 4 of the Gaming Houses Act 1854 in its application to the city shall be read and have effect as if the words “ and any person found in such house “ room or place without lawful excuse shall be liable to “ a penalty not exceeding five pounds ” were added at the end of such section.

(8) Upon the conviction of any person under the provisions of the Betting Act 1853 or the Gaming Houses Act 1854 any moneys or securities for money which shall have been seized under the powers conferred by this section may at the discretion of the court be forfeited to the Corporation to be applied as part of the city fund.

PART XII.

A.D. 1927.

EMPLOYMENT AGENCIES.

165. In this Part of this Act the expression "employment agency" means any agency or registry in the city carried on or represented as being or intended to be carried on (whether for the purpose of gain or reward or not) for or in connection with the employment of persons in any capacity. Provided that the following shall not be deemed to be employment agencies within the meaning of this Act:—

Definition
of employ-
ment
agency.

- (a) any employment agency conducted by or under the direction and supervision of the Ministry of Labour under the Labour Exchanges Act 1909 or any other Act of Parliament; or
- (b) any juvenile employment bureau conducted by the local education authority under the Education Act 1921; or
- (c) any employment agency which is carried on exclusively for the purpose of obtaining employment for (i) persons formerly members of His Majesty's naval military or air forces or (ii) persons released from a prison or Borstal institution or from a reformatory or industrial school and which is certified at the date when this Part of this Act shall come into force and from time to time thereafter by the Admiralty or the Army Council or the Air Council or the Secretary of State (as the case may be) to be properly conducted; or
- (d) any employment agency conducted by a central body or distress committee under the Unemployed Workmen Act 1905; or
- (e) any duly constituted religious or charitable society or body operating throughout Great Britain to the main objects of which the provision of situations or employment is merely subsidiary. Any question whether a society or body is a society or body within the meaning of this paragraph shall be determined by the Charity Commissioners.

A.D. 1927.

Date of
commence-
ment of
Part XII.

166. This Part of this Act shall come into force on the first day of January one thousand nine hundred and twenty-eight or such later date as the Corporation may by resolution passed within three months after the passing of this Act prescribe. The date on which this Part of this Act shall so come into force is in this Part of this Act referred to as "the prescribed date."

Employ-
ment
agencies to
be licensed.

167. From and after the prescribed date no person shall carry on an employment agency without a licence from the Corporation authorising him so to do.

Applica-
tions for
licences.

168.—(1) A person requiring a licence or the renewal of a licence under this Part of this Act shall make application in writing to the Corporation and shall in the application state—

- (a) his full name;
- (b) his age and nationality;
- (c) his private address or if the application is made by or on behalf of a company society association or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required the names and private addresses of the persons directly or indirectly responsible for the management of such company society association or body;
- (d) the name under which and the address at which the employment agency is carried on or proposed to be carried on;
- (e) the nature of the employment agency;
- (f) whether and if so to what extent he is interested in any other employment agency; and
- (g) such further information (if any) as the Corporation may reasonably require with respect to the person or premises to be licensed.

(2) Every application for a licence to carry on an employment agency in existence at the passing of this Act shall be made within one month after the date or (if more than one) the latest date of publication of the advertisements giving public notice of the effect of this Part of this Act under the section of this Act of which the marginal note is "Notice of Part XII."

(3) Subject to the foregoing provisions of this section the Corporation may make such regulations as they think fit as to the manner in which and the dates at which applications for a licence or the renewal of a licence under this Part of this Act shall be made. A.D. 1927.

169.—(1) The Corporation shall as soon as reasonably practicable after the receipt of an application under this Part of this Act (and not later in the case of an application under subsection (2) of the last preceding section of this Act than the prescribed date) grant or renew a licence to the applicant to carry on an employment agency of the description and in the name and at the address specified in the application. Provided that the Corporation may refuse to grant or renew a licence or may revoke a licence granted—

Corporation
to grant
licences.

- (i) to any person under the age of twenty-one years; or
- (ii) to any person who may be an unsuitable person to hold such licence; or
- (iii) in respect of any premises which are unsuitable for the purposes of an employment agency; or
- (iv) in respect of any employment agency which has been or is being improperly conducted.

(2) The Corporation shall not refuse to renew nor shall they revoke any such licence unless they shall have given to the person applying for such renewal or holding the licence proposed to be revoked not less than seven days' previous notice in writing that objections have been or will be taken to such renewal or that a revocation is proposed and unless on written application made within three days after the receipt of such notice they shall have afforded to the applicant an opportunity of being heard against such refusal or revocation.

(3) Any person making application under the last preceding section of this Act shall when making the same pay to the Corporation in respect of the grant or renewal of a licence as aforesaid such fee as the Corporation may fix not exceeding—

| | £ | s. | d. |
|--|---|----|----|
| (a) in respect of the grant of a licence | 2 | 2 | 0 |
| (b) in respect of the renewal of a licence | 1 | 1 | 0 |

and the fees paid on any application for the grant or renewal of a licence may be retained by the Corporation whether such licence is or is not granted or renewed.

A.D. 1927.

(4) Every such licence shall (unless revoked) be valid for a period of one year except that a licence granted or renewed otherwise than at any annual meeting fixed by the Corporation for the purpose of considering applications under this Part of this Act shall only be valid until the thirty-first day of December next after the date of such grant or renewal.

(5) If the Corporation refuse to grant or renew a licence or revoke a licence under this Part of this Act they shall if required by the applicant or holder (as the case may be) send or deliver to him within seven days of the receipt of such requirement particulars in writing of the ground or grounds for such refusal or revocation.

(6) Any person aggrieved by such refusal or revocation may appeal to a court of summary jurisdiction Provided that the appeal is made within fourteen days from the date of such refusal or revocation and that notice in writing of the appeal is sent to the Corporation within twenty-four hours after the entry of the appeal.

(7) On any such appeal the court may after considering any representations made by the Corporation either confirm the refusal or revocation or allow the appeal and may direct the Corporation to grant or renew a licence and the Corporation shall comply with any such direction.

(8) The costs of any appeal under this section shall be paid in such manner and by such parties to the appeal as the court may direct.

Byelaws as
to employ-
ment
agencies.

170.—(1) The Corporation may make byelaws requiring any person holding a licence under this Part of this Act to keep (at his option) either books cards or forms showing the business conducted by him so far as it relates to his employment agency and prescribing entries to be made in connection with such business in such books or on such cards or forms (as the case may be) and for the prevention of fraud and immorality in the conduct of employment agencies and for regulating any premises used for the purposes of or in connection with such agencies.

(2) Every person holding a licence under this Part of this Act shall keep exhibited in a suitable place (to be approved by the Corporation) in the

premises to which the licence relates a copy of the byelaws made by the Corporation under this section. A.D. 1927.

171. Any officer of or other person duly authorised by the Corporation in that behalf may (i) enter the premises specified in any licence or application under this Part of this Act or any premises which are used or which such person has reasonable cause to believe are used for the purposes of or in connection with an employment agency and (ii) inspect such premises and the books cards or forms kept in connection with the employment agency carried on at those premises. Powers of entry and inspection by Corporation.

172.—(1) Every person who after the prescribed date— Penalties.

- (i) carries on within the city an employment agency without a licence under this Part of this Act or otherwise than in accordance with the terms and conditions of such a licence or obtains a licence or the renewal of a licence by wilful misrepresentation or by wilfully omitting to give any particulars which are required by this Part of this Act to be given; or
- (ii) refuses to permit any officer or person duly authorised by the Corporation to enter or inspect any such premises as are referred to in the section of this Act of which the marginal note is "Powers of entry and inspection by Corporation" or the books cards or forms kept in connection with the employment agency carried on therein or obstructs any such officer or person in the execution of this Part of this Act; or
- (iii) acts in contravention of any byelaw made under this Part of this Act or of any of the provisions of this Part of this Act for the contravention of which no penalty is by this section specifically provided;

shall (subject to the provisions of subsection (3) of this section) be liable in respect of an offence under paragraph (i) of this section to a penalty not exceeding fifty pounds and to a daily penalty not exceeding twenty pounds and in respect of an offence under paragraph (ii) or paragraph (iii) of this section to a

A.D. 1927. — penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and in respect of any conviction for an offence under this Part of this Act the court may (in lieu of or in addition to imposing a penalty) make an order revoking the licence (if any).

(2) Any person aggrieved by any order under this section may appeal therefrom to the next practicable court of quarter sessions.

(3) No person who shall have appealed to a court of summary jurisdiction or the court of quarter sessions in accordance with the provisions of this Part of this Act against a refusal by the Corporation to grant a licence to any person making application under subsection (2) of the section of this Act of which the marginal note is "Applications for licences" or to renew a licence or against any revocation under this section of a licence shall be liable to any proceedings under this section for the offence of carrying on an employment agency without a licence under this Part of this Act until such appeal shall have been heard and determined or shall have been abandoned.

Directors of companies to be liable for penalties under Part XII.

173. Where any company registered under the Companies Acts 1862 to 1907 or under the Companies Acts 1908 to 1917 or any Act amending those Acts commits any offence for which a penalty is provided by this Part of this Act proceedings may be taken in respect of such offence against all or any of the directors and managers of such company as well as or instead of against the company and each such director and manager shall be liable on conviction to the like penalty as if he or they were the person or persons committing the offence unless he proves to the satisfaction of the court—

(1) that the act which constituted the offence took place without his knowledge consent or connivance; and

(2) that he was not guilty of any negligence in regard to securing the proper execution of this Part of this Act.

Repeal of section 500 of Act of 1921 &c.

174. As from the prescribed date section 500 (Registration of theatrical agencies) of the Act of 1921 shall be repealed and section 85 of the Public Health Acts Amendment Act 1907 shall cease to be in force in the city.

175. The Corporation shall prior to the prescribed date cause public notice to be given in two or more newspapers circulating in the city of the effect of this Part of this Act and of the date when it will come into force.

A.D. 1927.

—
Notice of
Part XII.

PART XIII.

SUPERANNUATION.

176. Notwithstanding anything to the contrary contained in any Act or any rules of any superannuation fund as from the thirty-first day of March one thousand nine hundred and twenty-eight—

Merger of
superannua-
tion funds.

- (a) all moneys standing to the credit of the superannuation fund referred to in the Liverpool Corporation Act 1893 (in this section referred to as "the 1893 fund") shall be transferred to the superannuation fund provided for by Part XXXI. (Superannuation) of the Act of 1921 (in this section referred to as "the 1921 fund");
- (b) all contributions and other payments which but for this section would have been payable into the 1893 fund shall be paid into the 1921 fund; and
- (c) all superannuation allowances and other payments which but for this section would have been payable out of the 1893 fund shall be paid out of the 1921 fund.

177.—(1) Where any sum or sums of money not exceeding in the aggregate one hundred pounds shall be due from the Corporation to any employee or superannuitant of the Corporation at the time of the decease of such employee or superannuitant the Corporation may if they think fit without requiring probate of the will or letters of administration of the estate of such employee or superannuitant in their discretion pay or distribute the sum or sums of money so due as aforesaid or any part thereof to or among any of the persons hereinafter described or indicated (that is to say):—

Power to
pay moneys
to certain
persons
without
grant of
probate &c.

- (a) the persons named in the will of the employee or superannuitant as executors;

A.D. 1927.

- (b) the widow of the employee or superannuitant;
- (c) the persons entitled to the effects of the employee or superannuitant according to the Administration of Estates Act 1925 and any Act amending the same;
- (d) any person who has paid the funeral expenses of the employee or superannuitant;
- (e) any person undertaking to maintain the child or children of the employee or superannuitant;
- (f) any creditor of the employee or superannuitant.

(2) The receipt of any of the persons mentioned in subsection (1) of this section shall be a good discharge to the Corporation for the sum paid and any such receipt may be signed by a widow or next-of-kin above the age of sixteen years notwithstanding that she or he has not attained the age of twenty-one years.

As to
estate duty
payable on
moneys so
paid.

178.—(1) If the total estate of any deceased employee or superannuitant of the Corporation after deduction of debts and funeral expenses exceeds one hundred pounds any moneys which may under the provisions of the section of this Act of which the marginal note is "Power to pay moneys to certain persons without grant of probate &c." be paid or distributed by the Corporation to or among any person or persons other than the legal personal representative of such deceased employee or superannuitant shall notwithstanding such payment or distribution be for the purposes of estate duty treated as passing under the will or intestacy of the deceased employee or superannuitant.

(2) The Corporation before paying or distributing any moneys due to any deceased employee or superannuitant to or among any person or persons other than the legal personal representative of such deceased employee or superannuitant shall require—

- (a) where the total estate of the deceased employee or superannuitant including the amount of such moneys does not after deduction of debts and funeral expenses exceed the value of one hundred pounds a declaration to that effect by the claimant or one of the claimants or other the person or persons to or among

whom the Corporation see fit to pay or distribute such moneys; A.D. 1927.

- (b) where the total estate of the deceased employee or superannuitant including the amount of such moneys but after deduction of debts and funeral expenses exceeds one hundred pounds the production of a certificate from the Commissioners of Inland Revenue of the payment of the estate duty and of a duly stamped receipt for the legacy or succession duty payable in respect of such moneys or of a certificate stating that no legacy or succession duty is payable.

179. When any sum in respect of salary wages superannuation or other allowance or annuity is payable by the Corporation to any person being or having been an employee or superannuitant of the Corporation or to any widow or child of a deceased employee or superannuitant and the person to whom such sum is payable is certified by a justice or minister of religion and by a medical practitioner to be unable by reason of mental disability to manage his or her affairs the Corporation may pay the whole or so much as they may think fit of the said sum to the institution or person having the care of the disabled person and may pay the surplus (if any) or such part thereof as the Corporation may think fit for or towards the maintenance and benefit of the wife or husband and relatives of the disabled person. The Corporation shall be discharged from all liability in respect of any sums paid in accordance with the provisions of this section whether before or after the passing of this Act.

As to payments to persons mentally disabled.

PART XIV.

UNCLAIMED STOCK AND DIVIDENDS.

180. In this Part of this Act unless the context otherwise requires the following expressions have the meanings hereinafter assigned to them respectively (that is to say):—

Interpretation for Part XIV.

“Stock” means any stock heretofore created by the Corporation or which the Corporation may hereafter create and includes any share or interest therein;

A.D. 1927.

“The bank” means the persons or body corporate who keep the books for the transfer of stock;

“The books of the bank” means the books for the transfer of stock:

Provided that in the event of the Bank of England ceasing to be the bank the terms Governor and Deputy-Governor of the Bank of England shall be construed to mean respectively the manager and assistant-manager of the bank and the terms Accountant-General and Deputy Accountant-General of the Bank of England shall be construed to mean respectively the secretary and assistant secretary of the bank.

Transfer of unclaimed stock to Corporation.

181. All stock no dividend whereon is claimed for ten years or more (except where payment of dividend has been restrained by a court of justice) shall be transferred in the books of the bank to the Corporation to an account to be called “The Liverpool Corporation unclaimed stock account.”

List of names from which stock transferred.

182. Immediately after every such transfer the name in which the stock stood immediately before the transfer the residence and description of the parties the amount transferred and the date of transfer shall be entered in a list to be kept for the purpose by the bank. The bank shall during the six months next previous to such transfer give notice in writing to the stockholder at his registered address of the impending transfer to the Corporation.

Mode of transfer.

183. Every such transfer shall be made and signed by the Accountant-General or the Deputy Accountant-General of the Bank of England and shall be as effectual to all intents as if signed by the person in whose name the stock then stands.

Subsequent dividends on stock transferred to be invested &c.

184. Where stock is transferred under this Part of this Act all dividends accruing thereon after the transfer shall be paid to the Corporation and shall be from time to time carried to the loans fund of the Corporation and may be applied by the Corporation to any of the purposes to which capital moneys forming part of

the said fund are applicable. Provided always that the said fund shall thereafter be charged with the payment of the claims of the persons entitled to any of the moneys carried to the said fund under this section. A.D. 1927.

185.—(1) The Governor or the Deputy-Governor of the Bank of England may direct the Accountant-General or the Deputy Accountant-General of the Bank of England to re-transfer any stock transferred under this Part of this Act to any person showing his right thereto to the satisfaction of the Governor or the Deputy-Governor of the Bank of England and to pay the dividends due thereon as if the same had not been transferred or paid to the Corporation and all moneys so paid on account of such dividends shall forthwith after notice of the payment of the same be repaid by the Corporation to the bank. Re-transfer and payment to person showing title.

(2) If the Governor or the Deputy-Governor of the Bank of England is not satisfied of the right of any person claiming to be entitled to any such stock or dividends the claimant may apply in a summary way to a judge of the Chancery Division of the High Court in chambers for the determination of such right.

(3) The application shall be served on the Corporation and such other persons (if any) as the judge upon the hearing of the said application may direct and the judge shall make such order thereon as to him shall appear just and shall order how and by whom all or any of the costs of and incident to the application shall be borne and paid. Provided that in any case to which the section of this Act of which the marginal note is "Notice before re-transfer or payment" applies no transfer or payment shall be made under any such order until the provisions of that section shall have been complied with.

(4) All costs and expenses incurred by or on behalf of the Corporation of and incident to such application if not ordered by the judge to be paid out of the stock and dividends the subject thereof shall be paid by the Corporation out of the loans fund of the Corporation.

(5) Where any re-transfer or payment is made to any such claimant either with or without the authority of the court the bank shall give notice thereof to the Corporation within three days after making the same.

A.D. 1927.

—
Notice
before
re-transfer
or payment.

186. An amount of stock exceeding twenty pounds shall not be re-transferred from the Corporation under this Part of this Act nor shall dividends exceeding twenty pounds in the whole be paid to a claimant under this Part of this Act until public notice has been given thereof as hereinafter provided.

Advertise-
ments before
re-transfer
or payment.

187.—(1) The bank shall require the applicant to give such public notice as the bank think fit by advertisement in one or more newspapers circulating in Liverpool and elsewhere as the bank may direct.

(2) Every such notice shall state the name residence and description of the person in whose name the stock stood when transferred to the Corporation the amount thereof the name of the claimant and the time (not being less than two months from the date when such notice is first advertised) at which the re-transfer thereof and payment of dividends will be made if no other claimant sooner appears and substantiates his claim.

(3) Where any such re-transfer or repayment is to be made pursuant to an order of a judge of the Chancery Division of the High Court the notice shall also state the purport of the order.

Application
to court to
rescind
order.

188. At any time before the day stated in the said public notice for a re-transfer of stock or payment of dividend as aforesaid to a claimant any person may apply in a summary way to a judge of the Chancery Division of the High Court in Chambers to rescind or vary any direction or order made for re-transfer or payment thereof and in the event of any such application being made and of notice thereof being given to the bank prior to such re-transfer or repayment having been made no such transfer or payment shall be made prior to the determination of such application and then only in accordance with the order made thereon.

Bank not
responsible
to second
claimant.

189. Where any stock or dividends have been re-transferred or paid as aforesaid to a claimant by the bank neither the bank nor its officers nor the Corporation shall (save as in this Part of this Act provided) be responsible for the same to any other claimant (in this Part of this Act referred to as "a new claimant") but a new claimant may have recourse against the person to whom the re-transfer or payment was made.

190. If in any case a new claimant establishes his title against a former claimant to any stock or dividends re-transferred or paid to such claimant and is unable to obtain transfer or payment thereof or compensation in respect of such transfer or payment from such former claimant he may apply in a summary way to a judge of the Chancery Division of the High Court for an order against the Corporation to indemnify him against any loss or damages sustained by him by reason of the transfer or payment to such former claimant and the judge shall upon such application make such order as to him may seem just. Any sum directed to be paid by the Corporation by any order made under this section shall be paid out of the loans fund or from other money at the disposal of the Corporation.

A.D. 1927.

Order in favour of second claimant showing title.

191.—(1) Where any dividend accrued due on any amount of stock is not claimed for ten years or more the dividend so unclaimed and all dividends subsequently accrued due in respect of the same amount of stock and unclaimed shall be paid to the Corporation.

Payment of unclaimed dividends to Corporation.

(2) All such dividends shall be held and dealt with in like manner as nearly as may be as the dividends accruing on stock transferred to the Corporation under this Part of this Act after the transfer and this Part of this Act shall accordingly have effect in relation thereto and to the application thereof and claims to the same as if the foregoing provisions of this Part of this Act with respect to the dividends accruing on stock transferred to the Corporation under this Part of this Act applied thereto respectively.

192. All principal sums of money payable to any holder of stock redeemed by the Corporation which shall not be claimed for ten years after the day on which the same became due to such holder or for ten years after any dividend which accrued on such stock shall have been last claimed (except where payment of such principal sum or dividend shall have been restrained by a court of justice) shall together with all dividends due thereon be paid to the Corporation and the receipt of the treasurer for any such moneys shall be as effectual to all intents as if signed by the person in whose name the stock redeemed then stands and thereupon the stock so redeemed shall be cancelled and all dividends and interest in respect thereof shall be extinguished and all such moneys

Unclaimed redemption money.

A.D. 1927. when received by the Corporation shall be from time to time carried to the loans fund and may be applied by the Corporation to any of the purposes to which capital moneys forming part of the said fund are applicable Provided that the said fund shall thereafter be charged with the payment of the claims of the persons entitled to any of the moneys carried to the said fund under this section.

Investigation of circumstances of unclaimed stock and dividends.

193. The Corporation may from time to time empower the bank to investigate the circumstances of any stock or dividends remaining unclaimed with a view to ascertain the owners thereof.

Payment of expenses.

194.—(1) The Corporation may from time to time pay to the bank the expenses incurred by them in carrying out the provisions of this Part of this Act.

(2) Any expenses paid by the Corporation to the bank under this Part of this Act may be deducted rateably from the stock and dividends from time to time re-transferred or paid with reference to which the expenses have been incurred by the bank or the same may be paid by the Corporation out of unclaimed stock or dividends transferred to or received by them.

(3) Any costs or expenses incurred by the Corporation under this Part of this Act not hereinbefore provided for may be paid by the Corporation out of the loans fund or from other money at the disposal of the Corporation.

Indemnity to bank.

195. The bank and the Governor or the Deputy-Governor of the Bank of England are hereby indemnified in respect of every transfer or re-transfer of stock or payment of dividends or moneys under this Part of this Act and shall not be in any manner responsible to any person having or claiming any interest therein.

Repeal of sections 583 and 584 of Act of 1921.

196. Sections 583 (Unclaimed dividends) and 584 (Unclaimed stock) of the Act of 1921 are hereby repealed.

PART XV.

FINANCE.

Power to borrow and repayment of borrowed moneys.

197.—(1) The Corporation may in addition to any moneys which they are now authorised to borrow or which they may be authorised to borrow under the provisions of any public general Act borrow at interest for the

purposes set forth in the first column of the following table A.D. 1927.
any sums not exceeding the respective sums set forth
in the second column thereof and all moneys so borrowed
shall be chargeable on the revenues of the Corporation
and shall be repaid within the respective periods set forth
in the third column thereof and the Corporation may apply
any sum so borrowed for the said purposes respectively
(that is to say):—

| 1 | 2 | 3 |
|--|--------------------|--|
| Purpose. | Amount. | Period for Repayment. |
| (1) For paying the costs charges and expenses of this Act as hereinafter defined. | The sum requisite. | Five years from the passing of this Act. |
| (2) For paying any capital sum to the county council or to any other authority under or in pursuance of Part II (Extension of city) of this Act. | The sum requisite. | Forty-five years from the date or dates of borrowing. |
| (3) For paying any capital sum under the provisions of the section of this Act of which the marginal note is "Compensation to existing officers." | The sum requisite. | Twenty years from the date or dates of borrowing. |
| (4) For the purchase of lands for and for the construction of the tunnels and approaches by this Act authorised. | £ 807,200 | Eighty years from the date or dates of borrowing. |
| (5) For the purchase of other lands by this Act authorised to be acquired and for the construction of the works (other than the tunnels and approaches) authorised by Part III (Tunnels street works and lands) of this Act. | 385,500 | Sixty years from the date or dates of borrowing. |
| (6) For the construction and equipment of the tramways. | 198,700 | Twenty-five years from the date or dates of borrowing. |
| (7) For the purchase of the Rainhill undertaking. | 2,600 | Thirty-five years from the date or dates of borrowing. |
| (8) For the purchase of the Hightown undertaking. | 3,000 | Forty-five years from the date or dates of borrowing. |

(2) The Corporation may also with the sanction of the Minister of Transport borrow such further moneys as

A.D. 1927. — may be necessary for any purpose of the tramways undertaking including the provision of a fund for working capital.

(3) The Corporation may also with the sanction of the Electricity Commissioners borrow such moneys as may be necessary for any purpose of the electricity undertaking including the provision of a fund for working capital.

(4) The Corporation may also with the sanction of the Minister borrow such moneys as may be necessary—

(a) for any purpose of the waterworks undertaking including the provision of a fund for working capital; and

(b) for any other of the purposes of this Act.

(5) Any moneys borrowed under the powers of subsections (2) (3) and (4) of this section shall be repaid within such periods not exceeding sixty years as may be prescribed by the authority with whose sanction such moneys are borrowed and all moneys so borrowed shall be chargeable on the revenues of the Corporation.

Period for repayment of loans under Municipal Corporations Act 1882.

198. Notwithstanding anything contained in the Municipal Corporations Act 1882 any money borrowed or to be borrowed by the Corporation in pursuance of that Act shall be repaid within such period not exceeding sixty years as the Minister shall in each case prescribe.

As to section 234 of Public Health Act 1875.

199. In calculating under subsection (2) of section 234 of the Public Health Act 1875 the amount which the Corporation may borrow the amount of any sinking fund or redemption fund accumulated for the purpose of providing for the repayment of loans contracted by the Corporation under the Public Health Act 1875 and the sanitary Acts as defined by that Act shall be deducted from the total debt of the Corporation under those Acts.

Receipt in case of persons not sui juris.

200. If any moneys are payable to a mortgagee or stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation.

Use of moneys forming part of sinking and other funds.

201.—(1) Notwithstanding anything contained in this or any other Act the Corporation may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part but not for the time being required for the purposes of the loans fund or any

fund accumulated for the redemption of debt or as a reserve renewal contingency insurance guarantee or super-annuation fund (in this section referred to as "the lending fund") subject to the following conditions:— A.D. 1927.

- (a) The moneys so used shall be repaid to the lending fund within the period by the methods and out of the fund rate or revenue within by and out of which a loan raised under the statutory borrowing power would be repayable. Provided that the Corporation shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding as the case may be as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be made out of the fund rate or revenue aforesaid or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power;
- (b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and such interest shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power;
- (c) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

(2) Section 610 (Use and investment of moneys forming fund) of the Act of 1921 and section 84 (Use of moneys forming part of sinking and other funds) of the Mersey Tunnel Act 1925 are hereby repealed.

A.D. 1927.

—
Application of
section 79 of
Public Health
Act 1925.

Repeal and
amendment
of certain
provisions
relating to
accounts
and
revenues.

202. The powers of section 79 of the Public Health Act 1925 shall apply in relation to any sums set apart as a sinking fund or a redemption fund for the purpose of paying off moneys borrowed by the Corporation in the exercise of any statutory borrowing power.

203.—(1) As from the appointed day the following provisions of the Act of 1921 are hereby repealed viz. :—

- (a) So much of section 6 (Incorporation of Acts) as incorporates subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899;
- (b) Section 97 (Moneys in respect of water undertaking paid out of city fund to be repaid with interest);
- (c) Section 100 (Payment in respect of water for fire police);
- (d) Section 101 (Payment in respect of water for public baths); and
- (e) Section 171 (Accounts of tramways undertaking).

(2) As from the appointed day the following sections of the Act of 1921 shall be amended as follows :—

- (a) Section 95 (Rents for water) by inserting in subsection (1) thereof in lieu of the words “ water account ” the words “ waterworks undertaking ”;
- (b) Section 102 (Special provisions applicable to supply in Bootle) by inserting in subsection (2) thereof in lieu of the words “ water account ” the words “ city fund to be entered in the “ accounts under the heading or division in “ respect of the waterworks undertaking ”;
- (c) Section 103 (Special provisions applicable to supply in Chorley) by inserting—
 - (i) in subsection (8) thereof in lieu of the words “ a separate account ” the words “ an “ account under a separate sub-heading or “ sub-division ”;
 - (ii) in subsection (10) thereof in lieu of the words “ the Chorley water account ” the words “ all the revenues of the Corporation ”;

A.D. 1927.

(iii) in subsection (11) thereof in lieu of the words "accept the surplus revenue of the Chorley water account in payment" the words "treat any excess of revenue over expenditure in the Chorley water account as payment";

(d) Section 527 (Levy of water rate in same manner as city rate) by inserting therein in lieu of the words "water account" the words "city fund to be entered in the accounts under the heading or division in respect of the water-works undertaking";

(e) Section 540 (Borrowing powers of Corporation) by inserting in subsection (3) thereof in lieu of the words "primarily chargeable on the water account" the words "charged upon all the revenues of the Corporation."

204. Notwithstanding anything contained in any other Act as from the appointed day all money received by the Corporation on account of the revenue of the following undertakings (namely)—

Revenue and expenses of trading undertakings.

- (1) the tramways undertaking;
- (2) the waterworks undertaking;
- (3) the electricity undertaking; and
- (4) the markets undertaking;

shall be carried to and shall form part of the city fund and all payments made and expenses incurred in respect of those undertakings shall be paid out of that fund.

205.—(1) As from the appointed day the Corporation shall keep their accounts so as to distinguish capital from revenue and as regards the revenue accounts to show under a separate heading or division in respect of each of the following undertakings (that is to say) the tramways undertaking the waterworks undertaking (including an account under a separate sub-heading or sub-division relating to the Chorley waterworks undertaking as defined by the Act of 1921) the electricity undertaking and the markets undertaking (each of which is in this section separately referred to as "the undertaking") on the one side all receipts in respect of the undertaking including the interest on any reserve fund authorised in connection therewith when that fund amounts to the

Separate accounts in respect of trading undertakings.

A.D. 1927. prescribed maximum and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts expended in respect of each of the following purposes (that is to say) :—

- (a) The working and establishment expenses and cost of maintenance of the undertaking;
- (b) The interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;
- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;
- (d) All other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) The amount (if any) paid to a reserve fund which the Corporation are authorised to maintain.

(2) The Corporation shall show in their accounts relating to any undertaking or purpose all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking or purpose including an item of two thousand five hundred pounds per annum to be credited to the account under the heading or division of the waterworks undertaking in respect of the expense of maintaining the fire police of the city and of supplying water to public baths public fountains and otherwise for purposes beneficial to the inhabitants of the city.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as may be reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Reserve
funds for
trading
under-
takings.

206.—(1) As from the appointed day the Corporation may (if they think fit) provide a reserve fund in respect of the tramways undertaking the waterworks undertaking the electricity undertaking and the markets undertaking (each of which is in this section separately referred to as “the undertaking”) by setting aside such

an amount as they may from time to time think reasonable and investing the same and the resulting income thereof in statutory securities and accumulating the same until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation (not exceeding a sum equal in the case of the waterworks undertaking and the electricity undertaking respectively to one-tenth of the aggregate capital expended for the time being by the Corporation upon the undertaking) which fund shall be applicable to answer any deficiency at any time happening in the income of the Corporation from the undertaking or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for payment of the cost of renewing any part of the works forming part thereof or for any extension or improvement of the said works or otherwise for the benefit of the undertaking and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(2) The Corporation may resort to any such fund for the above purposes notwithstanding that the same may not at any time amount to the limit (if any) hereinbefore prescribed and may use any moneys for the time being standing to the credit of any such fund as working capital of the undertaking and in such event they shall credit such fund from revenue account under the heading of the undertaking with interest at the rate of three pounds ten shillings per centum per annum during the period of use on so much of the fund as shall be so utilised.

(3) Any reserve fund which has been formed for the purposes of the undertaking and which is in existence at the said date shall be deemed to have been formed under this section.

207. Whenever the separate heading or division of the accounts in relation to the waterworks undertaking shall show in any year that the revenue exceeds the amount expended or set aside in connection with that undertaking in respect of the several purposes mentioned in subsection (1) of the section of this Act of which the marginal note is "Separate accounts in respect of trading

Provision
for reduc-
tion of
water
charges in
certain
events.

A.D. 1927. — undertakings” then the charges of the Corporation for the supply of water to be made and charged in the next succeeding year shall be reduced in such manner as the Corporation think fit to an extent equivalent to the amount of such excess. Provided that if owing to an increase in the estimated expenditure or to a reduction in the estimated revenue for the said next succeeding year the amount of such excess or any part thereof will be required in order that the revenue may not be less than the amount to be expended or set aside the reduction in charges may be such only as will reduce the revenue by the amount of the balance of such excess.

As to reduction of electricity charges. **208.** Nothing in this Act shall be deemed to authorise the Corporation to apply or dispose of the surplus revenue of the electricity undertaking otherwise than in accordance with the provisions of section 43 of and the Fifth Schedule to the Electricity (Supply) Act 1926.

Fire insurance fund. **209.**—(1) The Corporation may if they think fit establish a fund (to be called the “fire insurance fund”) with a view to providing a sum of money which in the event of a fire shall be available for the purpose of reconstructing rebuilding repairing restoring replacing and making good loss or damage by or in consequence of fire to any buildings works and property belonging or on loan to or under the care custody or control of the Corporation.

(2) The establishment of a fire insurance fund under this section shall not prevent the Corporation from insuring any of such buildings works and property as aforesaid against loss or damage by fire in any public insurance office in England.

(3) In each year after the establishment of the fire insurance fund the Corporation shall pay into that fund either—

(a) such a sum as shall in their opinion be equal to the aggregate amount of the premiums which would be payable if the Corporation fully insured such buildings works and property as aforesaid against loss or damage by fire in some public insurance office in England; or

A.D. 1927.

(b) if the Corporation partly insure such buildings works and property against loss or damage by fire in a public insurance office as aforesaid such sum as will together with the premiums paid for the last-mentioned insurance be equal to the aggregate amount aforesaid.

(4) When the fire insurance fund shall amount to the sum of five hundred thousand pounds the Corporation may if they think fit discontinue the yearly payments to the fund but if the fund is at any time reduced below five hundred thousand pounds the Corporation shall re-commence and continue the yearly payments to that fund in accordance with subsection (3) of this section until the fund be restored to the sum of five hundred thousand pounds.

(5) The Corporation shall provide the yearly payments aforesaid by contributions from the rents and revenues of the lands buildings works property and undertakings or from the respective funds or rates which if the buildings works and property were insured in a public insurance office would be properly chargeable with the payment of the premiums of such insurance and if there be no rents or revenues specially chargeable then by contributions from the city fund and city rate.

(6) Except so far as the fire insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses by or in consequence of fire all moneys for the time being standing to the credit of the fire insurance fund shall be invested in statutory securities and the interest and annual proceeds arising from those securities shall be so invested and accumulated until the fund amounts to five hundred thousand pounds and when and so long as the fund amounts to that sum the interest and annual proceeds of the securities shall be carried to the credit of the funds and rates out of which any such yearly payments are or would be payable and in such proportions as the Corporation may deem just.

(7) If at any time and from time to time the fire insurance fund shall be insufficient to make good any loss or damage sustained by the Corporation by or in consequence of fire the Corporation may with the sanction of the Minister and on such security as the Minister may prescribe borrow at interest under and subject to

A.D. 1927. the provisions of this Act such sums of money as will be necessary to make up the deficiency.

(8) Any moneys standing to the credit of any existing fire insurance fund of the Corporation shall be transferred to and form part of the fire insurance fund.

Fidelity
guarantee
fund.

210. The Corporation may if they think fit form a fund (to be called the "fidelity guarantee fund") to provide for making good any loss which they may sustain in consequence of the dishonesty of any person employed or appointed by the Corporation or the failure of any such person to perform faithfully the duties of his office and such fund shall be formed by annually appropriating thereto such sums out of any of the revenues of the Corporation which are properly chargeable with such sums as they from time to time deem expedient and such fund and the interest thereon (except to the extent from time to time required to make good any such loss as aforesaid or to defray any expenditure in consequence thereof) shall be invested in statutory securities.

Audit of
accounts
of Corpora-
tion by
appointed
auditor.

211.—(1) The Corporation may from time to time appoint and pay one or more members of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors to act as auditor or auditors of the accounts of the Corporation in such manner as the Corporation direct in lieu of the auditors appointed under the Municipal Corporations Acts Any auditor or auditors appointed by the Corporation under the provisions of this section and for the time being holding office is or are in this section referred to as "the appointed auditor."

(2) If and while the Corporation exercise the powers of subsection (1) of this section section 25 of the Municipal Corporations Act 1882 shall not apply within the city.

(3) Every appointment of an auditor or auditors under this section shall be in writing under the seal of the Corporation and may be for such term and subject to such conditions as the Corporation may think fit.

(4) Subsection (1) of section 27 of the Municipal Corporations Act 1882 shall apply and have effect as if the appointed auditor had been referred to therein instead of the borough auditors and in addition the appointed auditor shall be entitled to require from any

officer of the Corporation all such papers books accounts vouchers sanctions for loans information and explanations as may be necessary for the performance of his duties. A.D. 1927.

(5) The appointed auditor shall include in or append to any certificate given by him with reference to the accounts of the Corporation such observations and recommendations (if any) as he may deem necessary or expedient with respect to the accounts and any matter arising thereout or in connection therewith.

212. The Corporation may pay out of the city fund as expenses incurred by them under the Municipal Corporations Act 1882 reasonable subscriptions whether annual or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation (not exceeding in any case four) at conferences or meetings of such associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings. Subscriptions to local government associations and other expenses.

213. All expenses incurred by the Corporation in carrying into execution the provisions of this Act with respect to which no other provision is made shall be defrayed out of the city fund and city rate. Expenses of execution of Act.

PART XVI.

MISCELLANEOUS.

214.—(1) The Corporation may appropriate any lands belonging to them for the purposes of a municipal golf course and shall be deemed to have appropriated under the powers of this section the lands now laid out and used for that purpose at Allerton and may hold and use for the purposes of golf courses and other recreational pastimes such other lands as may be necessary or expedient for that purpose and may upon any such lands form alter maintain or regulate manage and use golf courses and all proper and convenient houses pavilions works buildings and conveniences and may make such charges for the use thereof as they think fit and may let any such houses pavilions buildings and conveniences for such rent Power to establish golf courses &c.

A.D. 1927.

or rents as they may think fit. Provided that the public shall be entitled to use any such golf course on payment of such reasonable charges as the Corporation may prescribe. Provided also that nothing in this section shall authorise the Corporation to appropriate for any such purpose as aforesaid any lands for the time being held by them in their capacity of local education authority for the city except with the consent of the Board of Education.

(2) The Corporation shall apply all moneys from time to time received by them under and in pursuance of the exercise of the powers of this section other than moneys (if any) received on capital account as follows (that is to say):—

First In payment of working and establishment expenses and cost of maintenance under this section;

Secondly In payment of the interest on moneys borrowed by the Corporation for the purposes of this section;

Thirdly In providing the requisite instalments or sinking fund payments in respect of moneys so borrowed;

Fourthly In extending and improving such golf courses and other lands used in pursuance of this section;

and the Corporation shall carry to the credit of the city fund so much of any balance remaining in any year as may in the opinion of the Corporation not be required for the purposes of this section.

(3) Any deficiency in the revenue or receipts of the Corporation under this section shall be made good out of the city rate.

(4) The Corporation may make and enforce byelaws with respect to such golf courses and lands and for regulating the use thereof.

(5) The powers conferred by this section shall not be exercised in such a way as to contravene any covenant or condition subject to which any park or place of public resort or recreation or any portion thereof so set apart as aforesaid is held by the Corporation.

215. The Corporation may acquire hold and exercise such patent and other rights and licences (not being exclusive) as they deem necessary or expedient for or in connection with the purposes of any of their several undertakings powers or duties. A.D. 1927.
Power to hold patent rights.

216. Whereas by an indenture dated the third day of November one thousand nine hundred and twenty-four and made between Elizabeth Smith and William Ernest Atkin executors and trustees of the will of James Smith late of The Knowle Blundellsands of the one part and the Corporation of the other part certain funds were settled upon trust to invest the same and to apply the income thereof towards providing scholarships tenable at the school known as the Liverpool Institute in the first instance for two years and tenable for a further period of one year or two years with a view to the holders of such scholarships proceeding to the University of Liverpool And whereas in secondary schools conducted under the present rules of the Board of Education scholars entering from an elementary school are generally not above the age of twelve years and consequently a scholarship provided under the said indenture upon the admission of such a scholar ceases before the holder thereof is of an age suitable for entrance at the university Therefore notwithstanding anything contained in the said indenture any scholarship granted in pursuance of the trusts contained therein shall be tenable for such period as the governing body for the time being of the school known as the Liverpool Institute shall consider desirable for the purpose of assisting the owner thereof to qualify for and pursue a university career. Provision as to Margaret Bryce Smith scholarships.

217. The agreements made the twenty-eighth day of October one thousand nine hundred and twenty-five and the tenth day of December one thousand nine hundred and twenty-six respectively between India Buildings Limited of the first part Lloyds Bank Limited of the second part the Corporation of the third part and the Mersey Railway Company of the fourth part set forth in the Sixth Schedule to this Act are hereby confirmed and made binding on the parties thereto and the works which have been constructed in pursuance of the said first-mentioned agreement and the expenditure of money thereon by the Corporation are hereby sanctioned and confirmed. Confirmation of works and of agreement with Mersey Railway Company and others.

A.D. 1927:
Confirmation of agreement with Mersey Docks and Harbour Board.

218. Subject to the provisions of the sections of this Act of which the marginal notes are "Works below high-water mark not to be constructed without consent of Board of Trade and Minister of Transport" and "Crown rights" respectively the agreement made the tenth day of December one thousand nine hundred and twenty-six between the Mersey Docks and Harbour Board of the one part and the Corporation of the other part set forth in the Seventh Schedule to this Act is hereby confirmed and made binding on the parties thereto and may be carried into effect by them accordingly.

Works below high-water mark not to be constructed without consent of Board of Trade and Minister of Transport.

219. The Corporation shall not under or in pursuance of the powers of this Act construct on over or under the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides any work without the previous consent of the Board of Trade and of the Minister of Transport to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and by the Minister of Transport under the hand of the acting conservator of the River Mersey and then only according to such plan and under such restrictions and regulations as the Board of Trade and the Minister of Transport may approve of in writing under hand as last aforesaid and where any such work may have been constructed the Corporation shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval. If any work be commenced altered extended or completed contrary to the provisions of this section the Board of Trade or the Minister of Transport may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Corporation and the amount of such costs and charges shall be a debt due from the Corporation to the Crown and shall be recoverable as a Crown debt or summarily.

Amendment of section 196 of Act of 1921.

220. Subsection (3) of section 196 (For protection of Liverpool Gas Company) of the Act of 1921 shall be read and have effect as if the words "they so elect they shall" were inserted therein in lieu of the words "they shall if they so elect."

221. Notwithstanding anything contained in the Second Schedule to the Municipal Corporations Act 1882 the summons to members of the council may be delivered at the usual place of abode of each member of the council by post by prepaid letter at the ordinary rate of postage.

A.D. 1927.

Service of
summons
on members
of council.

222.—(1) Notwithstanding anything to the contrary contained in the Act 10 Geo. IV cap. XV or any other Act or in an indenture made the twenty-fifth day of April one thousand eight hundred and fifty-one between the Corporation of the first part Henry Rich Esquire and Sir William Gibson Craig baronet two of the Lords Commissioners of Her Majesty's Treasury of the second part and the president vice-presidents treasurer and members of the Liverpool School for the Indigent Blind (in this section referred to as "the charity") of the third part the chapel now used in connection with the Liverpool School for the Indigent Blind and the site thereof situate in Hardman Street in the city (in this section referred to as "the chapel") shall on and after the first day of August one thousand nine hundred and twenty-seven or from the date of the passing of this Act (whichever date shall be the later) be by virtue of this Act vested in the charity free from all ecclesiastical trusts uses purposes obligations disabilities and restrictions whatsoever and from the act or consequences of the consecration of the chapel and from all rights or interests of the owners or persons interested in any seats or pews therein and accordingly such trusts uses purposes obligations disabilities restrictions and act or consequences of consecration and such rights and interests shall as from the said date be and the same are hereby absolutely extinguished and vacated.

Provisions
as to
Chapel of
Liverpool
School for
the Indigent
Blind.

(2) The chapel shall be closed and disused for divine service as from the said date and thereupon the office of chaplain of the chapel as well as every other office in connection with such chapel and the patronage in respect thereof or right of presentation thereto respectively shall cease and be extinguished.

(3) The charity shall forthwith after the closing and disuse of the chapel remove therefrom the font holy table church plate and pulpit and dispose of the same as the Lord Bishop of Liverpool may direct and may at any time and from time to time thereafter remove the memorial tablets and all furniture fittings and effects

A.D. 1927. — remaining therein and in the event of such removal shall dispose of the same in such manner as they may think fit and as may be approved in writing by the Lord Bishop of Liverpool and such disposition shall be good and effectual in law. In giving effect to the provisions of this subsection in regard to any object which has been given by way of memorial special regard may be had to the wishes of any of the relatives of the person in whose memory it was given.

(4) All registers deeds records books and documents belonging to or kept in the chapel shall after the closing and disuse of the chapel be removed to the church of St. Luke Liverpool and be securely kept by the incumbent with the registers and other documents of such church.

(5) As from the said date the chapel may be used in such manner and for such purposes as the charity may with the approval of the Lord Bishop of Liverpool and of the Corporation determine. Provided that such approval shall not be unreasonably withheld.

(6) If at the expiration of a period of five years after the said date the chapel is not being used in a manner and for a purpose so approved or if at any time thereafter the charity give notice in writing to the Corporation of their desire to relinquish and renounce all their rights estate and title in the said chapel and shall first remove all furniture fittings and effects remaining therein then all the property rights and interests of the charity in and in relation to the chapel shall cease and determine and the chapel shall thereupon vest in the Corporation absolutely and shall thenceforth be held and enjoyed by them.

(7) The site of the chapel and the school adjoining the same now held by the charity shall on the passing of this Act be annexed to and for all ecclesiastical purposes form part of the parish of St. Luke Liverpool.

Mersey
Docks and
Harbour
Board may
contribute
towards
Liverpool

223. The Mersey Docks and Harbour Board shall have power to contribute from time to time towards the costs and expenses of and incidental to the construction of and the acquisition of lands for a new arterial road between Liverpool and East Lancashire such sums (if any) as they may determine not exceeding

in the whole one hundred thousand pounds and the contributions may be made either— A.D. 1927.

- (i) out of any moneys for the time being in the hands of the said board on revenue account; or
(ii) out of any moneys which the said board are by any former Act authorised to borrow and which are not by such Act made applicable to any special purposes or if so made applicable are not required for those purposes.

and East
Lancashire
Road.

224. Except where otherwise provided by this Act all byelaws from time to time made by the Corporation under the powers of this Act shall be made under and according to the provisions contained in sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority except that as regards confirmation of byelaws under the section of this Act whereof the marginal note is "Byelaws as to employment agencies" and inquiries in relation thereto the Secretary of State shall be substituted for the Minister.

General
provisions
as to
byelaws.

225. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence or consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of Part IX (Fire prevention) Part X (Infectious disease and sanitary provisions) and Part XI (Police) of this Act or by any conviction or order made by a court of summary jurisdiction or a petty sessional court under any provision of this Act may if no other mode of appeal is provided by this Act or by any other Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction or a petty sessional court the Corporation may in like manner appeal.

Appeal.

226. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act the provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under

Inquiries
by Minister
of Trans-
port.

A.D. 1927. — the seal of the Minister of Transport” were substituted for the words “by writing under the hand of the President or of one of the secretaries of the Board.”

Summons or warrant may contain several sums.

227. Where the payment of more than one sum by any person is due under any enactment from time to time in force within the city any summons or warrant issued for the purposes of any such enactment in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Incorporation of provisions of Act of 1921.

228. The provisions contained in the sections of the Act of 1921 the numbers and marginal notes of which are set forth in this section shall so far as applicable extend and apply as if they were re-enacted in this Act (that is to say):—

- Section 642 (Inquiries by Minister of Health);
- Section 644 (Recovery of penalties &c.);
- Section 645 (Recovery of demands in county court);
- Section 646 (Damages and charges to be settled by court);
- Section 647 (Compensation how to be determined);
- Section 648 (Informations by whom to be laid);
- Section 649 (Saving for indictments); and
- Section 651 (Powers of Act cumulative).

Repeal &c.

229.—(1) The following sections of the Act of 1921 are hereby repealed (namely):—

- Section 93 (Power to lay pipes in private streets);
- Section 322 (Trees overhanging streets);
- Section 334 (Communications between drains and sewers to be made by Corporation);
- Section 442 (Removal of persons suffering from pulmonary tuberculosis to hospital);
- Section 446 (Sanitary regulations for premises used for sale of food for human consumption);

Paragraphs (a) and (b) of Section 450 (For regu- A.D. 1927.
lating manufacture and sale of
ice cream);

Section 461 (Cleansing of verminous persons);
and

Section 462 (Houses infected with vermin to be
cleansed).

(2) The adoption by the Corporation of sections 25
29 32 33 40 and 41 of the Public Health Act 1925 is
hereby rescinded.

(3) Section 58 of the Public Health Act 1925 shall
cease to apply to the Corporation or the city.

230. Nothing in this Act affects prejudicially any Crown
estate right power privilege or exemption of the Crown rights.
and in particular nothing herein contained authorises
the Corporation to take use or in any manner interfere
with any portion of the shore or bed of the sea or of any
river channel creek bay or estuary or any land here-
ditaments subjects or rights of whatsoever description
belonging to His Majesty in right of His Crown and under
the management of the Commissioners of Crown Lands
or of the Board of Trade respectively without the consent
in writing of the Commissioners of Crown Lands or the
Board of Trade as the case may be on behalf of His
Majesty first had and obtained for that purpose.

231. The costs charges and expenses preliminary to Costs of
and of and incidental to preparing obtaining and passing Act.
this Act as taxed by the taxing officer of the House of
Lords or of the House of Commons shall be paid by the
Corporation out of the city rate or out of such other
funds or rates and in such proportions as the Corporation
shall determine or out of moneys to be borrowed under
this Act for that purpose.

A.D. 1927.

The SCHEDULES referred to in the
 foregoing Act.

FIRST SCHEDULE.

PART I.
LOCAL ACTS.

| Session and Chapter. | Short Title. |
|---------------------------|---------------------------------|
| 11 & 12 Geo. V. c. lxxiv. | Liverpool Corporation Act 1921. |
| 15 & 16 Geo. V. c. cx. | Mersey Tunnel Act 1925. |

PART II.

**CONFIRMATION ACTS AND PROVISIONAL AND OTHER
 ORDERS.**

| Session and Chapter. | Confirmation Act. | Order. |
|------------------------------|---|---|
| 12 & 13 Geo. V. | - - - - - | Liverpool Electricity (Extension) Special Order 1922. |
| 13 & 14 Geo. V. | - - - - - | Liverpool Corporation Light Railways Order 1923. |
| 14 & 15 Geo. V. c. lxxii. | Ministry of Health Provisional Orders Confirmation (No. 6) Act 1924. | Liverpool Order 1924. |
| 15 & 16 Geo. V. | - - - - - | Liverpool Corporation Light Railways Order 1925. |
| 15 & 16 Geo. V. c. lxxv. | Tramways Provisional Orders Act 1925. | Liverpool Corporation Tramways Order 1925. |
| 15 & 16 Geo. V. c. lxxx. | Ministry of Health Provisional Orders Confirmation (No. 4) Act 1925. | Liverpool Order 1925. |
| 16 & 17 Geo. V. c. lv. | Ministry of Health Provisional Orders Confirmation (No. 6) Act 1926. | Liverpool Order 1926. |

SECOND SCHEDULE.

A.D. 1927.

DIFFERENTIAL RATING IN ADDED AREA.

| Added Area. | Year ending 31st March | | | | | | | | | | | | |
|----------------|------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | 1929. | 1930. | 1931. | 1932. | 1933. | 1934. | 1935. | 1936. | 1937. | 1938. | 1939. | 1940. | |
| | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> |
| West Derby. | 1 8 | 1 8 | 1 4 | 1 4 | 1 0 | 1 0 | 0 8 | 0 8 | 0 4 | 0 4 | — | — | |
| Croxteth Park. | 2 0 | 2 0 | 1 8 | 1 8 | 1 4 | 1 4 | 1 0 | 1 0 | 0 8 | 0 8 | 0 4 | 0 4 | |

THIRD SCHEDULE.

DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY
MAY BE TAKEN COMPULSORILY.

| No. on deposited plans. | Description of property in Book of Reference. |
|-------------------------|---|
| 145 | St. Stephen's church schoolrooms and premises. |
| 256 | Ironworks and premises. |
| 344 | St. Anne's Citizens' Institute and premises. |
| 345 | St. Anne's house yard and premises. |
| 364 | Garage house yard works and premises. |
| 365 | Common lodging-house yard and premises. |
| 458 | Garage and premises. |
| 468 | St. Anne's church vicarage schoolhouse garden approach stable and premises. |
| 706 | Hostel forecourt yard and premises "The Ann Fowler Memorial Hostel." |
| 1933 | Builder's yard outbuildings and premises. |
| 2037 | Road. |
| 2050 | Land. |
| 2051 | Donaldson Street Gospel Hall yard and premises. |
| 2085 | Land and approach to St. Anne's church Aigburth. |

A.D. 1927.

FOURTH SCHEDULE.

NUMBERS ON DEPOSITED PLANS OF PROPERTIES UNDER WHICH EASEMENTS ONLY MAY BE TAKEN.

706 791 to 832 (inclusive) 832A 833 to 1176 (inclusive)
1193 to 1209 (inclusive) 1290 to 1301 (inclusive) 1301A 1302
to 1335 (inclusive) 1340 to 1374 (inclusive) 1387 to 1395 (inclusive)
1401 to 1416 (inclusive) 1428 to 1508 (inclusive) 1508A 1509
1509A 1510 1510A 1511 to 1588 (inclusive) 1588A 1589 to 1613
(inclusive) 1613A 1614 to 1707 (inclusive) 1898 to 1906
(inclusive) and 1907A.

FIFTH SCHEDULE.

PART I.

AN AGREEMENT made the tenth day of December one thousand nine hundred and twenty-six between the RAINHILL GAS AND WATER COMPANY (hereinafter called "the Company") of the one part and the WHISTON RURAL DISTRICT COUNCIL (hereinafter called "the Council") of the other part.

WHEREAS the Company was incorporated by the Rainhill Gas and Water Act 1870 as a body corporate with perpetual succession for the purpose of purchasing and maintaining gas works and water works and manufacturing and supplying gas and water and raising and supplying water within the limits of that Act and for other the purposes by the said Act and the Acts incorporated therewith authorised and for doing all acts necessary for those purposes :

And whereas the Company are supplying under and by virtue of the said Act water within the limits of supply described in the said Act namely in the township of Rainhill in the parish of Prescott in the county of Lancaster :

And whereas the township of Rainhill aforesaid is within the district of the Council :

And whereas the Council have proposed that the Company should sell to them so much of the water undertaking of the Company as is hereinafter particularly described upon the terms and conditions hereinafter expressed :

And whereas the Company has pursuant to powers contained in the Rainhill Gas and Water Act aforesaid issued two thousand two hundred pounds debenture stock charged upon its undertaking and assets :

A.D. 1927.

Now this agreement witnesseth that for the consideration herein appearing it is mutually agreed by and between the Company and the Council as follows (that is to say) :—

1. In and for the purposes of this agreement—

(a) “The transfer day” means the first day of November 1927 or such earlier date as may be agreed upon between the parties ;

(b) “The water undertaking of the Company” means the Company’s water tower situate at or near to St. James’s Road Rainhill aforesaid and the land upon which the same is erected and the land and all easements now used and enjoyed therewith and all mains pipes hydrants valves and apparatus for the reception storage or distribution of water and all works of the Company in connection therewith other than and except the Company’s works at the gas works Rainhill aforesaid and all wells boreholes plant mains machinery pumps apparatus stock and effects of the Company thereon Together with all easements rights powers authorities and privileges belonging to or exerciseable by the Company in relation to its water undertaking as such works plant apparatus effects property easements rights powers authorities and privileges shall exist on the transfer day And the full benefit of all pending contracts entered into by the Company in connection with its water undertaking as subsisting on the transfer day And also all registers books accounts maps plans and documents of the Company relating solely to its water undertaking ;

(c) “The Corporation” means the lord mayor aldermen and citizens of the city of Liverpool.

2. The Company shall sell and the Council shall purchase as a going concern the water undertaking of the Company freed and discharged from the said debenture stock issued by the Company as aforesaid and all moneys and interest payable in respect thereof and from all other debts and liabilities and incumbrances (if any) of the Company subsisting on the transfer day but subject to all obligations and contracts in relation to the Company’s water undertaking which consistently with the provisions of this agreement the Company shall have entered into before the transfer day and which are subsisting on that day all which obligations and contracts shall be taken over and

A.D. 1927. fulfilled by the Council which shall indemnify the Company from all liability claims and demands in respect thereof.

3. The consideration for the sale shall be the payment by the Council to the Company on the transfer day of the sum of five thousand five hundred pounds.

4. The receipt of any three directors of the Company for all or any part or parts of the aforesaid sum of five thousand five hundred pounds forming the consideration for the sale and for any other sums payable by the Council to the Company shall be a sufficient discharge to the Council for the moneys thereby acknowledged to have been received and the Council shall not be bound to see to the application or be answerable for any loss or misapplication of all or any part or parts of such moneys.

5. The Company shall pay or remain responsible for all the debts and liabilities of or attaching to its water undertaking on capital account and incurred up to the transfer day including any mortgages debentures or debenture stock which may be owing by the Company on that day and shall indemnify the Council against all such mortgages debentures and debenture stock and all interest due or hereafter to become due thereon and all other debts and liabilities of the Company accrued at the date of transfer and against all claims and demands in respect thereof.

6. The Company shall be entitled to all rates rents profits and sums of money accrued due and shall discharge and pay all outgoing and liabilities in respect of its water undertaking up to the transfer day and the Council shall be entitled to all rates rents profits and sums of money accruing due and shall discharge all outgoing and liabilities in respect of the Company's water undertaking on and after the said day. Provided that nothing in this agreement contained shall entitle the Company to retain for their own benefit so much of any water rates or rents or other payments in respect of such water undertaking paid or payable in advance as shall be attributable to any period after the transfer day but such rates rents or other payments shall be apportioned and so much thereof as is attributable to any period after the transfer day shall be paid over by the Company to the Council. The Company shall have free access to any books or other documents handed over to the Council for the purpose of collecting any sums due to them up to the transfer day.

7. The Company shall have and may exercise after the transfer day all such statutory rights of the Company as may be requisite for ascertaining and enforcing payment of all moneys which on that day may be due to the Company.

8. Until the transfer day the water undertaking of the Company shall be maintained and carried on by the Company as heretofore in the ordinary course of business with all due care

but the Company shall not without the previous consent of the Council in writing under the hand of the clerk of the Council raise any further capital or enter into any contract agreement or obligation in relation to the water undertaking of the Company except such as shall be reasonably necessary in the ordinary course for the maintenance of the works and the proper conduct of that undertaking.

A.D. 1927.

9. Nothing in this agreement shall be deemed to transfer to the Council any liability in respect of any action arbitration or proceeding which at the date of transfer is pending or existing against or in favour of the Company.

10. From and after the transfer day the Council shall have full access at all reasonable times to registers documents books and accounts of the Company relating to the part of the water undertaking retained by the Company.

11. If at the date of transfer the Company are possessed of or entitled to any plans or documents which relate partly but not exclusively to the water undertaking of the Company the Council shall be entitled without further payment to the full benefit thereof so far as they relate to the said water undertaking and the Company shall at all times upon reasonable notice afford to the Council liberty of access thereto and of taking copies thereof without payment and shall also if the Council so require supply to the Council at the cost of the Council copies of any such plans or documents.

12. On the transfer day or so soon thereafter as the Council shall have paid to the Company the whole of the aforesaid sum of five thousand five hundred pounds the water undertaking of the Company shall be transferred to and vested in the Council or if the Council so direct shall be transferred to and vested in the Corporation free from all debts liabilities and incumbrances affecting the same as aforesaid The title of the Company to the lands or other property forming part of the water undertaking hereby agreed to be sold shall commence with the several conveyances or other assurances to the Company of such lands or property.

13. If from any cause all or any part of the said sum of five thousand five hundred pounds or of any other sums payable by the Council on the transfer day shall not be paid on that day the Council shall pay to the Company interest at the rate of five pounds per cent. per annum on the moneys so remaining unpaid from the transfer day until payment thereof.

14. If from any cause other than the wilful default of the Company the sale and purchase shall not actually be completed on the transfer day the Company shall as agents for and at the expense and risk of the Council carry on the undertaking until the sale and purchase shall be actually completed and the Council

A.D. 1927. shall on or before the actual completion of the sale and purchase repay to the Company all moneys expended by them whilst acting as such agents.

15. All rates rents profits and sums of money payable to the Company and all outgoings and liabilities of the Company in respect of its water undertaking shall if and so far as necessary for the purpose of carrying out this agreement be apportioned as on the transfer day.

16. The Company shall up to the transfer day maintain and keep in an efficient state of repair and working the water undertaking of the Company but shall not be considered to warrant the state and condition of any part thereof either as they now are or as they will be at the date of actual transfer and the Council shall not raise any question or make any claim in reference to the state or condition thereof by way of reduction in the amount of the consideration provided by this agreement and the Council shall take over all unexpired contracts for the supply of water which may have been entered into by the Company in the ordinary course of business prior to the transfer day and shall indemnify the Company in respect thereof.

17.—(1) This agreement is made subject to the same and to an agreement of even date herewith set out in the schedule hereto (hereinafter called "the scheduled agreement") made between the Council of the one part and the Corporation of the other part being sanctioned by Parliament and the Council shall use their best endeavours to procure the Corporation in the Session of Parliament 1927 to obtain an Act of Parliament to confirm this agreement and the scheduled agreement and the Company shall not oppose the Bill for the said Act but shall as may be reasonably required by the Council and at the cost of the Council aid assist and support the Council and the Corporation by information particulars evidence and otherwise in obtaining the said Act in both Houses of Parliament and before the deposit thereof in the Private Bill Office the Bill for the said Act shall be submitted to the Company.

(2) The Council shall use their best endeavours to ensure that (a) the said Act shall contain all such provisions as are necessary to give effect to this agreement and the scheduled agreement and to make the same and the several provisions thereof binding upon the parties thereto respectively and to enable each and every of them to perform and comply effectually with the respective duties and obligations contained or embodied therein and that (b) the following provisions shall (inter alia) be inserted :—

(i) For the transfer to the Council or to the Corporation of the powers rights duties liabilities and obligations of the Company with regard to the supply of water under its said Act and in connection therewith;

A.D. 1927.
—

- (ii) For the release of the Company from its duties liabilities and obligations with regard to the supply of water as aforesaid and otherwise howsoever in respect of its water undertaking under the said Act; and
- (iii) For the application of the purchase price by the Company to any purposes to which capital of the Company is properly applicable; and
- (iv) To enable the Company to sell and dispose of such part of its water undertaking as is excepted from the sale to the Council and for the application of the purchase price by the Company to any purpose to which capital of the Company is properly applicable Provided always that the same shall not in anywise impose upon the Council or the Corporation any duty or obligation in addition to those which on the part of the Council and the Corporation arise out of or are connected with the express terms conditions and stipulations contained in this agreement and the said agreement of even date herewith.

(3) If the Bill shall not pass into law during the next two sessions available for private legislation this agreement shall be void and of no effect.

18. This agreement and the scheduled agreement are subject to the approval of Parliament and to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration in this agreement or the scheduled agreement it shall be in the option of either of the parties to this agreement to withdraw from the same and the same shall thereupon with the exception of the payment of the Company's costs under clause 19 hereof be void and of no effect.

19. All costs charges disbursements and expenses to which the Company have been or may be put of and incidental to the negotiations for and the preparation and execution of and carrying this agreement into effect (as between solicitor and client) including any costs incurred by the Company in assisting the Council or the Corporation to obtain the said Act of Parliament in accordance with clause 16 (1) of this agreement shall be borne and paid by the Council and all costs charges disbursements and expenses in this clause before mentioned shall be paid or repaid by the Council to the Company if from any cause whatsoever this agreement shall not be confirmed or carried into effect.

20. If any question shall arise in reference to the construction of this agreement (other than such questions as are otherwise hereinbefore provided for) the same shall be referred to a single arbitrator to be appointed by the Minister of Health on the application of either the Company or the Council and shall be

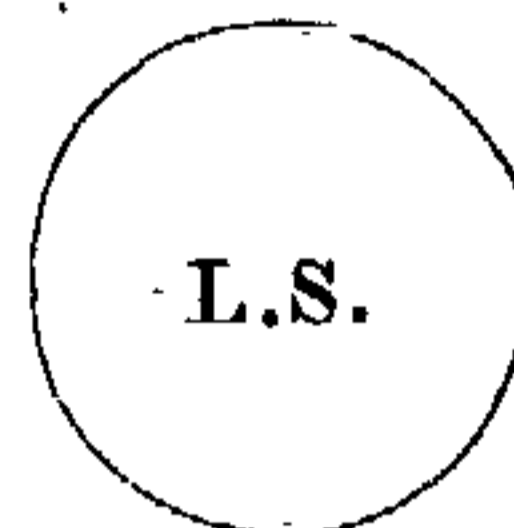
A.D. 1927. determined pursuant to the provisions of the Arbitration Act 1889.

In witness whereof the Company and the Council have respectively caused their common seals to be hereunto affixed the day and year first before written.

The common seal of the Rainhill Gas and Water Company was hereunto affixed in the presence of

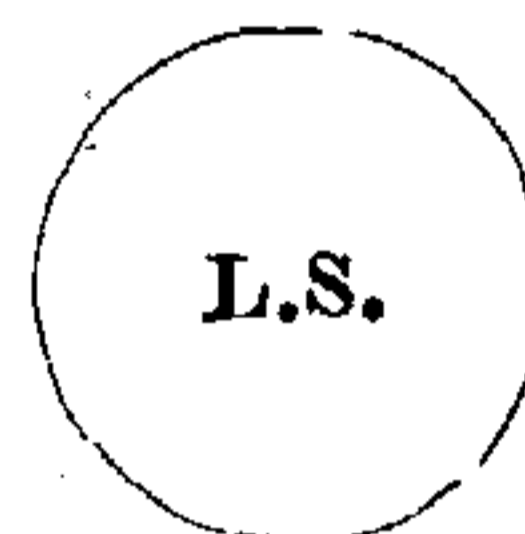
SAM. ROBINSON }
JNO. STONE } Directors.

FLORENCE PRITCHARD Secretary.



The common seal of the Whiston Rural District Council was hereunto affixed in the presence of

T. WICKFORD POTTER Chairman.
A. F. MANN Clerk to the Council.



The SCHEDULE referred to.

[The Agreement set out in Part II of this Schedule.]

PART II.

THIS AGREEMENT is made the tenth day of December one thousand nine hundred and twenty-six between THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF LIVERPOOL (hereinafter called "the Corporation") of the one part and the RURAL DISTRICT COUNCIL OF WHISTON in the county of Lancaster (hereinafter called "the Council") of the other part.

WHEREAS by the Liverpool Corporation Act 1921 the Corporation subject to the provisions of that Act and the obligations arising thereunder may from time to time renew alter and discontinue their waterworks undertaking or any part thereof and may erect lay down provide and maintain tanks meters buildings works and apparatus and do all other acts and provide all other things in any way connected with their waterworks or with the supply of water in such manner as they may from time to time think proper :

And whereas the township of Rainhill in the county of Lancaster forms part of the rural district of the Council :

And whereas the said township of Rainhill is supplied with water by the Rainhill Gas and Water Company (hereinafter called "the Company") under the provisions of the Rainhill Gas and Water Act 1870 :

A.D. 1927.
—

And whereas by an agreement of even date (a copy whereof is set out in the schedule hereto and hereinafter referred to as the "scheduled agreement") the Council have agreed to purchase the water undertaking of the Company as therein defined upon the terms and conditions therein expressed :

And whereas the Council have requested the Corporation to take over the supply of water to the said township of Rainhill and the Corporation have agreed to take such steps as may be necessary to bring the said township within the limits within which the Corporation are authorised to sell and supply water and to enable this agreement and the scheduled agreement to be carried into effect :

Now this agreement witnesseth and it is hereby agreed by and between the Corporation and the Council as follows :—

1. In and for the purpose of this agreement :—

(a) "The transfer day" means the day on which the transfer of the water undertaking of the Company under the scheduled agreement is effected ;

(b) "The water undertaking" means the water undertaking of the Company as defined in the scheduled agreement and all rights acquired by the Council thereunder.

2. The Council shall sell and the Corporation shall purchase the water undertaking for the sum of two thousand five hundred and thirty-six pounds The said sum shall be paid to the Council on the transfer day.

3. The Council shall do and concur in doing all acts and things necessary on their part to carry out and give effect to the scheduled agreement and this agreement.

4. The Corporation shall from and after the transfer day take over all obligations of the Company with respect to and in connection with the supply of water to the said township of Rainhill And also all the duties and obligations of the Council under the scheduled agreement except the payment by the Council of the sum of five thousand five hundred pounds in the scheduled agreement mentioned and shall hold the Council indemnified in respect thereof.

5. The charges for and in connection with the supply of water in the township of Rainhill shall be the charges applying throughout the Corporation's water limits excluding the city of Liverpool the county borough of Bootle and the borough of Chorley.

6. The Corporation shall at the expense of the Council in the position shown upon a plan for purposes of identification signed by the clerks to the Council and Corporation respectively provide a meter and meter house with connections to two lines of the Vyrnwŷ Aqueduct belonging to the Corporation and lay along the course indicated by a red line on the said plan six hundred

A.D. 1927. — and seventy yards of nine-inch water pipes and one thousand four hundred and thirty yards of six-inch water pipes for the purpose of bringing water from the said Vyrnwy Aqueduct into and distributing the same in the township of Rainhill. The Corporation shall also provide at the expense of the Council in the position shown on the said plan such pumps and a pump house as may be necessary to raise water to the existing high level tank of the Company agreed to be sold to the Council as aforesaid for the purpose of giving a supply of water to those houses in the township of Rainhill aforesaid which cannot be reached by gravitation pressure. The Council shall pay to the Corporation such a sum as shall be certified by the water engineer for the time being of the Corporation to be the cost (not exceeding four thousand four hundred and fifty pounds) of providing and laying such mains and of providing and erecting the said meter and meter house and the said pumping plant.

7. The Corporation shall at the expense of the Council and in agreement with the Council acquire such lands and easements as may be necessary for the erection and construction of the said meter house pump house and mains and electric cables to be provided by the Corporation as aforesaid and also for the right of access to the existing high level tank.

8.—(1) The Council shall on the first day of January in each year pay to the Corporation:—

(a) An annual sum in perpetuity of two hundred and forty-four pounds in respect of additional operating costs to be incurred by the Corporation in supplying the high level area in the said township. Provided that at the end of three years from the transfer day the Council shall be at liberty to apply to the Corporation for a revision of the cost of supplying current to the two motors to be provided by the Corporation for pumping purposes which cost is estimated at the date hereof at the sum of one hundred pounds per annum and in the event of the cost of such current being found at the time of such application to be less than the sum of one hundred pounds per annum the said annual payment of two hundred and forty-four pounds shall thereafter be reduced by a sum representing the difference between one hundred pounds and the cost of the current as so found;

(b) The sum of one hundred pounds per annum for twenty-five years or at the option of the Council an annual sum in perpetuity of sixty-nine pounds.

(2) The Council shall on demand pay to the Corporation:—

(a) The cost to be certified by the water engineer for the time being of the Corporation (whose certificate shall be conclusive and binding on the Council) of providing

and fixing on communication pipes to existing premises in the said township an approved stopcock where in the opinion of the water engineer for the time being of the Corporation such an approved stopcock is necessary; A.D. 1927.

- (b) The sum of ten pounds per centum per annum for a period of ten years on the cost to be certified by the water engineer for the time being of the Corporation (whose certificate shall be conclusive and binding upon the Council) incurred by the Corporation in providing and laying larger mains in substitution for existing mains of less dimensions than four inches in the said township in all cases in which in the opinion of the water engineer for the time being of the Corporation (whose decision shall be conclusive and binding upon the Council) the existing mains are not capable of supplying the premises connected thereto less the aggregate amount of water rents and charges derived annually from premises supplied with water by means of communication pipes in direct communication with such substituted mains.

9. The Council shall provide and fix or cause to be provided and fixed in existing domestic premises in the said township not already so fitted storage cisterns of a pattern to be approved by the water engineer for the time being of the Corporation provided that the provision of storage cisterns in existing domestic premises shall not be required by the Corporation except in premises where there is a bath with hot or cold water supply and/or an inside water-closet.

10. The Council shall give to the Corporation facilities for the erection of standpipes or other fittings for the supply of water to steam motor wagons or for other purposes incidental to the waterworks undertaking of the Corporation in any road in the rural district of Whiston under the control of the Council where mains are available and shall assist the Corporation in obtaining such facilities in the case of other roads in the rural district of Whiston which are not under the control of the Council where mains are available.

11.—(1) This agreement is made subject to the same and to the scheduled agreement being sanctioned by Parliament and the Corporation shall in the session of Parliament 1927 promote a Bill (hereinafter called "the Bill") to confirm this agreement and the scheduled agreement and use their best endeavours to obtain the enactment thereof in the said session and the Council shall as may be reasonably required by the Corporation aid assist and support the Corporation by information particulars evidence and otherwise in obtaining the passing of the Bill in both Houses of Parliament but before the deposit thereof in the Private Bill Office the Bill shall be submitted by the Corporation to the Council.

A.D. 1927.

(2) The Bill shall contain all such provisions as are necessary to give effect to this agreement and the scheduled agreement and to make the same and the several provisions thereof binding upon the parties thereto respectively and to enable each and every of them to perform and comply effectually with the respective duties and obligations contained or embodied therein and in particular the Corporation shall insert in the Bill—

- (a) clauses to enable the Council to borrow money for the purposes of this agreement and the scheduled agreement;
- (b) such clauses as may be necessary to carry out the purposes set out in paragraph 2 (b) of clause 17 of the scheduled agreement;

and shall use their best endeavours to secure the enactment thereof.

(3) If the Bill shall not pass into law during the next two sessions available for private legislation this agreement shall be void and of no effect.

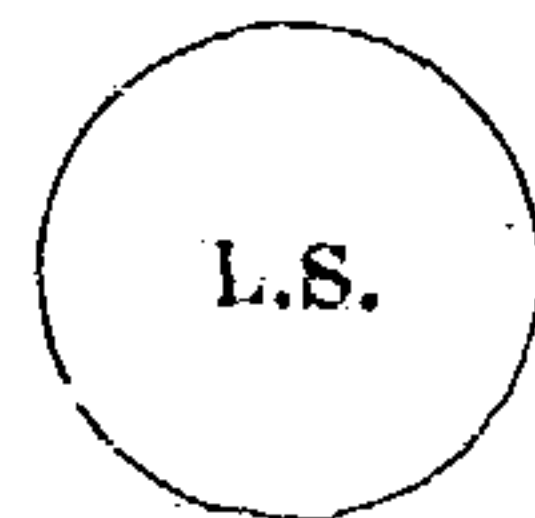
12. This agreement and the scheduled agreement are subject to the approval of Parliament and to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration in this agreement or the scheduled agreement it shall be in the option of either of the parties to this agreement to withdraw from the same and the same shall thereupon be void and of no effect.

13. If any question shall arise in reference to the construction of this agreement the same shall be referred to a single arbitrator to be appointed by the Minister of Health on the application of either the Corporation or the Council and shall be determined pursuant to the provisions of the Arbitration Act 1889.

In witness whereof the Corporation and the Council have respectively caused their common seals to be hereunto affixed the day and year first before written.

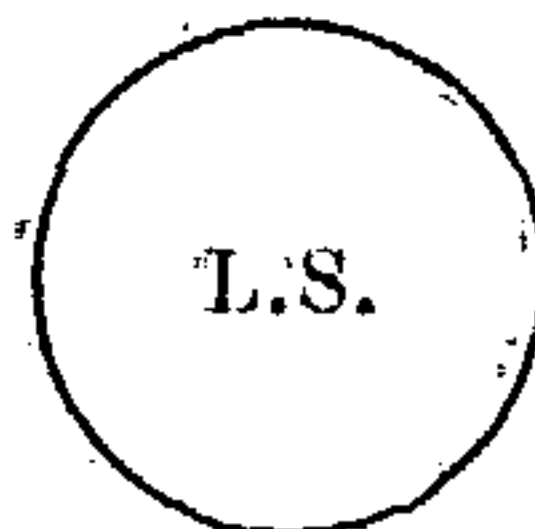
The common seal of the lord mayor aldermen
and citizens of the city of Liverpool was
hereunto affixed in the presence of

F. C. BOWRING Lord Mayor.



The common seal of the rural district council
of Whiston was hereunto affixed in the
presence of

T. WICKFORD POTTER Chairman.
A. F. MANN Clerk to the Council.



The SCHEDULE before referred to.

[The Agreement set out in Part I of this Schedule.]

SIXTH SCHEDULE.

A.D. 1927.

AN AGREEMENT made the twenty-eighth day of October one thousand nine hundred and twenty-five between INDIA BUILDINGS LIMITED (hereinafter called "the India Company") of the first part LLOYDS BANK LIMITED being the present trustees of an indenture securing debenture stock of the India Company dated the eighth day of September one thousand nine hundred and twenty-four and made between the India Company of the first part the Ocean Steam Ship Company Limited of the second part and the Bank of the third part (hereinafter called "the Bank") of the second part THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF LIVERPOOL (hereinafter called "the Corporation") of the third part and THE MERSEY RAILWAY COMPANY (hereinafter called "the Mersey Company") of the fourth part Whereby it is covenanted and agreed as follows :—

Stamp.

Ten
shillings.

1. The India Company and the Corporation shall forthwith reconstruct the entrance with booking accommodation conveniences and adjuncts (hereinafter referred to as "the said entrance") situate at the junction of Water Street and Drury Lane in the city of Liverpool to the subway of the Mersey Company leading from Water Street to the James Street Station of the Mersey Company.

2. The reconstruction of the said entrance shall be made free of expense to the Mersey Company and in accordance with the plans and designs a copy of which is hereunto annexed marked "A" and for the purposes of identification signed by Herbert J. Rowse and T. Talieson Rees.

3. The reconstruction of the said entrance shall be with materials approved by Mr. T. T. Rees the architect of the Mersey Company or other the architect for the time being of the Mersey Company and shall be carried out and completed to the entire satisfaction of the said Mr. T. T. Rees or other the architect for the time being of the Mersey Company.

4. The reconstruction of the said entrance with full connection to the said subway shall be completed entirely fit for immediate use and handed over to the Mersey Company on or before the first day of June one thousand nine hundred and twenty-seven.

5. Simultaneously with the handing over of the reconstruction of the said entrance completed under the last preceding clause the India Company the Bank and the Corporation shall enter

A.D. 1927. into a grant and covenant with the Mersey Company in the terms of the draft set out in the schedule hereto.

6. On the grant and covenant set out in the schedule hereto becoming effective the grant to the Mersey Company of a right of constructing and maintaining and using the present entrance to the said subway contained in an indenture dated the twenty-third day of July one thousand eight hundred and eighty-seven and made between Samuel Stitt of the first part John Johnson Stitt Alexander Armour and Samuel Stitt the younger of the second part and the Mersey Company of the third part shall cease and simultaneously all rights mentioned or reserved in the same indenture in favour of the said Samuel Stitt his heirs and assigns and the occupiers of apartments marked café and vaults on the plan and section thereto annexed shall cease.

7. Before commencing the reconstruction of the said entrance the India Company and the Corporation shall construct and provide free of expense to the Mersey Company a temporary staircase or temporary staircases in accordance with the plan hereunto annexed marked "C" and for the purpose of identification signed by Herbert J. Rowse and T. Talieson Rees and shall maintain the same in all respects to the entire satisfaction of the said Mr. T. T. Rees or other the architect for the time being of the Mersey Company until the said reconstruction of the said entrance shall be handed over to the Mersey Company fully completed in accordance with this agreement and shall thereupon to the entire satisfaction of the said Mr. T. T. Rees or other the architect of the Mersey Company as aforesaid remove the said temporary staircase or staircases making good all damage to the same satisfaction.

8. During the whole period of the reconstruction of the said entrance and until the same is handed over to the Mersey Company completed in pursuance of this agreement the Company their servants and agents and their passengers shall be entitled to use the said temporary staircase or staircases and the India Company and the Corporation guarantee that the Mersey Company their servants workmen and passengers shall during the period aforesaid have uninterrupted egress and ingress through the present and/or the new entrance or partly one and partly the other thereof.

9. The India Company and the Corporation shall indemnify the Mersey Company in respect of all claims costs and expenses (whether in respect of workmen third parties passengers or otherwise) in connection with the said temporary staircase or staircases while in course of erection and while in use under this agreement and during the removal and demolition thereof and in connection with the reconstruction of the said entrance and the demolition of the existing entrance until the said reconstructed entrance is handed over and shall during the continuance thereof keep the said temporary staircase or staircases in good and substantial

repair to the satisfaction of the said Mr. T. T. Rees or other the architect for the time being of the Mersey Company. A.D. 1927.

10. The India Company and the Corporation shall pay the costs and expenses of the Mersey Company (whether legal professional or otherwise howsoever) incurred or to be incurred in connection with the negotiations for and carrying out of the said reconstruction and the negotiations for preparation execution and carrying into effect of this agreement and the grant and covenant a draft whereof is set out in the schedule hereto.

11. The Bank hereby approve of the said reconstruction and on the completion thereof as aforesaid agree to concur in the grant and covenant a draft whereof is set forth in the schedule hereto.

12. The obligations of the India Company and the Corporation hereunder shall be joint and several but without prejudice to the incidence of the burden of any such obligations inter se.

13. The Corporation shall in the next Bill promoted by them in Parliament insert a clause for the confirmation of this agreement and of the grant to be made thereunder.

In witness whereof the Companies and the Corporation hereto have caused their common seals to be hereunto affixed the day and year first before written.

The SCHEDULE above referred to.

THIS INDENTURE made the _____ day of _____ one thousand nine hundred and twenty-five between INDIA BUILDINGS LIMITED (hereinafter called "the India Company") of the first part LLOYDS BANK LIMITED (hereinafter called "the Bank") of the second part THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF LIVERPOOL (hereinafter called "the Corporation") of the third part and THE MERSEY RAILWAY COMPANY (hereinafter called "the Mersey Company") of the fourth part.

WHEREAS the entrance situate at the junction of Water Street and Drury Lane in the city of Liverpool to the subway of the Mersey Company leading from Water Street to James Street Station has recently been constructed in accordance with the plan hereunto annexed marked "A" in and under hereditaments shown on the plan marked "B" hereunto annexed which are partly vested in the Bank as the present trustees of the trust deed mentioned in the schedule hereto and are partly vested in the Corporation by an indenture of conveyance dated the twelfth day of June one thousand nine hundred and twenty-five and made between the Bank of the first part the India Company of the second part and the Corporation of the third part (the part so vested in the Corporation being in and

A.D. 1927. under lands now forming or intended to form part of Water Street and Drury Lane):

And whereas the said reconstruction was carried through on an agreement that such grant and covenants and agreements should be made and entered into as are hereinafter contained:

Now this indenture witnesseth as follows:—

1. The Bank as mortgagees as to their estate and interest in the said hereditaments and by the direction of the India Company hereby grant and the India Company as beneficial owners as to their estate and interest in the said hereditaments hereby grant and confirm and the Corporation as beneficial owners as to their estate and interest in the said hereditaments hereby grant unto the Mersey Company and their assigns the right of constructing and for ever hereafter maintaining and using the said reconstructed entrance coloured blue on the said plan marked "B" by themselves their servants agents workmen and passengers and persons authorised by them and of doing all necessary acts and things whatsoever for the constructing maintaining and using the same entrance in connection with the said subway To hold the same premises hereinbefore expressed to be hereby granted unto and to the use of the Mersey Company and its assigns for the purposes of its subway and railway and the works connected therewith.

2. The Bank their successors and assigns and the India Company their successors and assigns shall be at liberty at any time hereafter to make any alterations in the buildings upon the said hereditaments vested in the Bank as aforesaid provided that such alterations do not cause any diminution of the easement hereby granted to the Mersey Company.

3. The Bank hereby acknowledge the right of the Mersey Company to production of the documents specified in the First Schedule hereto and to delivery of copies thereof.

4. The Corporation hereby acknowledge the right of the Mersey Company to production of the said indenture of conveyance dated the _____ day of _____ one thousand nine hundred and _____ and to delivery of copies thereof and hereby undertake for the safe custody thereof.

In witness &c.

The SCHEDULE above referred to.

28th February 1866 Indenture of conveyance of this date made between Thomas Bourne of the first part John North and James Wicksted Wan of the second part and Samuel Stitt of the third part.

27th October 1860 Indenture of conveyance of this date made between Alfred King David Stuart and William Fallows

of the first part Samuel Stitt of the second part and Henry Bell of the third part. A.D. 1927.

29th October 1860 Indenture of mortgage of this date made between Samuel Stitt of the first part Henry Bell of the second part and Alfred King David Stuart and William Fallows of the third part.

7th December 1861 Indenture of transfer of mortgage of this date made between Alfred King David Stuart and William Fallows of the first part Samuel Stitt of the second part and William Fallows John Johnson Stitt and James Stitt junior of the third part.

24th July 1875 Indenture of transfer of mortgage (endorsed on indenture of seventh December one thousand eight hundred and sixty-one) of this date made between William Fallows and John Johnson Stitt of the one part and John Johnson Stitt Alexander Armour and Samuel Stitt junior of the other part.

15th November 1916 Indenture of conveyance of this date made between John William Davidson John James Evans and John Roxburgh of the one part and John Cameron of the other part.

26th August 1924 Indenture of conveyance of this date made between the Ocean Steam Ship Company Limited of the first part John Cameron of the second part and the India Company of the third part.

8th September 1924 Trust deed of this date made between the India Company of the first part the Ocean Steam Ship Company Limited of the second part and the Bank of the third part.

Passed under the common seal of India }
 Buildings Limited in the presence of }
 W. C. STEPHEN Director.
 THOMAS K. MOULSDALE Secretary.

L.S.

Given under the common seal of Lloyds }
 Bank Limited }
 A. E. HARRIS Director.
 L. W. COOPER Secretary.

L.S.

Passed under the common seal of the Mersey }
 Railway Company in the presence of }
 ROBERT L. CARTER }
 W. H. PARSONS } Directors.
 J. SHAW Secretary.

L.S.

THOMAS DOWD
 Lord Mayor.

L.S.

A.D. 1927. AN AGREEMENT made the tenth day of December one thousand nine hundred and twenty-six between the within-named INDIA BUILDINGS LIMITED (hereinafter called "the India Company") of the first part the within-named LLOYDS BANK LIMITED being the present trustees of an indenture securing debenture stock of the India Company dated the eighth day of September one thousand nine hundred and twenty-four and made between the India Company of the first part the Ocean Steam Ship Company Limited of the second part and the Bank of the third part (hereinafter called "the Bank") of the second part the within-named THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF LIVERPOOL (hereinafter called "the Corporation") of the third part and THE MERSEY RAILWAY COMPANY (hereinafter called "the Mersey Company") of the fourth part (supplemental to the within-written agreement).

WHEREAS it was and is the intention of the parties that the within-written agreement should be submitted to Parliament for confirmation:

It is hereby agreed that the said agreement is subject to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration in the said agreement it shall be competent to any of the parties thereto to withdraw from the said agreement.

In witness whereof the said parties hereto have hereunto affixed their respective seals the day and year first above written.

Passed under the common seal of India }
Buildings Limited in the presence of }
C. SYDNEY JONES Director.
THOMAS K. MOULSDALE Secretary.

L.S.

Given under the common seal of Lloyds }
Bank Limited }
G. A. HARVEY Director.
L. W. COOPER Secretary.

L.S.

F. C. BOWRING
Lord Mayor.

L.S.

Passed under the common seal of the Mersey }
Railway Company in the presence of }
ROBERT L. CARTER } Directors.
W. H. PARSONS }
J. SHAW Secretary.

L.S.

SEVENTH SCHEDULE.

A.D. 1927.

AN AGREEMENT made the tenth day of December one thousand nine hundred and twenty-six between THE MERSEY DOCKS AND HARBOUR BOARD (hereinafter called "the Board") of the one part and THE LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF LIVERPOOL (hereinafter called "the Corporation") of the other part.

Stamp.

Ten
shillings.

WHEREAS the Mersey Docks (Liverpool River Approaches) Act 1871 (inter alia) confirmed a memorandum of agreement dated the eighteenth day of July one thousand eight hundred and seventy-one made between the Board of the one part and the Corporation of the other part by which the position of the Board's floating roadway leading to the Liverpool landing stage was fixed and certain arrangements as therein more particularly provided were made to improve the approaches to the pierhead and to the said landing stage :

And whereas by divers conveyances and agreements particulars whereof are contained in the schedule attached hereto arrangements as therein more particularly set out have from time to time been made between the Board and the Corporation for the further improvement of the said approaches :

And whereas the Corporation and the Board have been in negotiation with reference to the closing of Chester Basin belonging to the Board and the vesting in the Corporation of the site thereof together with other land adjoining to enable the Corporation to complete their pierhead improvement scheme and it has been arranged that the Board will consent to the Chester Basin being closed and the site thereof together with the land adjoining as hereinafter more particularly described being vested in the Corporation subject nevertheless to the arrangement as to the widening of the said floating roadway or the construction of a second floating roadway and the other matters hereinafter referred to being agreed upon between the parties hereto and subject also to the necessary Parliamentary powers being obtained enabling the Board and the Corporation to carry this agreement into effect :

And whereas the Corporation are about to introduce a Bill into Parliament containing (inter alia) a clause to confirm this agreement and to make the same binding on the parties thereto :

Now this agreement witnesseth that it is hereby agreed between the Board and the Corporation as follows :—

1. That the Board will within three calendar months after the Bill promoted by the Corporation as herein mentioned shall

A.D. 1927. — become law convey to the Corporation in fee simple without pecuniary consideration the Chester Basin and the land adjoining up to a line in continuation of the line shown in brown on the plan No. 41900 attached hereto and laid down in the agreement dated the seventeenth day of December one thousand nine hundred and one made between the Board and the Corporation as the southern boundary of the one hundred feet street on the south side of the dock office which basin and land (hereinafter referred to as "the property") contain an area of six thousand one hundred and seventeen square yards or thereabouts and are more particularly shown on the said plan and thereon coloured red Excepting and reserving to the Board the river wall on the west side of the property (hereinafter referred to as "the existing river wall") and full and free access through the gateway marked "A" at the south-east corner of the property and at two points to be agreed through the boundary wall or fence which the Corporation shall construct on the said line to the Board's property on the south side of the said line.

2. That the Corporation will within twelve calendar months from the date of the said conveyance at their own cost construct in accordance with plans previously submitted to and approved of by the dock engineer and to his satisfaction a proper river wall across the entrance to Chester Basin (hereinafter referred to as "the new river wall") and will also within the same period and at the like cost fill up the said basin and make the same level with the surrounding land Provided that such filling up shall not be commenced until so much of the new river wall has been constructed as will effectually prevent any of the filling material getting into the river.

3. That the Corporation will dedicate the site of the basin and the land adjoining so conveyed as aforesaid to the public for ever as part of Georges Pierhead and will at the like cost do such paving and other work as may be necessary for rendering the site fit for use as an open space by the public The site shall thereafter be maintained and repaired by and at the expense of the Corporation as an open space for public purposes.

4. That the Board will from the date of its completion to the satisfaction of their engineer as aforesaid assume the ownership of and responsibility for the condition of the new river wall and the like provisions as are contained in the agreement dated the twenty-fourth day of June one thousand nine hundred and twenty and made between the Board and the Corporation with reference to the portion of the river wall to the westward of the Georges Parade shall be deemed to apply in all respects to the existing river wall and the new river wall Provided always and it is hereby agreed that if in the opinion of the Board it is necessary to extend the existing system of sluices along and through the existing river wall and the new river wall the Corporation shall afford to the

Board sufficient access and facilities for the construction and maintenance at the Board's expense of the works deemed necessary.

A.D. 1927.

5. That the liability imposed upon the Board by clause 5 of the conveyance dated the eighth day of November one thousand nine hundred and two made between the Board and the Corporation for ever to maintain a proper and sufficient retaining wall across the Chester Basin shall cease as from the date of the conveyance of the property to the Corporation and as from that date the Corporation hereby release the Board therefrom accordingly.

6. That if in order to accommodate cross-river or other traffic it becomes necessary in the opinion of the Board to widen the existing floating roadway or to construct a second floating roadway the Corporation will on receiving a request in writing to do so from the Board convey to the Board in fee simple without pecuniary consideration the strip of land containing an area of one thousand seven hundred and fourteen square yards or thereabouts coloured blue on the said plan lying to the northward of the said floating roadway freed and discharged from all rights of way or other rights of the public over or affecting the same or any part thereof.

7. That on the widening of the floating roadway or the construction of the second floating roadway provided for in clause 6 hereof being proceeded with by the Board the Corporation will permit the Board to construct arches similar to those at present existing on the south side of the present floating roadway under the strip of land coloured green on the plan Provided always that such arches when constructed shall not interfere with the surface of the roadway upon the said strip or the rights of way or other rights of the public thereover.

8. That if the floating roadway is widened or a second floating roadway constructed as hereinbefore mentioned the Board will at their own expense remove the Engine-Room Heroes' Memorial to some adjacent site belonging to the Corporation to be agreed upon between the Board and the Corporation.

9. That when the property has been laid out and dedicated to the public by the Corporation as hereinbefore provided the Board will allow pedestrians at their own risk and on sufferance and during the pleasure of the Board to pass from the property to the Albert Parade along the river frontage on the condition however that the Corporation do make any arrangements which may be requisite or necessary with any tenants of the Board who may be in occupation of the said frontage or any part thereof.

10. That the purple line shown on the said plan across the Princes Parade to the northward of No. 4 Bridge shall be deemed to be the northern limit across that parade of the land coloured light pink referred to in clause 8 of the said agreement dated the eighteenth day of July one thousand eight hundred and seventy-one under which land so coloured was dedicated by the Board to the public.

[Ch. lxxxviii.] *Liverpool* [17 & 18 GEO. 5.]
Corporation Act, 1927.

A.D. 1927.

11. That the conveyances and agreements set out in the schedule hereto shall be deemed to be modified as may be necessary to give effect to the provisions of this agreement.

12. That nothing herein contained shall prejudice or affect the rights of the Board the Corporation or the public with reference to matters not comprised in this agreement.

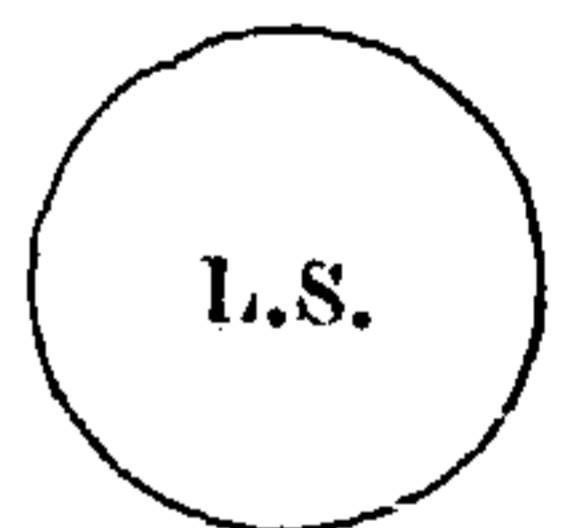
13. That this agreement shall be scheduled to the Bill to be promoted by the Corporation as above mentioned and is made subject to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein either party may withdraw from the agreement.

The SCHEDULE above referred to.

| <u>Date.</u> | <u>Document.</u> |
|--------------------|-----------------------------|
| 1871 18th July - | - Memorandum of agreement. |
| 1898 16th March - | - Agreement. |
| 1899 3rd March - | - Agreement. |
| 1900 31st December | - Conveyance. |
| 1901 17th December | - Agreement. |
| 1902 8th November | - Conveyance. |
| 1902 8th November | - Deed of mutual covenants. |
| 1907 14th November | - Conveyance. |
| 1909 16th August - | - Conveyance. |
| 1920 24th June - | - Agreement. |

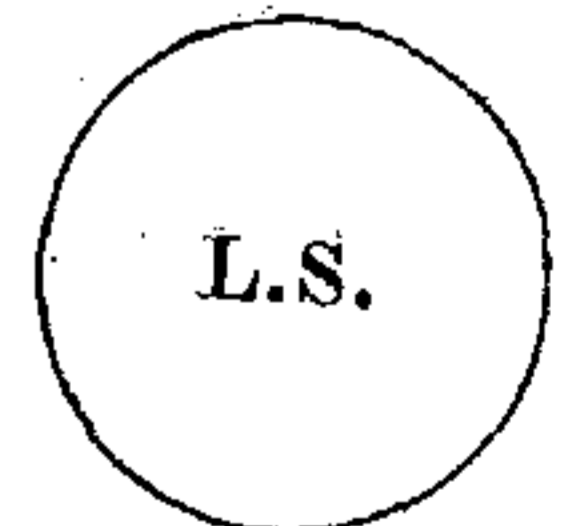
In witness whereof the Board to one part hereof have affixed their common seal and the Corporation to another part hereof have affixed their common seal the day and year first before written.

Passed under the common seal of the Mersey
Docks and Harbour Board in the presence } T.R.
of



MARK R. PRESTON
Assistant to the Secretary.

F. C. BOWRING
Lord Mayor.



Printed by EYRE and SPOTTISWOODE, LTD.,
FOR
WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of
Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses :
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
15, Donegall Square West, Belfast;
or through any Bookseller.