

**CHAPTER xciii.**

An Act to authorise an alteration of the tunnel under the River Mersey authorised by the Mersey Tunnel Act 1925 and for other purposes. A.D. 1927.

[29th July 1927.]

**W**HEREAS by the Mersey Tunnel Act 1925 (hereinafter referred to as "the Act of 1925") the lord mayor aldermen and citizens of the city of Liverpool (hereinafter referred to as "the Liverpool Corporation") and the mayor aldermen and burgesses of the borough of Birkenhead (hereinafter referred to as "the Birkenhead Corporation") were authorised to construct a tunnel for vehicular and pedestrian traffic under the River Mersey between the said city of Liverpool and the county borough of Birkenhead :

And whereas it is expedient that the Liverpool Corporation and the Birkenhead Corporation (hereinafter together referred to as "the Corporations") should be empowered to make an alteration of the said tunnel in the said county borough of Birkenhead and that the provisions of the Act of 1925 should be made applicable to the said tunnel as altered :

And whereas it is expedient that the other provisions contained in this Act should be made :

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

And whereas an estimate has been prepared of the cost of constructing the works by this Act authorised

A.D. 1927. (including the amount necessary for the purchase of lands and easements required therefor) and such estimate amounts to the sum of four hundred and sixty-four thousand pounds :

And whereas it is expedient that the powers of borrowing conferred by the Act of 1925 for the purposes of that Act should be made applicable to the purposes of this Act as well as to the purposes of the Act of 1925 :

And whereas it is estimated that the cost of carrying out the scheme authorised by the Act of 1925 as varied by this Act will exceed by two hundred and twenty-two thousand pounds the cost of carrying out the scheme authorised by the Act of 1925 and it is expedient that the Birkenhead Corporation should be empowered to borrow money for the purpose of contributing to such excess cost :

And whereas the works included in the said estimate are permanent works and it is expedient that the cost thereof should be spread over a term of years :

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 :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and a book of reference to the said 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 Chester which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

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.

Short title.

1. This Act may be cited as the Mersey Tunnel Act 1927 and the Mersey Tunnel Act 1925 and this Act

may be together cited as the Mersey Tunnel Acts 1925 and 1927. A.D. 1927.

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

- Part I.—Preliminary.
- Part II.—Works and lands.
- Part III.—Finance.
- Part IV.—Miscellaneous.

Division of  
Act into  
Parts.

3. In this Act the several words and expressions to which meanings are assigned by the Acts incorporated with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction. And— Interpreta-  
tion.

“The Liverpool Corporation” means the lord mayor aldermen and citizens of the city of Liverpool acting by the council of the said city;

“The borough” means the county borough of Birkenhead;

“The Birkenhead Corporation” means the mayor aldermen and burgesses of the borough acting by the council of the borough;

“The Corporations” means the Liverpool Corporation and the Birkenhead Corporation;

“The Act of 1925” means the Mersey Tunnel Act 1925;

“The authorised tunnel” means the tunnels and works in connection therewith authorised by the Act of 1925;

“The tunnel alteration” means the Work No. 3 authorised by this Act and the works in connection therewith;

“The Joint Committee” means the Mersey Tunnel Joint Committee incorporated by the Act of 1925;

“The Lands Clauses Acts” means those Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 Provided that the Corporations and the Joint Committee shall be deemed to be a local or public authority within the meaning of the last-mentioned Act;

“The arbitrator” means the arbitrator to whom any question of disputed purchase money or compensation under this Act is referred.



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Incorporation of Acts.

4. The following Acts and part of an Act (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely):—

- (1) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) Provided that the bond required by section 85 of that Act shall be under the seal of the Joint Committee and shall be sufficient without the addition of the sureties mentioned in that section:
- (2) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof:

Provided that for the purposes of this Act—

(a) The expression “the promoters of the undertaking” and “the company” in the said Acts shall be construed to mean the Corporations or the Joint Committee;

(b) The expression “the railway” in the Railways Clauses Consolidation Act 1845 shall be construed to mean the works by this Act authorised;

(c) The expression “the centre of the railway” in the said Act shall be construed to mean any part of the said works.

## PART II.

### WORKS AND LANDS.

Power to  
Corpora-  
tions to con-  
struct  
works.

5. Subject to the provisions of this Act the Corporations may make and maintain 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 in the borough (that is to say):—

Work No. 3 An alteration of the authorised tunnel commencing by a junction with Work No. 1 authorised by the Act of 1925 at or near a point 54 yards east of the junction of Bridge Street with Sandford Street and terminating at or near the junction of Rendel Street with Marcus Street;

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 as may be necessary or convenient : A.D. 1927.

Provided that notwithstanding anything shown on the deposited plans and sections no part of the said Work No. 3 shall be constructed west of Rendel Street.

6. The following provisions of the Act of 1925 shall extend and apply for the purposes of this Act as if those provisions were with the necessary modifications re-enacted in this Act (that is to say) :— Application  
of certain  
provisions  
of Act of  
1925.

Section 7 (Power to break up and alter streets and tramways);

Section 8 (Power to deviate);

Section 16 (Power temporarily to stop up or interfere with streets);

Section 18 (Underpinning of houses near works);

Section 19 (Power to pump water and use sewers for removing water);

Section 20 (Power to alter ventilating shafts);

Section 21 (Power to alter sewers and drains);

Section 22 (Alteration of position of water gas and other pipes);

Section 23 (Power to alter steps areas &c. and execute protective works);

Section 24 (Laying out repair and lighting of works);

Section 25 (No mains or pipes to be laid in tunnel);

Section 26 (Power to sell materials);

Section 30 (As to private rights of way over lands taken compulsorily);

Section 31 (Compensation in case of recently altered buildings);

Section 32 (Benefits to be set off against compensation);

Section 33 (Correction of errors in deposited plans and book of reference);



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- Section 34 (Power to enter upon property for survey and valuation);
- Section 35 (Persons under disability may grant easements &c.);
- Section 36 (Agreements with owners of property);
- Section 37 (Purchase of lands by agreement);
- Section 38 (Retention and disposal of lands);
- Section 39 (Power to develop lands &c.);
- Section 40 (Proceeds of sale of surplus lands);
- Section 41 (Undertaking to be exempt from rates);
- Section 43 (Compensation for damage by user of tunnel);
- Section 44 (For protection of Mersey Railway Company);
- Section 46 (For protection of Cheshire Lines Committee); and
- Subsections (2) and (3) of section 57 (For protection of Postmaster-General):

Provided that for the purposes of such application—

- (a) any references in the said sections to “the tunnel” shall be construed as references to the tunnel alteration;
- (b) the said section 31 shall be read and have effect as if “the first day of November one thousand nine hundred and twenty-six” were inserted therein in lieu of “the first day of April one thousand nine hundred and twenty-five”; and
- (c) in the said section 46 the expression “railway property” shall include the property numbered on the deposited plans 6 in the borough and the reference to tunnel Work No. 1 shall include the tunnel alteration.

As to discharge of water from tunnel alteration.

7.—(1) Notwithstanding anything contained in the Act of 1925 it shall be lawful for the Corporations in such manner and subject to such conditions as may be reasonably approved by the Mersey Docks and Harbour Board to pump or discharge or cause or permit to flow into the Morpeth and Egerton docks of the said board or either of those docks any water found by the Corporations in constructing or maintaining the tunnel alteration

provided that all solid matter be first removed from such water and that the water be not discharged into those docks in a manner to interfere with the full use and working of the docks.

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(2) Any question whether the approval of the said board under this section is unreasonably withheld shall be referred to and determined by an arbitrator to be agreed upon between the said board and the Corporations or failing such agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

8. If the tunnel alteration is not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporations for making and completing the tunnel alteration or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Period for  
completion  
of tunnel  
alteration.

9.—(1) The Corporations shall abandon the construction of so much of the authorised tunnel as comprises that part of the tunnel or tunnels and approaches (Work No. 1) described in and authorised by the Act of 1925 which is situate in the borough and lies between the commencement of the said authorised Work No. 1 as so described and a point on the south-western side of Bridge Street at or near the junction of that street with Chester Street.

Abandon-  
ment of por-  
tion of  
authorised  
tunnel.

(2) The abandonment by the Corporations under the authority of this Act of the said portion of the authorised tunnel shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Corporations or the Joint Committee on such lands for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of the authorised tunnel and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Corporations or the Joint Committee to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such lands of any



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(3) Where before the passing of this Act any contract has been entered into or notice given by the Corporations or the Joint Committee for the purchasing of any land for the purposes of or in relation to any portion of the authorised tunnel to be abandoned by this Act the Corporations and the Joint Committee shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Corporations or the Joint Committee to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Power to Corporations to acquire lands for tunnel alteration and other purposes.

**10.** Subject to the provisions of this Act the Corporations may enter upon take and use all or any part of the lands delineated on the deposited plans relating to the tunnel alteration and described in the deposited book of reference which they may require for the purposes of the tunnel alteration or for other purposes of this Act.

As to easements for tunnel alteration.

**11.** The provisions of section 28 (Owners may be required to grant easements only) of the Act of 1925 shall with the necessary modifications extend and apply for the purposes of this Act relating to the tunnel alteration with the substitution of a reference to the properties described or referred to in the First Schedule to this Act for the properties described or referred to in the Third Schedule to the Act of 1925.

Owners may be required to sell parts only of certain premises.

**12.** The provisions of section 27 (Owners may be required to sell parts only of certain properties) of the Act of 1925 shall with the necessary modifications extend and apply for the purposes of this Act relating to the tunnel alteration with the substitution of a reference to the properties described or referred to in the Second Schedule to this Act for the properties



described or referred to in the Second Schedule to the Act of 1925. A.D. 1927.

**13.** The powers of the Corporations for the compulsory purchase of lands for the purposes of this Act shall cease on the thirty-first day of October one thousand nine hundred and thirty. Limit of time for compulsory purchase of lands.

**14.** The Corporations 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 tunnel alteration with respect to the re-instatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporations may pay or receive money for equality of exchange. Power to reinstate owners of property.

**15.** The Corporations on selling any lands may reserve to themselves all or any part of the easements belonging thereto and may make the sale subject to such reservation accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to the exercise of noxious trades or the discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit. Reservation of easements &c.

**16.** For the protection of the Mersey Docks and Harbour Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the Corporations and the board have effect (that is to say) :— For protection of Mersey Docks and Harbour Board.

Notwithstanding anything contained in this Act or shown on the deposited plans and sections section 45 (For protection of Mersey Docks and Harbour Board) of the Act of 1925 shall except in so far as that section relates exclusively to the city of Liverpool apply and have effect as if the said section had been re-enacted in this Act with the substitution of references to the tunnel alteration for the references in the said section to "the tunnel" and works connected therewith by this Act "authorised" or "the tunnel" and with

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any other necessary alterations Provided that for the purposes of this Act subsection (13) of the said section 45 shall have effect subject to and shall not derogate from the powers conferred by the section of this Act of which the marginal note is "As to discharge of water from tunnel alteration."

For protec-  
tion of cer-  
tain railway  
companies.

17. The following provisions for the protection of the London Midland and Scottish Railway Company and the Great Western Railway Company (each of whom is in this section referred to as "the railway company") shall unless otherwise agreed between the railway company and the Corporations apply and have effect (that is to say):—

- (1) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Corporations shall not enter upon take or acquire by compulsion any lands or property of the railway company but the Corporations may purchase and take and the railway company shall if required sell and grant such an easement or right in under over or upon the lands and property of the railway company as may be necessary for the construction maintenance and user of Work No. 3:
- (2) Wherever any portion of Work No. 3 is laid or constructed over under alongside or within fifty feet of any lands or property of the railway company the same and all works forming part thereof (in this section referred to as "the intended works") and any maintenance repairs or renewals thereof shall be executed under the superintendence (if the same be given) and to the reasonable satisfaction of the principal engineer of the railway company (in this section referred to as "the principal engineer") and before commencing any of the intended works the Corporations shall deliver to the principal engineer plans sections and specifications thereof showing the line and level and the manner in which the intended works are to be carried out and the mode of construction thereof Provided that if at the expiration of one month from



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the delivery of such plans sections and specifications the principal engineer fail to signify his approval or disapproval thereof he shall be deemed to have approved thereof :

- (3) Before the Corporations commence the construction of the intended works on the lands or property of the railway company any temporary works which may be reasonably necessary to ensure the stability of the said railways and works of the railway company may and shall be carried out by the railway company for the Corporations according to plans sections and specifications to be previously agreed with the Corporations or approved by an arbitrator and the reasonable costs thereof and of any expense incurred in connection therewith (including compensation payable to any workmen or their legal representatives or dependants who may be injured or killed whilst employed by the railway company in and about such works) shall be repaid by the Corporations to the railway company on demand :
- (4) If it shall be agreed between the Corporations and the railway company or decided by an arbitrator (either before or during the construction or after the completion of Work No. 3) that any further or other works or appliances or measures of precaution are reasonably required either by way of addition to the existing railway or in connection with the intended works or in relation to the construction thereof so as to prevent subsidence of or injury to the said railway owing to or in consequence of the execution of any of the intended works the Corporations shall on being so required in writing under the hand of the principal engineer make and execute at their own expense and according to plans sections and specifications to be approved by him or by an arbitrator such works or take such measures of precaution including the temporary cessation of the construction of the intended works as the principal engineer or an arbitrator shall require :

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- (5) All the intended works shall when commenced be completed with all due despatch in accordance with the plans sections and specifications so approved or settled in accordance with the provisions of this section and shall be executed by and in all things at the expense of the Corporations to the reasonable satisfaction of the principal engineer and so as not to cause any injury to the railways works lands or property of the railway company or interruption to the passage or conduct of the traffic over the said railways and if by the execution of the intended works any injury shall arise to the said railways works lands or property or interruption to such traffic the Corporations shall make full compensation to the railway company in respect of such injury or interruption :
- (6) The Corporations shall bear and on demand pay to the railway company the reasonable expense incurred by the railway company of and in connection with the superintendence of the intended works by the principal engineer and of and in connection with the reasonable employment by the railway company of inspectors watchmen and signalmen for watching and protecting their said railways works or property with reference to and during the execution maintenance repair or renewal of the intended works and for preventing as far as may be all interference obstruction danger or accident which may arise from any of the operations or from the acts or defaults of the Corporations or their contractors or any person or persons in the employment of the Corporations or their contractors with reference thereto :
- (7) The Corporations shall at all times maintain the intended works in substantial repair and good order to the reasonable satisfaction in all respects of the principal engineer and if and whenever the Corporations fail so to do the railway company may make and do in and upon as well the lands of the Corporations as their own lands all such works repairs



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and things as they may reasonably think requisite in that behalf and the reasonable amount of such expenditure shall be repaid to the railway company by the Corporations :

- (8) If by reason of the construction of Work No. 3 or any works connected therewith it shall become necessary to add to or alter any signal cabins signal posts signals telegraph or telephone posts and wires or other similar works on any property of the railway company the railway company may make such additions and alterations and the reasonable expense of such additions and alterations shall be repaid by the Corporations on demand and the reasonable cost of maintaining and working any such additional signal cabins signal posts signals telegraph and telephone posts and wires or other similar works and any reasonable addition (if any) to the cost of maintaining and working any signal cabins signal posts signals telegraph and telephone posts and wires or other similar works arising by reason of such addition to or alteration of the same as aforesaid shall be repaid by the Corporations to the railway company :
- (9) Notwithstanding anything in this Act contained the Corporations shall be responsible for and make good to the railway company all costs losses damages and expenses which may be occasioned to the railway company or to any of their railways works or property or to the traffic thereon or otherwise by reason of the construction use or failure of Work No. 3 or any works in connection therewith or by the acts or defaults of any of the persons in the employ of the Corporations or of their contractors or others and the Corporations shall effectually indemnify and hold harmless the railway company from all claims and demands upon or against them by reason of such construction use failure act or default :
- (10) If the railway company shall at any time after the construction of the intended works desire to alter or extend their railways or any of the

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works or conveniences connected therewith the Corporations shall give to the railway company every reasonable facility for the execution of such alteration or extensions and any additional expense to which the railway company may be put in the exercise of their existing powers by reason of the construction of the intended works shall be repaid to them by the Corporations :

- (11) Any difference which shall arise between the Corporations and the railway company under the provisions of this section (other than subsection (1) thereof) shall be determined by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

## PART III.

## FINANCE.

Borrowing powers under Act of 1925 to be applicable for purposes of this Act.

18. The powers of borrowing conferred upon the Liverpool Corporation by the Act of 1925 for the purposes of that Act shall extend and apply to the purposes of this Act (including the raising and payment of the costs charges and expenses referred to in the section of this Act of which the marginal note is "Costs of Act" as if the same were costs charges and expenses of the Act of 1925) but shall not apply to any moneys contributed by the Birkenhead Corporation in pursuance of the section of this Act of which the marginal note is "Power to Birkenhead Corporation to contribute and borrow" and save as to such moneys contributed by the Birkenhead Corporation the provisions of Part V (Finance) of the Act of 1925 shall apply mutatis mutandis as if the purposes of this Act were purposes of the Act of 1925.

Power to Birkenhead Corporation to contribute and borrow.

19.—(1) As a condition of the construction of the tunnel alteration and of so much of the authorised tunnel in the borough as is not abandoned under the provisions of this Act the Birkenhead Corporation in addition to any other moneys required to be paid by them to the Joint Committee shall pay to the Joint Committee as a contribution towards the cost of the tunnel alteration (a)



a sum equal to one-fourth of the amount which shall be certified by the engineers of the Joint Committee to be the amount by which the cost of carrying out the scheme authorised by the Act of 1925 as varied by this Act exceeds the cost which would have been incurred in carrying out the scheme authorised by the Act of 1925 or (b) the sum of fifty-five thousand five hundred pounds whichever of those sums shall be the less and the said sum shall be paid to the Joint Committee within three months after the said engineers shall have so certified as aforesaid and shall be applied by the Joint Committee towards the capital cost of the tunnel alteration. Provided that any sum which the Birkenhead Corporation shall pay in pursuance of this subsection shall not be reckoned for the purposes of the first proviso to subsection (3) of section 81 (Expenditure on revenue account) of the Act of 1925.

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(2) (a) The Birkenhead Corporation may with the consent of the Minister of Health 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 such sum or sums not exceeding in the whole fifty-five thousand five hundred pounds as may be necessary for the purposes of the said contribution.

(b) Any money borrowed under this section shall be repaid within such period as may be prescribed by the Minister of Health and that period shall be the prescribed period for the purposes of the enactments applied by this Act.

(c) In order to secure the repayment of any money borrowed under this section and the payment of interest thereon the Birkenhead Corporation may mortgage or charge such fund or rate as may be prescribed by the Minister of Health.

(3) The provisions of this section relating to the prescription of the funds or rates which may be mortgaged or charged shall not affect the operation of section 129 (Power to use one form of mortgage for all purposes) of the Birkenhead Corporation Act 1923.

(4) Within three months after the passing of this Act the Corporations shall produce to the Commissioners of Inland Revenue a King's Printer's copy of this Act

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stamped with ad valorem duty which would be payable upon an instrument (as defined by the Stamp Act 1891) executed under the respective seals of the Birkenhead Corporation and the Joint Committee on the day of the passing of this Act and containing the provisions of this section and in default of such production the amount of the said duty with interest thereon at the rate of five per centum per annum from the time hereinbefore fixed for production until payment shall be a debt from the Corporations to His Majesty.

Incorporation of certain financial provisions relating to Birkenhead Corporation.

20. The following provisions of the Acts in this section mentioned shall so far as applicable extend and apply to and in respect of moneys borrowed by the Birkenhead Corporation under this Act as if they were re-enacted herein (that is to say):—

The Birkenhead Corporation Act 1881—

Section 287 (Protection of lenders from inquiry).

The Birkenhead Corporation Act 1897—

Section 48 (Repayment of moneys hereafter borrowed under existing powers);

Section 49 (General provisions as to sinking funds).

The Birkenhead Corporation Act 1914—

Section 12 (Mode of raising money);

Section 15 (Power to borrow under Local Loans Act 1875);

Section 16 (Power to re-borrow);

Section 17 (Application of money borrowed); and

Section 18 (Audit of accounts).

Section 234 of Public Health Act 1875 not to apply to borrowing powers of Birkenhead Corporation.

21. The powers of borrowing money given by this Act to the Birkenhead Corporation shall not be restricted by any of the regulations contained in section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 and in calculating the amount which the Birkenhead Corporation may borrow under that Act any sums which they may borrow under this Act shall not be reckoned.

Receipt in case of persons not sui juris.

22. 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 Birkenhead Corporation. A.D. 1927.

**23.** The provisions of section 82 (Differential rating of certain railways and canals) of the Act of 1925 shall extend and apply in relation to the purposes of this Act as well as to the purposes of the Act of 1925. Application of provisions as to differential rating.

**24.**—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary in regard to the giving of any consent under the section of this Act of which the marginal note is "Power to Birkenhead Corporation to contribute and borrow" and the inspectors of the said Minister shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the said Minister under the Public Health Act 1875. Inquiries by Minister of Health.

(2) The Birkenhead Corporation shall pay to the Minister of Health any expenses incurred by that Minister in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by the said Minister not exceeding five guineas a day for the services of such inspector.

#### PART IV.

##### MISCELLANEOUS.

**25.** Section 65 (Tolls) of the Act of 1925 and paragraph 5 of the First Schedule to that Act shall be read and have effect as if twenty-five years and one million five hundred thousand pounds had been respectively referred to therein instead of twenty years and one million two hundred and fifty thousand pounds and section 83 (Application of tolls) of the Act of 1925 shall be read and have effect as if forty thousand pounds had been referred to therein instead of thirty-five thousand pounds. Amendment of Act of 1925 as to tolls.

**26.** The provisions of section 59 (For further protection of Mersey Railway Company) and of Part IV. (Tolls byelaws &c.) of the Act of 1925 as amended by this Act shall extend and apply to the authorised tunnel as altered by this Act. Section 59 and Part IV. of Act of 1925 to apply to tunnel as altered.

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Agreements with  
Mersey Docks  
and Harbour  
Board.

27. Section 42 (Agreements with Mersey Docks and Harbour Board) of the Act of 1925 shall extend and apply to the objects and purposes of this Act as well as to the objects and purposes of the Act of 1925.

Powers conferred  
upon the Corpo-  
rations to be  
exercised by  
Joint Committee.

28. The powers conferred by this Act upon the Corporations shall be exercised for them and on their behalf by the Joint Committee.

Costs of Act.

29. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Joint Committee out of moneys to be borrowed by the Liverpool Corporation for the purposes of this Act.



[17 & 18 GEO. 5.]

*Mersey Tunnel*  
*Act, 1927.*

[Ch. xciii.]

The SCHEDULES referred to in the  
foregoing Act.

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### THE FIRST SCHEDULE.

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DESCRIBING PROPERTIES UNDER WHICH EASEMENTS ONLY  
MAY BE TAKEN.

Area.	Number on Deposited Plans.
County borough of Birkenhead	- 1 to 257 (inclusive).

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### THE SECOND SCHEDULE.

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DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY MAY  
BE TAKEN COMPULSORILY.

Work.	Area.	Number on deposited Plans.
No. 3	County borough of Birkenhead -	258 259 262 263 274 275 283 284 287 302.

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