



CHAPTER ccxix.

An Act to alter the name of the Borough of Bootle-cum-Linacre to improve the Borough Boundary and to make better provision for the Health Local Government and Improvement of the Borough and for other purposes.

A.D. 1890.

[14th August 1890.]

WHEREAS the borough of Bootle-cum-Linacre in the county of Lancaster is a municipal borough under the government and local management of the mayor aldermen and burgesses of the borough and the Corporation acting by the council are the urban sanitary authority for the district comprising the borough:

And whereas the borough is a county borough within the meaning of the Local Government Act 1888:

And whereas the borough is commonly called and known as Bootle and inconvenience is caused by retaining the words cum-Linacre as part of the name of the borough and it is expedient to alter the name of the borough and of the Corporation and to make such other provision with reference thereto as is contained in this Act:

And whereas it is expedient that provision should be made for the settlement and improvement of part of the boundary line between the borough and adjoining districts and townships:

And whereas it is expedient that better provision should be made with reference to streets buildings and sewers within the borough and that the powers of the Corporation in relation to the health local government and improvement of the borough should be enlarged:

And whereas the Corporation are possessed of certain recreation grounds and it is expedient that they should be empowered to make regulations in regard to such recreation grounds and any other recreation grounds or parks that they may hereafter acquire:

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And whereas it is expedient that the Corporation should be empowered to regulate the erection and continuance of overhead wires :

And whereas the borough adjoins the city and port of Liverpool and special regulations with regard to police fires and marine store dealers are in force in that city and it is expedient that provisions in regard to the matters aforesaid should be made as in this Act contained :

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

And whereas an absolute majority of the whole number of the council at a meeting held on the thirteenth day of November one thousand eight hundred and eighty-nine after ten clear days notice by public advertisement of the meeting and of the purpose thereof in the Liverpool and Bootle Evening Times a local newspaper published and circulating in the borough such notice being in addition to the ordinary notices required for summoning that meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund and rate :

And whereas that resolution was published twice in the said Liverpool and Bootle Evening Times and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the eighth day of January one thousand eight hundred and ninety not less than fourteen days after the deposit of the Bill for this Act in the Offices of the Houses of Parliament :

And whereas the owners and ratepayers of the borough by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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

PART I.
Pre-
liminary.

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited as the Bootle Corporation Act 1890.

Division of
Act into
parts.

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

Part I.—Preliminary.

Part II.—Name of borough.

- Part III.—Boundaries.
- Part IV.—Streets buildings and sewers.
- Part V.—Sanitary provisions.
- Part VI.—Recreation grounds.
- Part VII.—Hackney carriages.
- Part VIII.—Overhead wires.
- Part IX.—Fires.
- Part X.—Police regulations.
- Part XI.—Marine store dealers.
- Part XII.—Rates.
- Part XIII.—Miscellaneous provisions.

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PART I.
Pre-
liminary.

3. This Act shall come into operation (save as otherwise expressly provided by this Act or by the Agreement set forth in the Third Schedule to this Act) on the first day of September one thousand eight hundred and ninety which date is herein-after referred to as the commencement of this Act.

Commence-
ment of Act.

4. In this Act the following words and expressions have the meanings hereby assigned to them unless the subject or context otherwise requires:—

Interpreta-
tion.

“The Corporation” means the mayor aldermen and burgesses of the borough of Bootle:

“The borough” means the municipal borough of Bootle in the county of Lancaster including the lands by this Act added to the borough:

“The council” “the town clerk” “the surveyor” “the medical officer of health” “the inspector of nuisances” “the borough fund” and “the borough rate” and “the district fund” and “general district rate” mean respectively the council the town clerk surveyor medical officer of health inspector of nuisances borough fund borough rate and district fund and general district rate of the borough:

“Infectious disease” means any infectious disease to which the Infectious Disease (Notification) Act 1889 for the time being applies within the borough:

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

“The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and all Acts for the time being in force amending the same:

“The Public Health Acts” means the Public Health Act 1875 and all Acts for the time being in force amending the same:

“Cattle” includes bull ox cow heifer calf sheep goats and swine:

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PART I.
*Pre-
liminary.*

Words and expressions to which meanings are assigned by the Public Health Act 1875 have in this Act the same respective meanings unless the subject or context otherwise requires :

Provided that the expression "superior courts" or "court of competent jurisdiction" shall have effect as if the debt or demand with respect to which it is used were a simple contract-debt and not a debt or demand created by statute.

Execution
and limits of
Act.

5. This Act shall be carried into execution by the Corporation acting by the council with all the powers privileges duties and obligations of the Corporation as a municipal authority and as an urban sanitary authority respectively And this Act shall unless otherwise expressed or implied apply only to the borough.

PART II.
*Name of
Borough.*

PART II.—NAME OF BOROUGH.

Changes of
names.

6. On and after the passing of this Act the name of the borough shall be "Bootle" and the name and style of the Corporation shall be "the mayor aldermen and burgesses of the borough of Bootle."

Continuance
of powers
duties &c.
and con-
struction of
Acts &c.

7. (1) The Corporation by their new name shall have exercise enjoy and be subject to all powers rights privileges immunities exemptions duties and liabilities which at common law by charter by public or local statute by order confirmed by Parliament or otherwise they had exercised enjoyed or were subject to or would have had exercised enjoyed or been subject to by their original name whether as a municipal body or as a sanitary authority or in any other capacity whatsoever and the borough by its new name shall be a county borough within the meaning of the Local Government Act 1888.

(2) All charters public and local statutes orders confirmed by Parliament byelaws regulations commissions fiats awards judgments and decrees and all bonds conveyances covenants deeds mortgages securities contracts agreements resolutions orders and notices and the grant of arms from the Heralds College and other instruments and documents relating to the borough or to the Corporation by their respective original names shall from and after the passing of this Act be read and have effect as if throughout the same respectively wherever the original name of the borough or any reference to the borough by its original name occurs the new name of the borough or a reference to the borough by its new name were substituted and as if wherever the original name of the Corporation

or a reference to the Corporation by their original name occurs the new name of the Corporation or a reference to the Corporation by their new name were substituted.

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PART II.
Name of
Borough.

8. Notwithstanding the changes of name effected by this Act any action arbitration prosecution or other proceeding civil or criminal which is pending by or against the Corporation by their original name immediately before the passing of this Act shall not abate or be discontinued or be prejudicially affected by the change of name of the borough or of the Corporation but on the contrary shall continue and take effect both in favour of and against the Corporation in like manner to all intents and purposes as if the same had been respectively commenced or instituted by or against the Corporation by their new name and in any notice warrant summons writ or other instrument used after the passing of this Act in or for the purposes of any such action arbitration prosecution or other proceeding as aforesaid the borough and the Corporation may be respectively described by their new names as if they had been originally constituted incorporated or called by their new names Nevertheless any such notice warrant summons writ or other instrument shall not be invalidated prejudiced or affected by reason of the borough or the Corporation being therein called by their original names respectively.

Actions &c.
not to
abate.

9. As soon as conveniently may be after the passing of this Act a new common seal shall be obtained by the Corporation omitting the words "cum-Linacre" therefrom but otherwise in all respects similar to the common seal in use at the passing of this Act and thereupon such last-mentioned seal shall be destroyed in the presence of the mayor and the town clerk and thenceforward such new seal shall be the common seal of the Corporation.

New com-
mon seal to
be prepared.

10. Notwithstanding the changes of name effected by this Act everything before the passing of this Act done suffered or confirmed under or by virtue of any other Act shall be as valid as if this Act were not passed and the changes of name effected by this Act shall accordingly be subject and without prejudice to everything so done suffered or confirmed before the passing of this Act and to all rights liabilities claims and demands then present or future which if the changes of name had not happened and this Act had not been passed would be incident to or consequent on anything so done suffered or confirmed and the Corporation by their new name may sue or be sued with respect to any such right liability claim or demand as aforesaid.

General
saving.

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PART III.
Boundaries.

PART III.—BOUNDARIES.

Improved
borough
boundary.

11. (1) The boundary line between the borough on the one hand and the local government districts of Waterloo-with-Seaforth Litherland and Walton-on-the-Hill and the district of the rural sanitary authority of the West Derby Union on the other and between the township of Bootle-cum-Linacre on the one hand and the townships of Litherland Orrell and Ford and Walton-on-the-Hill on the other shall for parliamentary municipal county council parochial and all other purposes be the improved boundary line described in the First Schedule to this Act so far as the same is so described. And the boundary of the borough on the western or river side shall be the River Mersey to the middle of the stream.

(2) A map in ten sheets showing the improved boundary line signed in duplicate by George Woodyatt Hastings Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (in this Act called the boundary map) shall within two weeks after the passing of this Act be deposited in the Private Bill Office of the House of Commons and with the town clerk at his office and copies thereof certified by the town clerk shall be sent as soon as may be after such deposit to the Director General of Her Majesty's Ordnance Survey and to the Local Government Board. In case of any discrepancy between the description of the improved boundary in the First Schedule to this Act and in the boundary map the description in the schedule shall prevail.

(3) All lands shown on the boundary map lying within the improved boundary line and coloured pink on the said map shall be for all purposes part of the borough and part of the township of Bootle-cum-Linacre.

(4) All lands coloured blue on the boundary map shall for all purposes be part of the local government district of Waterloo-with-Seaforth and of the township of Litherland and all lands coloured brown on the said map shall for all purposes be part of the local government district of Litherland and be a further part of the township of Litherland and all the lands coloured green on the said map shall for all purposes be part of the rural sanitary district of the West Derby Union and of the township of Orrell and Ford and all the lands coloured yellow on the said map shall for all purposes be part of the local government district and township of Walton-on-the-Hill.

(5) The lands by this Act added to the borough shall be apportioned to the wards of the borough in the following manner (that is to say):—

The portion taken from the local government district of Waterloo-with-Seaforth and so much of the portion taken from the local government district of Litherland as lies to the west of the centre line of Linacre Road shall be added to the No. 3 or Knowsley Ward and so much of the portion taken from the local government district of Litherland as lies to the east of the centre line of Linacre Road and the portions taken from the townships of Orrell and Ford and Walton-on-the-Hill shall be added to the No. 1 or Derby Ward.

(6) Nothing in this Act shall alter or affect any right to vote at any parliamentary county council or municipal election until the revision of the lists of parliamentary voters county council electors and burgesses in the year 1891 has been completed.

12. Whereas a portion of the boundary line between the No. 1 or Derby Ward and the No. 3 or Knowsley Ward is described in the charter of incorporation as passing in a northwardly direction along the centre of the Liverpool Crosby and Southport Railway to a point where the same crosses Marsh Lane thence in a north-eastwardly direction along Linacre Lane to the northern boundary of the township And whereas Linacre Lane has ceased to exist and it is expedient to alter and define that portion of the said boundary Be it therefore enacted that the boundary line between the said two wards shall continue along the centre of the said railway as described in the said charter to the point where the same crosses Marsh Lane and shall then proceed in a north-eastwardly direction along the centre of Marsh Lane to its junction with Stanley Road thence in a northwardly direction along the centre of that road to the northern boundary of the township of Bootle-cum-Linacre.

13. Nothing in this Act shall affect the collection after the commencement of this Act of any rates made or assessed before the commencement of this Act in the respective townships borough and districts affected by the improved boundary line and the same may after the commencement of this Act be collected enforced and recovered in like manner and by the like officers and persons and shall be applicable and be applied in like manner and the like courts and justices shall have jurisdiction for all the purposes of this section as if this Act had not been passed.

14. The agreement dated the seventeenth day of March one thousand eight hundred and ninety and made between the Corporation of the one part and the local board for the district of Litherland

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PART III.
Boundaries.Variation
of ward
boundary.Collection
of rates
made before
commence-
ment of
Act.Confirma-
tion of
agreement
with Lither-
land local
board.

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PART III.
*Boundaries.*Access to
seashore
to be pre-
served.

of the other part a copy of which is set forth in the Third Schedule to this Act is hereby confirmed and made binding upon the respective parties thereto.

15. Whereas in settling the improved boundary line between the borough and the local government district of Waterloo-with-Seaforth it was agreed as one of the terms of the settlement that in order to preserve access from the borough to the seashore the following provision should be made Be it therefore enacted that the local board for the district of Waterloo-with-Seaforth shall not do any act or thing whereby Fort Road or Shore Road in the said district shall be stopped up or interfered with.

PART IV.
*Streets
Buildings
and Sewers.*Deposit of
plan to be
void after
certain in-
terval.

PART IV.—STREETS BUILDINGS AND SEWERS.

16. The deposit with the Corporation of any plan of any street building or sewer shall be null and void if the execution of the work specified in such plan be not commenced within the following periods (that is to say) :—

As to plans deposited after the commencement of this Act within three years from the date of such deposit ; and

As to plans deposited before the commencement of this Act within three years from the commencement of this Act :

And at the expiration of those respective periods fresh notice and deposits shall unless the Corporation otherwise determine be requisite.

Intersecting
streets.

17. No new street intended to have a continuous line of buildings shall unless the Corporation otherwise allow be laid out of more than two hundred yards in length without an intersecting street.

Powers to
vary position
or direction
of new
streets.

18. The Corporation may by order vary or alter the intended position or direction of any intended new street for the purpose of causing it to communicate in a direct line with any other street adjoining or leading thereto The Corporation shall make compensation to all persons injuriously affected by the exercise of the powers of this section.

Corporation
may declare
where new
streets
begin and
end.

19. For the purpose of prescribing the line in which any house or building shall be erected the Corporation may by order declare the limits at or within which any new street is to be taken as beginning or ending.

As to repair
of vaults
&c. under
streets.

20. All vaults arches and cellars at any time subsisting under any street and all openings into such vaults arches or cellars in the surface of any such street and all cellar heads gratings lights and coal holes at any time existing in the surface of any such street

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and Sewers.*

and all landings flags or stones of the path or street supporting the same respectively shall be by the owners or occupiers of the same or of the houses or buildings to which the same respectively belong kept in substantial repair and in good and proper condition and so as not to occasion any injury to the streets or any injury or danger to passengers therein and in default thereof the Corporation may after twenty-four hours notice in that behalf cause the same respectively to be repaired and put in good order and the expenses of so doing shall be settled by the surveyor and be recovered summarily from the owner or occupier in default.

21. Sections 69 and 70 of the Towns Improvement Clauses Act 1847 incorporated with the Public Health Act 1875 shall extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projections from or at any building and whether erected before or after the passing of this Act which may be dangerous or an obstruction to the safe and convenient use of any street.

Removal of
projections
over streets.

22. Every person desirous of forming a communication for horses or vehicles across any kerbed footpath so as to afford access to any premises from a street shall first give notice in writing of such desire to the Corporation and shall if so required by them submit to them for their reasonable approval a plan of the proposed communication showing where it will cut the footpath and what provision (if any) is made for kerbing for gullies and for a paved crossing and the dimensions and gradients of necessary works and shall execute the works at his own expense under the supervision and to the reasonable satisfaction of the surveyor and in case such plan shall have been required then in accordance with the plan so approved and not otherwise and if any person drives or permits or causes to be driven any horse or vehicle across any footway unless and until such a communication as aforesaid has been so made he shall for each such offence be liable to a penalty not exceeding forty shillings.

Crossings
for horses
or vehicles
&c. over
footways.

23. It shall not be lawful for any person without the consent of the Corporation first obtained which consent shall not be unreasonably withheld to lay any building materials rubbish or other thing or make any excavation on or in any street and when with such consent any person lays any building materials rubbish or other thing or makes any excavation on or in any street he shall at his own expense cause the same to be sufficiently fenced and a sufficient light to be fixed in a proper place on or near the same and to be continued every night from sunset to sunrise and shall remove such materials rubbish or thing or fill up such excavation (as the case may be) when required by the Corporation and if any person fails to comply

Deposits of
building
materials or
excavations
not to be
placed
without
consent.

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and Sewers.

in any respect with the requirements of this enactment he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may remove any such materials rubbish or thing or fill up such excavation (as the case may be) and recover the expenses from the offender summarily.

Materials
in streets
sewered and
paved.

24. The Corporation may remove appropriate use and dispose of any old materials existing in any street at the time of the execution by the Corporation of any works in such street unless the owners of buildings and lands in such street within forty-eight hours after notice so to do served on them by the surveyor remove such materials or their respective proportions thereof and the Corporation may if they think fit allow such sum as they may fix to be the reasonable value thereof to such owners for any materials which have been re-used or removed by the Corporation.

Recovery
of damages
caused to
footways
by excava-
tions.

25. If the footway of any street belonging to or under the management of the Corporation be injured by or in consequence of any excavations on lands adjoining thereto the Corporation may repair or replace the footway injured and all damages and expenses of or arising from such injury and repair or replacement shall be paid to the Corporation by the owner of the lands on which such excavation has been made or by the person causing or responsible for the injury.

Power to
alter names
of streets
and names
to be put up
and houses
to be num-
bered &c.

26. The Corporation may name any street or any part of a street which is without a name or which bears two names and may from time to time alter the name of any street or of any part of a street and may from time to time paint engrave or otherwise describe and place the name of any street or of any part of a street on a conspicuous part of any building or other erection at or near each end corner or entrance thereof and number every building or other erection therein on the door thereof or otherwise as they think proper and if any person wilfully or without sufficient reason destroys obliterates defaces removes or without the consent of the Corporation alters any such name or number or any part thereof he shall be liable to a penalty not exceeding forty shillings.

As to urgent
repairs to
private
streets.

27. In cases where urgent repairs are required to any street not being a highway repairable by the inhabitants at large and where for want of such repairs danger exists to passengers or vehicles in such street the Corporation may give notice in writing to the owners of the premises fronting adjoining or abutting on such parts thereof as may require such repairs requiring them to execute within a time to be specified in such notice such repairs in and upon such street as shall be specified in such notice and if such notice is not complied

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and Sewers.*

with the Corporation may if they think fit execute such repairs and the expenses thereof shall be recoverable summarily from the owners in default.

28. The exemption made by section 151 (relating to private improvement expenses) of the Public Health Act 1875 in favour of the incumbent or minister of any church chapel or place appropriated to public religious worship which is now exempt from rates for the relief of the poor shall extend and apply to the trustees of any such church chapel or place.

Section 151
of Public
Health Act
extended to
trustees of
churches
and chapels.

29. Notwithstanding the provisions of section 152 of the Public Health Act 1875 whenever all or any of the works mentioned in section 150 of that Act have been executed in a street or part of a street not repairable by the inhabitants at large to the satisfaction of the Corporation and the Corporation are of opinion that such street or part of a street ought to become a highway repairable by the inhabitants at large they may by notice to be fixed up in such street or part of a street declare the whole of such street or part of a street to be a highway repairable by the inhabitants at large and thereupon such street or part of a street as defined in the notice shall become a highway repairable by the inhabitants at large :

Adoption
of private
streets.

Provided that no such street or part of a street shall become a highway so repairable if within one month after such notice has been put up the owner or the majority in number or value of owners of such street or part of a street by notice in writing to the Corporation object thereto and in ascertaining such majority joint owners shall be reckoned as one owner.

30. The entrance to any court or place not being a highway repairable by the inhabitants at large shall not at any time after the commencement of this Act be closed or narrowed or built over or the height or headway thereof lowered without in each case the consent of the Corporation in writing.

Entrances to
courts &c.
not to be
closed &c.
without
consent of
Corporation.

31. Where any vacant or waste lands are in a state to cause a nuisance to the public the Corporation may serve a notice on the owner or occupier requiring him within a time thereby limited to effectually fence the same so as to exclude the public therefrom and if the owner or occupier fails to comply with the requisitions of the notice or to keep such lands effectually fenced the Corporation may cause such lands to be effectually fenced or the fences thereof to be repaired and may recover the expenses incurred thereby summarily.

Fencing
of vacant
lands.

32. It shall not be lawful to raise fill in or embank any ground with any matter which is or may become offensive or unwholesome and every person who does or causes to be done any act in contra-

Penalty on
filling up or
embanking
ground with
offensive
matter.

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and Sewers.*

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Power to
accept
statutes &c.

Back yards
to be paved
&c.

Dangerous
places to be
repaired or
enclosed.

vention of this section shall for every such offence be liable to a penalty not exceeding five pounds and a daily penalty not exceeding forty shillings.

33. The Corporation may from time to time by writing under the hand of the town clerk authorise the erection in any street or public place of any statue monument or drinking or other fountain and may maintain the same and also any statue monument or fountain erected before the passing of this Act.

34. The back yards of all houses which shall be built after the passing of this Act shall be formed with such fall and shall for the space of at least one hundred square feet be flagged or asphalted or paved with such materials as shall be satisfactory to the Corporation for the purpose of carrying off the surface water to the drains of such houses and if the back yard of any house erected before or after the passing of this Act shall not be so formed flagged asphalted or paved so as to allow of the surface water being carried off as aforesaid the Corporation may give to the owner of such house notice in writing requiring him within seven days after such notice shall have been so given to proceed to form and to flag asphalted or pave such back yard so as to allow of the surface water being carried off to the drain of such house and within twenty-one days after such notice shall have been so given to complete such several works to the satisfaction of the Corporation and if such owner shall make default in complying with any of such requirements to the satisfaction of the Corporation within the respective times aforesaid the Corporation may if they think fit execute the works necessary for carrying out such requirements and the expenses incurred by them in so doing shall be paid to the Corporation by such owner and shall be recoverable summarily.

35. With respect to the repairing or enclosing of dangerous places the following provisions shall have effect (namely) :—

(1.) If any building wall steps structure or other thing or any well excavation or reservoir pond stream or dam or bank or any land or place is in the opinion of the Corporation for want of sufficient repair protection or enclosure dangerous to the occupiers thereof or to the neighbouring buildings or to the passengers along any street or footpath the Corporation may order the owner within the period specified in such order to repair remove protect or enclose the same so as to prevent any danger therefrom.

(2.) If after service of the order on the owner he shall neglect to comply with the requirements thereof within the prescribed period the Corporation may cause such works as they think

proper to be done for effecting such repair removal protection or inclosure and the expenses thereof shall be payable by the owner and may be recovered summarily.

36. For the purposes of this Act buildings and lands shall be deemed to be in a street when they abut upon a street or when they have an access covered or uncovered to a street.

37. Every person laying out land for building purposes shall provide and maintain at the back or sides of the houses and buildings intended to be erected thereon a passage for the purpose of affording efficient means of access to the privies or ashpits belonging to such houses and buildings and every such passage shall be so situated that the greatest distance along the same to any privy or ashpit from the line of the nearest street shall not exceed sixty yards and every such passage shall be of not less width than four feet communicating with a street and no part of any such passage shall at any time be covered or built over.

38. From and after the passing of this Act—

The re-erection wholly or partially on the same site of any building of which an outer wall is pulled down to or within ten feet of the surface of the adjoining ground and of any frame building so far pulled down as to leave only the framework of the ground floor storey thereof ;

The re-conversion into a dwelling-house of any building which has been discontinued as and appropriated for any purpose other than that of a dwelling-house ;

The making of any addition to an existing building by raising any part thereof or making any projection therefrom but so far as regards such addition only ; and

The roofing or covering over of an open space between walls or buildings ;

shall for all the purposes of this part of this Act and of the Public Health Acts and of any byelaw made thereunder respectively be deemed to be the erection of a "new building" and the word "building" shall for all such purposes include an erection or building of a permanent character of whatever material constructed.

39. The timbers of the floors of all new buildings shall be of the strength and dimensions specified in the Second Schedule to this Act and the provisions and rules of such schedule shall be observed and carried out in the erection of all new buildings :

And every person who shall offend against this section shall be liable for every such offence to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

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[53 & 54 VICT.]

PART IV.
*Streets
Buildings
and Sewers.*

Height of
buildings.

40. No new building shall without the approval of the Corporation be erected on the side of any street not existing at the commencement of this Act which shall exceed in height the distance from the front of such building to the opposite side of such street nor shall the height of any building at any time erected on the side of any street be at any time subsequently increased without such approval as aforesaid so as to exceed such distance. In determining the height of a building the measurement shall be taken from the level of the centre of the street immediate opposite the centre of the front of the building up to the top of the parapet or to the eaves of the roof as the case may be. In case of a gable facing the street the measurement shall be to a point half-way between the level of the eaves and the ridge. In the case of a roof which slopes away from the street at any greater angle to the horizon than fifty degrees the measurement shall be to the ridge of the roof and not to the eaves.

Height of
chimneys.

41. With respect to the height of chimneys the following provisions shall have effect (that is to say) :—

- (1.) Every chimney hereafter erected for carrying any smoke or steam or for the conveying away of any noisome or deleterious gases or effluvia from any mill factory brewery sizing-house dye-house gasworks corn-mill foundry or buildings used for manufacturing or other purposes shall be raised to such height measured from the level of the centre of the street nearest thereto as the Corporation shall reasonably approve having regard to the use of such chimney the position of dwelling-houses or other buildings near thereto the description of such buildings the levels of the neighbouring ground and any other condition requisite for consideration in determining such height.
- (2.) No portable steam-engine shall after the passing of this Act be erected or used within fifty feet of any occupied dwelling-house unless connected with a chimney of such height as the Corporation may in each case reasonably prescribe.
- (3.) All steam ejected from any fixed steam-engine or the boiler thereof and all spent or ejected steam arising or produced in any trade or business shall be discharged so as not to be an annoyance to the public.
- (4.) The foregoing provisions of this section shall not apply to locomotives used upon any railway or tramway or to portable steam-engines in use for agricultural purposes or to traction-engines steam-rollers or fire-engines.

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and Sewers.*

(5.) Any person who shall offend against any provision of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

42. Every fireplace opening or chimney opening in a new building shall have a sufficient hearth or horizontal slab of durable and incombustible material at the level of the floor extending throughout the length and depth of such opening and to a distance of at least sixteen inches beyond the face of the chimney breast and at least six inches beyond each side of the opening of the chimney piece. Every such hearth shall be laid upon a bed of cement concrete or brick or on a trimmer arch or on other compact and incombustible material having a depth of at least five inches below the upper surface of the hearth and in no case shall the hearth be supported or rest on wood or timber.

Fireplaces
of buildings
to have
hearths of
certain
dimensions.

43. No person shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to the satisfaction of the Corporation to indicate the approved line and level thereof. Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

No building
allowed
until street
defined.

44. The Corporation may from time to time prohibit in any part of the borough liable to be flooded from any stream watercourse or sewer or abutting upon any stream or watercourse the construction of any cellar or basement storey in any new building being a dwelling-house and may regulate the level of the ground floor of any new building in such part of the borough.

Power to
prohibit
cellars in
parts of
borough
liable to
floods.

45.—(1.) Where on the plan of any building whether built before or after the passing of this Act as deposited with and approved by the Corporation a part of such building is described or shown as or appears to be intended to be separated from the remainder of such building for the purpose of being used as a lock-up shop workshop shed or place of business and not a dwelling-house the use of such part of such building for the purposes of human habitation shall be an offence and every person who shall wilfully so use or knowingly suffer to be so used such part of such building shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Prevention
of lock-up
shops and
other places
of business
being im-
properly
used for
purposes of
habitation.

(2.) Provided that if such part of such building has in the rear thereof and adjoining and exclusively belonging thereto such an

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open space as is required by any Act or byelaw for the time being in force with respect to buildings intended to be used as dwelling-houses and if such part of such building has undergone the structural alteration (if any) necessary in the opinion of the Corporation for converting it into a dwelling-house the Corporation may on the application of the owner thereof authorise the same to be used as a dwelling-house.

(3.) Any justice of the peace by warrant under his hand may authorise any officer of the Corporation at any time to enter upon and examine any building suspected of being used in contravention of this section.

(4.) Every person who shall prevent or obstruct any such officer so authorised and producing such authority if required from or in making such inspection shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding the like sum.

Safety of
platforms
erected or
used on pub-
lic occasions.

46. Whenever large numbers of persons are likely to assemble on the occasion of any public procession open air meeting or other like occasions every building platform balcony or other structure or part thereof let or used or intended to be let or used for the purpose of affording sitting or standing accommodation for a number of persons and not being a railway station or platform shall be safely constructed or secured to the satisfaction of the surveyor and unless the same be so constructed or secured the section of this Act whereof the marginal note is "Dangerous places to be repaired or enclosed" shall be applicable to such building platform or other structure and may be put in full force accordingly.

Means of
ingress to
and egress
from places
of public
resort.

47. Every building which shall after the passing of this Act be used as a place of public resort shall to the satisfaction of the Corporation be substantially constructed and supplied with ample safe and convenient means of ingress and egress for the use of the public regard being had to the purposes for which such building is intended to be used and to the number of persons likely to be assembled at any one time therein and no such building shall at any time be used as a place of public resort unless the provisions of this section shall have been complied with and the means of ingress and egress to and from such building shall be during the whole time that such building shall be so used as available and unobstructed as the Corporation shall require and whenever any building shall be used as a place of public resort contrary to the provisions of this section the occupier or person in charge thereof and where such place is let for any period less than one year the owner thereof as well shall be deemed to have committed an offence

against the provisions of this section. Every person who shall offend against the provisions of this section shall for every such offence be liable to a penalty not exceeding twenty pounds:

For the purposes of this section the expression "place of public resort" means a building used or constructed or adapted to be used either ordinarily or occasionally as a church chapel or other place of public worship or as a college or school (not being merely a dwelling-house so used) or as a theatre public hall public concert room public ball room public lecture room or public exhibition room or as a public place of assembly for persons admitted thereto by tickets or by payment or used or constructed or adapted to be used either ordinarily or occasionally for any other public purpose but shall not include a private dwelling-house used occasionally or exceptionally for any of those purposes. Provided that this enactment shall not extend to any church chapel or other place of public worship used as such before or at the passing of this Act:

Provided always that any court before which a penalty is sought to be recovered under this section may refuse to inflict such penalty where the court is satisfied that a reasonable time has not elapsed to admit of the necessary alterations being made and the necessary alterations are in progress.

48.—(1.) Before any person erects any temporary building (not being a new building within the meaning of this Act) he shall apply to the Corporation for permission so to do and such application shall be accompanied by a plan and section of the proposed temporary building and a specification describing the materials proposed to be used in the construction thereof and the purpose for which the building is intended.

(2.) The Corporation shall within twenty-one days after the delivery of the plan and section and specification signify in writing their approval or disapproval of the intended building to the person proposing to erect the same.

(3.) The Corporation may attach to their approval any condition which they deem proper with regard to the sanitary arrangements of such building the ingress thereto and egress therefrom protection against fire and the period during which such building shall be allowed to stand.

(4.) If any such temporary building is commenced after the disapproval of the Corporation or before the expiration of the said twenty-one days without such approval or is in any respect not in conformity with the conditions imposed by the Corporation or is not removed within the period allowed by the Corporation (or any prolongation thereof) the Corporation may cause such building to be pulled down and removed and any expense incurred by them

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As to the
erection of
temporary
buildings.

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in or about the pulling down or removal of the building may be recovered in a summary manner from the owner of the building or from the person erecting the same at their discretion.

(5.) Provided that in regard to any temporary building not intended to stand for more than one month the approval of the surveyor instead of the Corporation shall be deemed sufficient and his approval or disapproval shall be signified within seven days from the delivery of the said plan section and specification but in all other respects the provisions of this section with the consequential alterations shall apply to temporary buildings coming within this subsection.

Pipes from
 slopstone to
 be discon-
 nected from
 sewers.

49. Every pipe from any slopstone bath or lavatory in a building erected before the passing of this Act shall where practicable be carried through the external wall of such building and be constructed so as to discharge in the open air on the outside of such building over a channel leading to a gully grating at a suitable distance and every gully grating or other inlet to the drains shall be properly trapped. Provided always that any penalty for an offence against the provisions of this section shall not be enforced unless default has been made for twenty-eight days in complying with a notice from the Corporation or the surveyor or the inspector of nuisances requiring the owner of such building to comply with the provisions of this section.

Provision as
 to filling up
 cesspool &c.

50. If it appears to the Corporation by the report of the surveyor or inspector of nuisances or medical officer of health that any cesspool used at or at any time after the commencement of this Act as a receptacle for excreta or for the whole or any part of the drainage of any house or part of a house within the borough or any ashpit belonging to any such house or part of a house is prejudicial to health or is inconveniently situated or is ill-constructed or is not water-tight or that for other sanitary reasons it is desirable that the same should be wholly or partially filled up or removed the Corporation may if they think fit by written notice require the owner or occupier of such house or part of a house within a reasonable time to be specified in such notice to cause such cesspool or ashpit to be wholly or partially filled up or removed and any drain communicating with such cesspool to be effectually disconnected destroyed and taken away and in cases where it appears by such report that any cesspool or ashpit is used in common by the occupiers of two or more houses or parts of houses such notice for the filling up or removal of such common cesspool or ashpit may be served on the owners or occupiers respectively who have the right to use the same cesspool or ashpit and the cost of filling up or

removing such last-mentioned cesspool or ashpit shall be defrayed by the owners thereof in such proportion as the Corporation shall determine :

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If any such notice as is mentioned in this section is not complied with or is not fully complied with the Corporation may at the expiration of the time specified in such notice do any work thereby required to be done which has not been done by the owner or occupier and may recover in a summary manner from the owner or (if there be more than one owner) from the owners in such proportions as shall be determined by the Corporation the expenses incurred by them in so doing or may by order declare the expenses apportioned as aforesaid to be private improvement expenses.

51. The term "ashpit" in the Public Health Act 1875 shall for the purposes of the execution within the borough of that Act and of this Act include any ashtub or other proper receptacle for the deposit of ashes faecal matter refuse or sewage.

Defining
"ashpit"
in Public
Health Act
1875.

52. If any privy pan-closet watercloset earth-closet or urinal used in common by the occupiers of two or more buildings or of separate parts of the same building or the approaches to or the walls floor seats or fittings of any such privy pan-closet watercloset earth-closet or urinal or any of them shall be in such a state or condition as to be a nuisance for want of the proper cleansing thereof then any one of the persons who shall have the use thereof in common as aforesaid and who shall be in default or in the absence of proof satisfactory to the justices as to which of them shall be in default each of the persons who shall have the use thereof in common as aforesaid shall be liable to a penalty not exceeding ten shillings and to a daily penalty not exceeding five shillings.

Penalty for
not cleansing
closet &c.

53. The soil pipes of the waterclosets within houses and buildings shall if required by the Corporation be properly ventilated by means of a pipe carried up therefrom or by such other method as they shall direct and any owner or occupier of a house or building who shall neglect or fail to comply with any requirement of the Corporation under this section for a period of twenty-eight days after notice in writing of such requirement and the mode in which the same is to be complied with shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Soil pipes
to be ven-
tilated.

54. No pipe used for the carrying off of rain water from any roof shall be used for the purpose of carrying off the soil or drainage from any privy or watercloset.

Rain-water
pipes not to
be used as
soil pipes.

55. It shall not be lawful for any person to throw or to suffer or permit to be thrown or to pass into any drain or sewer any

Placing
matters in
sewers so as

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to affect
run of water.

Steam &c.
not to be
turned into
sewers.

matter or substance which would interfere with the free flow of the sewage or surface or storm water or which would be injurious to the drains or sewers and every person offending against this enactment shall for every such offence be liable to a penalty not exceeding five pounds.

56. Every person who having had notice from the Corporation of the provisions of this section shall at any time after the expiration of seven days from the service of such notice turn or knowingly permit to enter into any sewer or drain communicating therewith any waste steam condensing water or heated water from any boiler or other receptacle used with any steam engine or for any manufacturing or trade purpose (such water being of a higher temperature than one hundred and ten degrees of Fahrenheit) shall be liable for every such offence to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings. The Corporation or any of their officers duly authorised in this behalf by writing under the hand of the town clerk and producing such authority if required may enter into any premises for the purpose of examining whether the provisions of this section are being contravened and if such admission be refused any justice on complaint thereof on oath by any officer of the Corporation (made after reasonable notice in writing of such intended complaint has been given to the person having custody of the premises) may by order under his hand require such person to admit the officer of the Corporation into the premises and any such order shall continue in force until the offence shall have ceased or the works necessary to prevent the recurrence thereof shall have been executed :

Provided that the mayor aldermen and citizens of the city of Liverpool shall not be subject to the provisions of this section in respect of any waste steam condensing water or heated water discharged into any sewer or drain belonging to them so long as such steam or water is not above the specified temperature when it enters the sewer of the Corporation.

Summary
power to
provide
sinks and
drains for
buildings.

57. In addition to all other powers vested in the Corporation the Corporation if it shall appear to them on the report of the surveyor or medical officer of health that any building whether built before or after the passing of this Act is not provided with a proper sink or drain or other necessary appliances for carrying off refuse water from such building may give notice in writing to the owner or occupier of such building requiring him in the manner and within the time to be specified in such notice to provide such sink drain or other appliances and if such owner or occupier shall make default in complying with such requirement to the satisfaction of the Cor-

poration within the time specified in such notice he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings and in case of default the Corporation may if they think fit themselves provide such sink drain or other appliances and the expenses incurred by them in so doing shall be repaid to them by such owner or occupier and may be recovered summarily.

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58. If the owner or occupier of any premises within the borough desires that any private sewer or any drain from such premises shall be made to communicate with any sewer of the Corporation the Corporation may and shall make so much of such private sewer or drain as is to be constructed under any public highway and also the junction of such private sewer or drain with the sewer of the Corporation and may and shall execute all necessary works for those purposes upon the reasonable cost or estimated cost thereof being paid to the Corporation or the payment thereof to them being secured to their satisfaction.

Corporation may make communications between private drains and their sewers on payment &c.

59. The Corporation may agree with the owner or occupier of any premises that any sewer or drain required to be made altered or enlarged by such owner or occupier or any part of such sewer or drain shall as to so much thereof as shall be in a street be constructed made altered and enlarged by the Corporation and the cost price of preparing the requisite plans and sections for and superintending making altering or enlarging such sewer or drain and also the cost of the execution of the works as estimated or certified by the surveyor shall be paid in advance to the Corporation by the owner or occupier so agreeing.

Corporation may agree to make drains at expense of owner.

60. In cases where two or more houses are connected with a single private drain which conveys their drainage into a public sewer the Corporation shall have all powers conferred by the forty-first section of the Public Health Act 1875.

Extension of section 41 of the Public Health Act 1875.

The Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportions as shall be settled by the surveyor or (in case of dispute) by arbitration under the Public Health Acts and any expenses shall be recoverable summarily or the Corporation may declare them to be private improvement expenses and may recover them accordingly.

61. Every building used as a workshop manufactory or school shall be provided with at least one privy or watercloset and one urinal for every fifty males or fractional part thereof employed therein or attending thereat and with at least one privy or water-

Privies &c. for manufactories.

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Public
waterclosets
urinals and
lavatories.

closet for every thirty females or fractional part thereof employed therein or attending thereat.

62. The Corporation may erect and maintain or permit to be erected and maintained in any street or on land belonging to them or on land belonging to any person with the consent of the owner lessee or occupier thereof for the time being waterclosets urinals and lavatories for the use of the public and may charge for the use of such waterclosets and lavatories erected or maintained by them such sums as they may think proper and the Corporation may make byelaws for the management of such waterclosets urinals and lavatories and for the conduct of the persons using the same Every watercloset urinal or lavatory erected by permission of the Corporation under this section shall be subject to such terms and conditions as the Corporation may prescribe with respect to the charges if any to be made for the use thereof and for repairing and keeping the same in proper order and for closing or removing the same if and when required by the Corporation but nothing herein shall be held to authorise a charge for the use of a public urinal.

Power for
Corporation
to authorise
inspection
of drains
privies and
cesspools.

63.—(1.) The surveyor or any other person from time to time appointed by the Corporation may inspect any drain watercloset privy or cesspool or any sinks traps syphons pipes or other works or apparatus connected therewith and for that purpose may (on production of his authority if so required) at all reasonable times in the daytime after six hours notice in writing has been given to the occupier of or left on the premises to which such drain watercloset privy or cesspool or such works or apparatus is attached enter with or without workmen on any premises and cause the ground to be opened wherever such surveyor thinks fit doing as little damage as may be and if any person obstructs or attempts to obstruct or incites any person to obstruct the surveyor or such person or workmen in the exercise of any of the powers conferred by this section he shall for every such offence be liable to a penalty not exceeding five pounds.

(2.) If such drain watercloset privy or cesspool or the connected works and apparatus be found on inspection as aforesaid to be properly made and in proper order and condition the Corporation shall cause the same to be reinstated and made good as soon as may be and the expenses of examination reinstating and making good such drain watercloset privy cesspool or other works or apparatus as aforesaid shall be defrayed by the Corporation and compensation shall be made by them for all damage or injury done or occasioned by the examination of any such drain watercloset privy cesspool or other works or apparatus as aforesaid.

(3.) If upon such inspection as aforesaid any drain watercloset privy or cesspool or the connected works or apparatus appear to be in bad order and condition or to require cleansing alteration or amendment or to be filled up the Corporation shall cause notice in writing to be given to the owner or occupier of the premises upon or in respect of which the inspection was made requiring him forthwith or within such reasonable time as shall be specified in such notice to do the necessary works and if such notice be not complied with by the person to whom it is given the Corporation may if they think fit execute such works and may recover the expenses incurred by them in so doing from the person in default in a summary manner.

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64. Before any drain existing at the time of the passing of this Act and then not communicating with any sewer of the Corporation shall be made to communicate with any sewer of the Corporation the Corporation may require the same to be laid open for examination by the surveyor and no such communication shall be made until the surveyor shall certify that such drain may be properly made to communicate with such sewer and the surveyor shall cause the ground to be closed and any damage done to be made good as soon as can be and the expense of the works shall be defrayed by the Corporation.

Corporation may require old drain to be laid open for examination by surveyor before communicating with sewers.

65. No room built before or after the commencement of this Act any portion of which extends immediately over any privy (not being a watercloset) cesspool midden or ashpit and which is not effectually separated from such room shall be occupied as a dwelling or sleeping or work room or place of habitual employment of any person in any manufacture trade or business during any portion of the day or night and no person shall after the expiration of one month after the commencement of this Act knowingly occupy or suffer to be occupied as a dwelling or sleeping or work room any such room. Any person offending against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

Rooms over privies not to be used as dwelling or sleeping rooms.

66. When any building whether built before or after the passing of this Act shall be provided with sufficient and suitable pan-closet or watercloset or other like accommodation to the satisfaction of the Corporation they may give notice in writing to the owner or occupier of such building requiring him within a reasonable time to be specified in such notice to fill up any existing privy which they may deem unnecessary and if such owner or occupier shall make default in complying with such requirement to the satisfaction of the Corporation within the time specified in such notice the

Power to require privies &c. to be filled up.

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Penalty for
injuring a
privy.

Corporation may if they think fit execute the works necessary for carrying out such requirement and the expense incurred by them in so doing shall be repaid to them by such owner or occupier and shall be recoverable as a penalty under this Act is recoverable.

67. If any person shall injure or improperly foul any privy pan-closet watercloset earth-closet ashpit ashtub or urinal which shall be used in common by the occupiers of two or more buildings or of separate parts of the same building he shall for every such offence be liable to a penalty not exceeding ten shillings.

Urinals for
inns public-
houses &c.

68. The Corporation may from time to time give notice in writing to the owner of any inn public-house or beer-shop whether built before or after the passing of this Act requiring him within a reasonable time to be specified in such notice to provide and maintain upon or adjoining such premises a urinal or urinals and if such owner shall make default in complying with such requirement to the satisfaction of the Corporation within the time specified in such notice he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding five shillings.

Urinals not
to be placed
in public
places with-
out consent
of Corpora-
tion.

69.—(1.) No person shall after the passing of this Act make or provide any urinal or similar convenience in any street or public place without the consent in writing of the Corporation.

(2.) The Corporation may from time to time give notice in writing to the owner or occupier of any building or land requiring him within a reasonable time to be specified in such notice to remove any urinal or similar convenience belonging thereto or thereon which shall in the opinion of the Corporation be so situated or constructed as to be a nuisance or offensive to public decency and if such owner or occupier shall make default in complying with such requirement within the time specified in such notice the Corporation may if they think fit remove such urinal or similar convenience and the expenses incurred by them in so doing shall be repaid to them by such owner or occupier and shall be recoverable as a penalty under this Act is recoverable.

(3.) Provided that nothing in this section contained shall extend or apply to any urinal or similar convenience now or hereafter to be erected by any railway company at or within any railway station or station yard.

Patent
rights as to
dealing with
sewage.

70. The Corporation may from time to time contract for take and use any leave license or authority (not being exclusive) to work use or exercise or put in practice any invention under any letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation

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to the utilization treatment dealing with and disposal of sewage excreta and refuse and may enter into and carry into effect agreements and arrangements in relation to such disposal or dealing respectively.

Under-
takings to
bind suc-
cessive
owners.

71. Every undertaking or agreement in writing given after the passing of this Act by or to the Corporation to or by or on behalf of any owner of property on the passing of plans or for the removal of obstructions or otherwise in connexion with the property of such owner shall be binding upon the owner of the property for the time being and upon his successors in title and upon the Corporation and may be enforced by either party in any court of summary jurisdiction by a penalty not exceeding five pounds for each breach of such undertaking or agreement and a daily penalty not exceeding twenty shillings for each such breach and such owner shall be entitled to require from the Corporation a copy of such undertaking or agreement And every intending owner or lessee of property shall be entitled to information from the Corporation as to the existence of any such undertaking or agreement affecting the property and the terms of the undertaking or agreement if any such exist.

Power to
execute
works in
default of
person
liable.

72. Whenever by or in pursuance of this Act or any byelaw for the time being in force within the borough any work act or thing is required to be done by any owner occupier or other person and default is made therein or if any such work act or thing is improperly or insufficiently done the Corporation may cause such work act or thing to be executed re-executed or done (as the case may require) and also whenever any work act or thing is by this Act or any such byelaw prohibited from being done and it nevertheless is done the Corporation may remove abate or alter the work act or thing so done and the expenses incurred by the Corporation in any such case or incidental thereto shall be repaid to them by the person making default in the execution or doing of or improperly or insufficiently or unlawfully executing or doing such work act or thing as the case may be notwithstanding any penalty may be imposed upon such person by any Act or byelaw.

Penalty on
occupiers
refusing
execution
of Act.

73.—(1.) In case the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Corporation under this Act or under any byelaw made under the powers of this Act then after notice of this provision shall have been given by the owner to the occupier any justice upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Corporation to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the

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owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding five pounds and during the continuance of such refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

(2.) If the occupier of any premises when requested by or on behalf of the Corporation to state the name of the owner of the premises occupied by him shall refuse or wilfully omit to disclose or wilfully misstate the same he shall (unless he shall show a cause to the satisfaction of the court for his refusal) be liable to a penalty not exceeding five pounds.

Penalties
not other-
wise pro-
vided.

74. Every person offending against any of the provisions of this part of this Act shall except as otherwise provided be liable to a penalty not exceeding forty shillings for every such offence and in the case of a continuing offence to a daily penalty not exceeding five shillings.

Exemption
of Govern-
ment pro-
perty from
building
regulations.

75. There shall be exempted from so much of the provisions of this Act as relates to buildings and structures every building structure or work vested in or in the occupation of Her Majesty Her heirs and successors either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public services also any building structure or work vested in or in the occupation of any department of Her Majesty's Government for public purposes or for the public service.

Partial
exemption
of railway
buildings
from Act.

76. The provisions of this part of this Act shall not extend or apply to any building (not being a dwelling-house) belonging to and used and occupied by a railway company as a part of or in connexion with their railway except with respect to the drains and other sanitary details.

Saving for
Mersey
Docks and
Harbour
Board.

77. Nothing contained in this part of this Act shall be deemed to extend or apply to any part of the estate for the time being of the Mersey Docks and Harbour Board or to any works or buildings (except dwelling-houses) now or hereafter to be executed constructed or carried out on the said estate.

PART V.
*Sanitary
Provisions.*
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PART V.—SANITARY PROVISIONS.

Cowkeepers
and others
to furnish
lists of
customers
in certain
cases.

78. Whenever it shall be certified to the Corporation by the medical officer of health or by any other registered medical practitioner that the outbreak or spread of infectious disease is in the opinion of such medical officer of health or medical practitioner attributable to the milk supplied by any cowkeeper purveyor of

milk or occupier of a dairy milkstore or milkshop the Corporation may require such cowkeeper purveyor of milk or occupier to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the borough and such cowkeeper purveyor of milk or occupier shall furnish such list accordingly and the Corporation shall pay to him for every such list the sum of sixpence and after the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

79. In case the medical officer of health shall have reasonable cause to believe that any person in the borough is suffering from infectious disease attributable to milk supplied within the borough from any farmhouse dairy cowshed milkshop or place situate beyond the borough boundary or that the consumption of milk from such farmhouse dairy cowshed milkshop or place is likely to cause infectious disease to any person residing in the borough such medical officer shall if authorised in that behalf by any order of a justice having jurisdiction in the place where such farmhouse dairy cowshed milkshop or place is situate have power to inspect such farmhouse dairy cowshed milkshop or place and if on such inspection he shall be of opinion that infectious disease is caused or is likely to arise from consumption of the milk supplied therefrom he shall report thereon to the Corporation who may thereupon give notice to the occupier of such farmhouse dairy cowshed milkshop or place not to supply any milk therefrom within the borough until such notice has been withdrawn by the Corporation and the Corporation shall forthwith give notice of the facts to the sanitary authority of the district acting in execution of the Contagious Diseases (Animals) Acts 1878 to 1886 in which such farmhouse dairy cowshed milkshop or place is situate and also to the Local Government Board in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the provinces of such authorities respectively Any person refusing to permit the medical officer of health on the production of such order as aforesaid to inspect any such farmhouse dairy cowshed milkshop or place or after any such notice by the Corporation has been given supplying any milk therefrom within the borough or selling it for consumption therein until such notice has been withdrawn shall be deemed guilty of an offence against this Act and shall on summary conviction be liable to a penalty not exceeding five pounds for such offence and to a daily penalty not exceeding forty shillings Provided always that

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*Sanitary
Provisions.*

Medical officer may inspect dairies &c. beyond borough in certain cases.

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Provisions.

Persons engaged in washing or mangling clothes to furnish lists of owners of clothes in certain cases.

proceedings for the recovery of any penalty under this enactment shall be taken before the justices of the peace having jurisdiction in the place where the said farmhouse dairy cowshed milkshop or place is situate.

80. Whenever it shall be certified to the Corporation by the medical officer of health that it is desirable with a view to prevent the spread of infectious disease that they should be furnished with a list of the customers of any person or company earning a livelihood or deriving gain by the washing or mangling of clothes the Corporation may require such person or company to furnish to them a full and complete list of the names and addresses of the owners of clothes for whom such person or company washes or mangles or has washed or mangled during the past six weeks and such person or company shall furnish such list accordingly and the Corporation shall pay to him her or them for every such list the sum of sixpence and at the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed three shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Further powers in relation to disinfection of premises.

81. Where the Corporation are of opinion on the certificate of their medical officer of health or of any other registered medical practitioner that the cleansing and disinfecting of any house or part thereof and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or to check infectious disease and that such cleansing and disinfection would more effectually be carried out by the Corporation than by the owner or occupier of such house or part thereof the Corporation without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid may if they think fit but at their own cost themselves cleanse and disinfect such house or part thereof and articles and may for that purpose remove any such articles and shall make compensation to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section And any person who shall obstruct any duly authorised officer of the Corporation in carrying out the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Penalty on persons ceasing to occupy houses without previous

82. Every person who shall cease to occupy any house room or part of a house in which any person has within six weeks previously been suffering from any infectious disease without having such house room or part of a house and all articles therein liable to retain infection disinfected to the satisfaction of a registered

medical practitioner as testified by a certificate signed by him or without first giving to the owner of such house room or part of a house notice of the previous existence of such disease and every person ceasing to occupy any house room or part of a house and who on being questioned by the owner thereof or by any person negotiating for the hire of such house room or part of a house as to the fact of there having within six weeks previously been therein any person suffering from any infectious disease knowingly makes a false answer to such question shall be liable to a penalty not exceeding ten pounds.

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PART V.
Sanitary Provisions.

disinfection or giving notice to owner or making false answers.

83. No person shall without the sanction in writing of the medical officer of health or other registered medical practitioner retain unburied elsewhere than in a mortuary for more than forty-eight hours the dead body of any person who has died of any infectious disease and any person offending against this enactment shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

Prohibiting the retention of dead bodies in certain cases.

84. If any person shall die from any infectious disease in any hospital or place of temporary accommodation and the medical officer of health or any other registered medical practitioner certifies that in his opinion it is desirable in order to prevent the risk of communicating any infectious disease or of spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person or persons to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that purpose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried and any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds. But nothing in this section shall prevent the removal of any dead body from any such hospital or place of temporary accommodation to any public mortuary and such mortuary shall for the purposes of this section be deemed part of such hospital or place of temporary accommodation.

Bodies of persons dying in hospital &c. of infectious diseases to be removed only for burial.

85. Where the body of any person who has died of any infectious disease remains unburied elsewhere than in a mortuary for more than forty-eight hours after death without the sanction of the medical officer of health or other registered medical practitioner or is retained in a room in which persons live or sleep or where the dead body of any person is retained in any house or building so as to endanger the health of the inmates of such house or building or

Justices may in certain cases order dead bodies to be buried.

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Sanitary
Provisions.

of any adjoining or neighbouring house or building any justice may on the application of the medical officer of health order the body to be removed at the cost of the Corporation to any mortuary provided by the Corporation and may direct the same to be buried within a time to be limited in the order or such justice may in the case of the body of any person who has died from any infectious disease or in any case in which he shall consider immediate burial necessary direct such body to be so buried without requiring the same to be removed to a mortuary and unless the friends or relatives of the deceased undertake to bury and do bury the body within the time limited by such order it shall be the duty of the relieving officer to bury such body at the expense of the poor rate but any expense so incurred may be recovered by the relieving officer in a summary manner from any person legally liable to pay the expenses of such burial Any person obstructing the execution of an order made by a justice under this section shall be liable to a penalty not exceeding five pounds.

Corpses not
to be carried
in public
conveyances.

86. Any person who hires or uses a public conveyance other than a hearse for the conveyance of the corpse of a person who has died from any infectious disease without previously notifying to the owner or driver of such public conveyance that the person whose corpse is or is intended to be so conveyed has died from infectious disease and any owner or driver of a public conveyance other than a hearse which has been used for conveying the corpse of a person who has died from infectious disease who shall not immediately afterwards provide for the disinfection of such conveyance shall be liable to a penalty not exceeding five pounds.

Detention
of infected
person with-
out proper
lodging in
hospital by
order of
court.

87. The provisions of the Public Health Act 1875 respecting infectious diseases and hospitals shall be and are hereby extended so as to authorise any court of summary jurisdiction having jurisdiction in the borough upon the certificate of the medical officer of health to make an order directing the detention in hospital at the cost of the sanitary authority of any person in the borough suffering from any infectious disease and not provided with lodging or accommodation in which proper precautions can be taken to prevent the spreading of the disorder by such person Any order so to be made by any such court shall be limited to some specific time not exceeding one month but with full power to any such court if it shall see necessary to enlarge such time as often as may be shown to be necessary by certificate of the said medical officer It shall be lawful for any sanitary officer or inspector of police of the borough on any such order being made to take all necessary

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measures and do all necessary acts for enforcing the execution thereof.

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Sanitary Provisions.

88. The Corporation shall from time to time provide temporary shelter or house accommodation for the members of any family in which any infectious disease has appeared and who have been compelled to leave their dwellings for the purpose of enabling such dwellings to be disinfected and shall also provide or contract with some person or persons to provide nurses for attendance upon the members of any family suffering from any infectious disease within the borough or upon children who may have been compelled to leave their dwellings as aforesaid and may charge a reasonable sum for the service of any nurse provided by them.

Temporary shelter and nurses.

89. The provisions contained in the one hundred and sixteenth to the one hundred and nineteenth sections (both inclusive) of the Public Health Act 1875 shall extend and apply to all articles intended for the food of man sold or exposed for sale or deposited in any place for the purpose of sale or of preparation for sale within the borough.

Extension of sections 116 to 119 inclusive of Public Health Act 1875.

90. For the purpose of carrying into effect the provisions of sections 49 120 or 121 of the Public Health Act 1875 the Corporation may by any officer empowered by the Corporation in writing either generally or specially in that behalf enter on any premises between the hours of nine o'clock in the forenoon and six o'clock in the afternoon. The officer shall on request produce his written authority.

Powers of entry for purposes of sections 49 120 and 121 of Public Health Act 1875.

91. Any keeper of a common lodging-house in the borough who fails to give the notice required by section 84 of the Public Health Act 1875 shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding five shillings.

Penalty for offences under section 84 of Public Health Act 1875.

92. Any person who shall knowingly cast or cause or permit to be cast into any ashpit ashtub or other receptacle for the deposit of refuse matter any infectious rubbish without previous disinfection shall be liable to a penalty not exceeding forty shillings.

For preventing infectious rubbish being thrown into ashpit &c.

93. The Corporation may from time to time make and enforce byelaws for the following purposes (that is to say):—

Power to make byelaws for sanitary purposes.

For prescribing the times for the removal or carriage through the streets of any foecal offensive or noxious matter or liquid whether such matter or liquid shall be in course of removal or carriage from within or without or through the borough and that the vessel receptacle cart or carriage used therefor

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PART V.
Sanitary Provisions.

shall be properly constructed so as to prevent the escape of any such matter or liquid and to compel the cleansing of any place whereon such matter or liquid shall have been dropped or spilt in such removal or carriage.

River streams &c. choked up to be a nuisance under Public Health Act 1875.

94. Any river stream or watercourse or any part or parts thereof respectively within the borough so choked or silted up as to obstruct or impede the proper flow of water along the same and thereby to cause or render probable an overflow of such river stream or watercourse on to or into land and property adjacent thereto shall be deemed a nuisance within the meaning of section 91 of the Public Health Act 1875 and all the provisions of that Act relating to nuisances shall apply to every such river stream or watercourse notwithstanding that the same may not be injurious to health.

Corporation may provide ambulances.

95. The Corporation may provide ambulances for use in cases of sickness and accidents happening within the borough and may provide attendants and horses and maintain and keep the same.

PART VI.
Recreation Grounds.

PART VI.—RECREATION GROUNDS.

Power to close recreation grounds.

96. The Corporation may on such days as they think fit (not exceeding twelve days in any one year nor four consecutive days on any one occasion) close any place of public resort or recreation provided by them against the public and the Corporation may grant the use of the same either gratuitously or for payment to any public charity or institution or for any agricultural horticultural or other show or any other public purpose or may use the same for any such other purpose and the admission to the said place or such part thereof on any such days may be either with or without payment as directed by the Corporation or with the consent of the Corporation by the society or persons to whom the use of the place or such part thereof may be granted Provided that no such place shall be closed on a Sunday or public holiday and that there shall be an interval of at least two months between the closings And provided further that the powers conferred by this section shall only be exercised in respect of one place of public resort or recreation at the same time.

Power to set apart lands for games.

97. The Corporation may from time to time set apart portions of any place of public resort or recreation for the time being belonging to or held by them for cricket football archery and other games and for the drill of volunteers yeomanry or cadets or any military or police force but so that the same shall be open to the public when not in use for such games or drill and the Corporation

may make byelaws for regulating the use of the portions of the place so set apart.

98. The Corporation may from time to time pay or contribute towards the payment of a band of music to perform in any place of public resort or recreation within the borough as the Corporation may prescribe and the Corporation may enclose an area within which such band shall play and may make byelaws for regulating the time and place for the playing of the band the payments to be made for admission within the said enclosure and for securing good and orderly conduct during the playing of the band Provided that the payments or contributions by the Corporation for or towards such band or bands shall be paid out of the district fund and shall not in any one year exceed the sum of fifty pounds.

PART VII.—HACKNEY CARRIAGES.

99. If any person fraudulently or with intent to deceive does any of the following things (namely) :—

(1) Affixes or places on any carriage or cart any figure or number to resemble any figure or number appointed by the Corporation to be affixed to any hackney carriage; or

(2) Affixes or carries on his person any badge figure or number to resemble any badge figure or number appointed by the Corporation to be carried by a licensed driver or conductor; he shall be liable to a penalty not exceeding forty shillings.

100. The inspector of hackney carriages may at any time examine all public vehicles plying for hire within the borough and shall see that the laws and byelaws relating to such public vehicles are duly observed If any proprietor driver or conductor or other person shall obstruct or hinder such inspector in the execution of his duties such proprietor driver conductor or other person shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

101. The provisions of the Town Police Clauses Act 1847 and of any byelaws thereunder with respect to the fares to be charged by the drivers of hackney carriages plying for hire within the borough shall be as fully applicable in all respects to hackney carriages conveying passengers to or from any railway station within the borough as if such railway station were a public stand for hackney carriages :

Provided that nothing in this section shall extend to or empower the Corporation in any way to interfere with any carriage belonging

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PART VII.
*Hackney
Carriages.*

Power to
license per-
sons follow-
ing certain
callings.

to or hired or used by any railway company for conveying passengers and their luggage to or from any railway station or with the drivers or conductors thereof unless such carriage plies for hire as an ordinary hackney carriage.

102. (1.) The Corporation may from time to time grant licenses authorising such persons as they think fit to stand or ply for hire with carts within one hundred yards of the docks.

(2.) Any license issued by the Corporation under this Act may be granted for a year or for any less period according as the Corporation may think fit and may be suspended or revoked or endorsed by the Corporation whenever they shall deem such suspension or revocation or endorsement to be necessary or desirable in the interests of the public. Provided that the existence of this power to suspend or revoke or endorse a license shall be plainly set forth in the license itself.

(3.) Any person who while unlicensed stands or plies for hire with any cart in any place within one hundred yards of the docks shall be liable to a penalty not exceeding five pounds.

Cabmen's
shelters.

103. The Corporation may from time to time provide erect place and maintain or authorise to be erected placed and maintained in any public street (or in any other place with the consent of the owner thereof) in the borough such places of shelter as they think fit for the use and convenience of the drivers of hackney carriages and carts and licensed porters and may make terms and conditions as to the user and cleaning thereof.

PART VIII.
*Overhead
Wires.*

PART VIII.—OVERHEAD WIRES.

Byelaws for
prevention
of danger
from tele-
graph wires
&c.

104. (1.) The Corporation may from time to time make and when made may from time to time alter and repeal byelaws for prevention of danger or obstruction to the public from posts wires tubes or any other appliances or apparatus stretched or placed over above along or across any street (whether before or after the passing of this Act) for the purposes of any telegraph or telephone railway signalling or other purpose.

(2.) By such byelaws provision may be made for the inspection and examination by the Corporation of any such posts wires tubes or other appliances or apparatus and for the prohibition of any such posts wires tubes or other appliances or apparatus being or continuing to be stretched or placed as aforesaid in such manner as to be dangerous or to cause obstruction to the public.

(3.) Offenders against such byelaws shall be liable to such reasonable penalties as may be thereby prescribed not exceeding five pounds

for each offence and a daily penalty not exceeding forty shillings and in addition to awarding any penalty the court of summary jurisdiction may order the removal of any post wire tube or other appliance which shall be adjudged to be stretched or placed as aforesaid in contravention of any byelaw made by the Corporation under this section.

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PART VIII.
*Overhead
Wires.*
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(4.) Byelaws made under this section and any alteration or repeal of any such byelaw shall not take effect unless and until they have been submitted to and confirmed by the Board of Trade which Board is hereby empowered to allow or disallow or to modify or amend the same as it may think proper and such reasonable notice of the intended submission of any such byelaw or of any alteration or repeal thereof for confirmation shall be given by the Corporation by advertisement in one or more local newspapers circulating in the borough and by circular letter to any Company or person owning or leasing any post wire tube or other appliance or apparatus to which such byelaw shall apply and such Company or person shall be entitled to appear before the Board of Trade and object to the confirmation alteration or repeal of any byelaw and all costs incurred by any parties in reference to the application for or objection to the confirmation alteration or repeal of any such byelaw shall be in the discretion of the Board of Trade.

(5.) The Board of Trade may exempt from the operation of any such byelaw for such period as they think proper not exceeding five years from the confirmation thereof any post wire tube or other appliance or apparatus which shall have been stretched or placed as aforesaid before such confirmation (herein-after referred to as "an existing work") And the Board of Trade may exempt from any alteration or repeal of any such byelaw for such period as they think proper not exceeding five years from the confirmation of such alteration or repeal any post wire tube or other appliance or apparatus which shall have been stretched or placed as aforesaid prior to such alteration or repeal in accordance with the byelaw proposed to be altered or repealed as originally framed.

(6.) Nothing in such byelaws shall apply to or include any apparatus which shall belong to any railway or canal company or which shall be used by them in connexion with their business and which now is or hereafter shall be fixed upon posts or supports upon any railway or the towing-path of any canal provided such apparatus do not project or be not stretched or placed beyond such railway or towing-path over any public street or be not stretched or placed over any public street crossing over such railway other than public streets which cross any railway on the level.

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PART VIII.
Overhead
Wires.As to exist-
ing telegraph
wires &c.

105. If during the said period of five years any of the existing works to which the last section is applicable is in the opinion of the surveyor in such a state or position that immediate danger to any person is to be apprehended he may give information to any justice who may thereupon summon the owner or lessee thereof or other person interested therein forthwith to appear before a court of summary jurisdiction and the court may make an order requiring such owner lessee or other person or all or any of them to remove the source of danger or authorising the surveyor to do so at the expense of such owner lessee or other person or of all or any of them or such other order as may appear to the court under all the circumstances of the case to be necessary and proper.

Restrictions
on placing
wires &c.
other than
telegraph
wires &c.
over across
or along
streets.

106. It shall not be lawful for any person to fix or place any rope line cord wire tube or other similar apparatus (other than wires tubes or other apparatus for telegraphic telephonic or any electrical or railway signalling purpose) above ground over across or along any street without the consent in writing of the Corporation which consent may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Saving for
Liverpool
Overhead
Railway
Company.

107. Nothing in this part of this Act or any byelaws made thereunder shall extend to or include any post wire or other appliance or apparatus belonging to the Liverpool Overhead Railway Company and which at the date of the passing of this Act is or thereafter shall be fixed or supported upon and over any railway belonging or leased to or worked by that company.

Saving of
Mersey Dock
estate.

108. Nothing in this part of this Act shall be deemed to extend or apply to posts wires tubes or other appliance or apparatus now or hereafter upon under or over any part of the estate for the time being of the Mersey Docks and Harbour Board.

Saving for
works of
electric
lighting
under-
takings.

109. Nothing in this part of this Act or any byelaws made thereunder shall extend to any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of those Acts apply.

Saving for
posts wires
&c. of
Postmaster
General.

110. Nothing in this part of this Act shall extend to any posts wires tubes or other property of Her Majesty's Postmaster General.

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PART IX.—FIRES.

PART IX.
Fires.

111. Any police constable authorised to act as such and acting under the orders of his superintendent or inspector or any member of the fire brigade of the Corporation being on duty or any officer of the Corporation may enter and if necessary break into any building in the borough being or reasonably supposed to be on fire or into any building or lands adjoining or near thereto without the consent of any owner or occupier thereof respectively and may do all such acts and things as he may deem necessary for extinguishing fire in any such building or for protecting the same or rescuing any person or property therein from fire.

Power to enter and break open premises in case of fire.

112. The captain or superintendent of the fire brigade of the Corporation or other officer of such fire brigade for the time being in charge of the engine or other apparatus for extinguishing fires attending at any fire in the borough shall from the time of his arrival and during his presence thereat have the sole charge and control of all operations for the extinguishment of such fire whether by the Corporation or any other fire brigade including the fixing of the positions of fire engines and apparatus the attaching of hose to any water pipes or water supply and the parts of the building on fire or of adjoining buildings against which the water is to be directed. Such captain superintendent or other officer in charge shall have power to stop or regulate the traffic in any street whenever in his opinion it is necessary or desirable to stop or regulate such traffic for the purpose of extinguishing any fire or for the safety or protection of life or property. Any person wilfully disobeying any order of any such officer of the Corporation or of the fire brigade shall be liable to a penalty not exceeding five pounds:

Captain of fire brigade to have control of operations.

Provided that nothing in this section shall be deemed to authorise the captain superintendent or other officer of the Bootle fire brigade to exercise any control over the operations of the Liverpool fire brigade or over any member of that brigade when acting on the estate of the Mersey Docks and Harbour Board.

113. (1.) It shall not be lawful for any person to use any artificial light in any warehouse or building which shall be used for the deposit and custody of goods wares and merchandise or in any room or apartment connected therewith except in a closed lantern in good order and condition and any person using an artificial light in a closed lantern as aforesaid shall keep such lantern closed and locked the whole time during which he shall use such light in any of the places aforesaid. Any person offending

No lights in warehouses warehouse rooms &c. except in a closed lantern in good order and condition.

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PART IX.
Fires.

against this provision shall for such offence be liable to a penalty not exceeding ten shillings and for a second like offence to a penalty not exceeding twenty shillings and for a third and every subsequent like offence to a penalty not exceeding forty shillings.

(2.) Provided that this section shall not extend to any counting house or office of any merchant factor or broker part of any warehouse or warehouse room of or occupied by such merchant factor or broker and which warehouse or warehouse room shall be used or partly used for the deposit and custody of goods wares or merchandise and in which counting house or office the general business of such merchant factor or broker shall be carried on and conducted nor to any shop office warehouse or warehouse room or rooms of any tradesman which is or are or shall be used as his store or otherwise in the way of his trade.

Smoking in
or near any
warehouses
&c. or near
goods or
carrying
combustibles
&c.

114. It shall not be lawful for any person to smoke any tobacco or other thing in any warehouse office or building used for the deposit and custody of goods wares and merchandise or in any room or apartment connected therewith or at or near the entrance or entrances to the same respectively or at or near any goods wares or merchandise about to be taken into such warehouse office or building nor shall it be lawful for any warehouseman porter lumper or stevedore when in or going into or coming out of any warehouse or warehouse room to conceal or secrete or to have in his custody or possession whilst in any warehouse or warehouse room any tobacco tobacco pipe match or combustible article or thing or any matter capable of being used in producing combustion Any person offending against this provision shall for such offence be liable to a penalty not exceeding ten shillings and for a second like offence to a penalty not exceeding twenty shillings and for a third and every subsequent like offence to a penalty not exceeding forty shillings.

PART X.

Police
Regulations.

PART X.—POLICE REGULATIONS.

Street
musicians to
depart when
required to
do so.

115. Any householder personally or by his servant or by any constable may require any street musician or singer to depart from the neighbourhood of the house of such householder and every person who shall sound or play upon any musical instrument or sing in any street near or within hearing of such house after being so required to depart shall be liable to a penalty not exceeding forty shillings.

Prohibition
of persons
assembling
in streets for
purpose of
betting.

116. Any three or more persons assembled in any street for the purpose of betting shall be deemed to be obstructing the street and each of such persons shall be liable to a penalty not exceeding forty shillings.

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PART X.
*Police
Regulations.*

117. If two or more persons shall be assembled together in any street at any time of the day or night for the purpose of assaulting insulting or annoying foot passengers and if any of such persons shall not comply with the direction or request of any constable to move away so as to leave the footway clear and unobstructed or shall insult or annoy any foot passenger he shall be liable to a penalty not exceeding forty shillings.

Penalty on persons obstructing footway.

118. Any person who shall suffer any bale of cotton to remain on the footpath or in the carriage-way of any street for a longer period than shall be necessary for the warehousing or removing thereof shall be liable to a penalty not exceeding forty shillings:

Penalty for leaving bales of cotton in street.

Provided always that nothing contained in this section shall be deemed to extend or apply to any part of the estate for the time being of the Mersey Docks and Harbour Board.

119. If any person destroys pulls down injures or defaces any boards or conveniences for the reception of advertisements of the Corporation or any advertisement placard or bill affixed thereto or any placard or notice issued and put up by or under the direction of the Corporation or any notice of the position of a fire-plug or hydrant or any board provided by the Corporation on which any byelaw or part of a byelaw of the Corporation is painted or placed such boards placards or notices being affixed in places where the Corporation are legally entitled to affix the same he shall for every such offence be liable to a penalty not exceeding forty shillings.

Penalty on pulling down notice boards.

120. Any unfenced ground adjoining or abutting upon any street shall for the purposes of the Act passed in the fifth year of the reign of King George IV. intituled "An Act for the punishment of idle and disorderly persons and rogues or vagabonds in that part of Great Britain called England" and any Act for the time being in force altering or amending the same be deemed to be a public place.

As to unfenced grounds.

121. For the regulation of places for public dancing or music or other public entertainment of the like kind the following provisions shall have effect (namely):—

Places for dancing music and other entertainments to be licensed.

1. After the expiration of six months from the passing of this Act a house room garden or other place whether or not licensed for the sale of wine spirits beer or other fermented or distilled liquors shall not be kept or used for public dancing singing music or other public entertainment of the like kind without a license for the purpose or purposes for which the same respectively is to be used first obtained from the justices acting for the borough for which license and for the registration thereof a fee of five shillings shall be paid by the person applying therefor:

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Regulations.

2. Such justices may under the hands of a majority of them assembled at any annual licensing meeting or at any adjournment thereof or at any special session convened with fourteen days previous notice grant licenses to such persons as they think fit to keep or use houses rooms gardens or places for all or any of the purposes aforesaid upon such terms and conditions and subject to such restrictions as they by the respective licenses determine and every license shall be in force for one year expiring on the tenth day of October or for such shorter period as the justices on the grant of the license shall determine unless the same shall have been previously revoked as herein-after provided :
3. Such justices may from time to time at any such special session aforesaid transfer any such license to such person as they think fit :
4. Each person shall in each case give fourteen days notice to the clerk of the justices and to the chief constable of the borough of his intention to apply for any such license or for the transfer of any such license :
5. Any house room garden or place kept or used for any of the purposes aforesaid without such license first obtained shall be deemed a disorderly house and the person occupying or rated as occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same is kept or used for any of the purposes last aforesaid :
6. There shall be affixed and kept up in some conspicuous place on the door or entrance of every house room garden or place so kept or used and so licensed as aforesaid an inscription in large capital letters in the words following " Licensed in
" pursuance of Act of Parliament for
" " with the addition of words showing the purpose or purposes for which the same is licensed :
7. Any house room garden or place so kept or used although so licensed as aforesaid shall not be open for any of the said purposes except on the days and between the hours stated in the license and the observance of the days and hours of opening and closing shall be inserted in and made a condition of every such license :
8. The affixing and keeping up of such inscription as aforesaid and the observance of the days and hours of opening shall be inserted in and made conditions of every such license :
9. In case of any breach or disregard of any of the terms or conditions upon or subject to which the license was granted the holder thereof shall be liable to a penalty not exceeding

twenty pounds and to a daily penalty not exceeding five pounds and such license shall be liable to be revoked by the order of any two justices :

10. No notice need be given under subsection 4 of this section when the application is for a renewal of an existing license held by the applicant for the same premises :
11. The justices in any petty sessions may if and as they think fit grant to any person applying for the same a license to keep or use any house room garden or place for any purpose within the meaning of this section for any period not exceeding fourteen days which they shall specify in such license notwithstanding that no notice shall have been given under subsection (4) of this section :

Provided nevertheless that this section shall not apply to any entertainment given by or under the direction of any religious charitable philanthropic literary or scientific institution society or body.

122. The Corporation may from time to time make byelaws for all or any of the following purposes :—

For regulating all traffic within the borough and preventing and removing obstructions in the streets :

For prescribing the times during which and the route along which cattle may be driven :

Provided always that the route which it shall be lawful for the Corporation so to prescribe shall not be such as would prevent the passage of cattle between any steamboat or other vessel in any dock basin quay wharf or other landing and any market or railway station in the borough or any place beyond the boundary of the borough when such cattle are merely passing between such dock basin quay wharf or other landing place and such cattle market railway station or other place as aforesaid

And the provisions of section 23 of the Municipal Corporations Act 1882 shall apply to such byelaws as if they were byelaws made under that section for the good rule and government of the borough :

Provided always that such byelaws shall not extend or apply to any part of the estate for the time being of the Mersey Docks and Harbour Board.

123. It shall not be lawful in any street in the borough to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may

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PART X.
*Police
Regulations.*

Byelaws for
regulating
traffic.

Restriction
on advertis-
ing vehicles
&c.

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PART X.
*Police
Regulations.*

contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds.

Byelaws for
prevention of
danger from
whirligigs.

124. The Corporation may make byelaws for the prevention of danger from whirligigs and swings driven by steam power and from the use of fire arms in shooting ranges and galleries and the provisions of section 23 of the Municipal Corporations Act 1882 shall apply to such byelaws as if they were byelaws under that section for the good rule and government of the borough.

Delivery of
goods un-
lawfully
pawned and
in possession
of brokers.

125. If any goods are stolen or unlawfully obtained or being in the care of any person for the purpose of being repaired cleaned or made up or being otherwise lawfully obtained are unlawfully deposited pawned pledged sold or exchanged and complaint is made to any justice that such goods are in the possession of any broker dealer in marine stores or other dealer in second-hand property or of any person who has advanced money upon the credit thereof such justice may issue a summons or warrant for the appearance of such broker dealer or other person as aforesaid before a court of summary jurisdiction and for the production of the goods and such last-mentioned court may order such goods to be delivered up to the owner thereof either without any payment by or to such owner or upon payment of such sum and at such a time as the court may think fit If any broker dealer or other person being so ordered refuses or neglects to deliver up the goods he shall forfeit to the owner the full value thereof to be determined by a court of summary jurisdiction but such order shall not bar such broker dealer or other person from recovering possession of such goods by proceedings at law from the person into whose possession they come by virtue of the order so that such proceeding be commenced within six months next after the order is made.

Penalty on
persons
having
property
suspected
to have been
stolen.

126. Any person brought before any petty sessional court charged with having in his possession custody or control in any premises or otherwise any cotton wool which there is reasonable ground to believe has been stolen or unlawfully acquired or detained and who does not account to the satisfaction of the court for his possession custody or control of the same shall for every such offence be liable to a penalty not exceeding twenty pounds.

Justices may
order goods
wrongfully

127. Upon complaint made to any justice by any person claiming to be entitled to the property or possession of any goods which

are detained by any other person within the borough the value of which shall not be greater than fifteen pounds and not being deeds muniments or papers relating to any property of greater value than fifteen pounds it shall be lawful for such justice to summon the person complained of to appear before a petty sessional court and such court shall inquire into the title thereto or to the possession thereof and if it shall appear to them that such goods have been detained without just cause after due notice of the claim made by the person complaining or that the person detaining such goods has a lien or right to detain the same by way of security for the payment of money or the performance of any act by the owner thereof it shall be lawful for the court to order the goods to be delivered to the owner thereof either absolutely or upon tender of the amount appearing to be due by such owner (which amount the court is hereby authorised to determine) or upon the performance or upon tender and refusal of the performance of the act for the performance whereof such goods are detained as security or if such act cannot be performed then upon trust of amends for non-performance thereof (the nature or amount of which amends the court is hereby authorised to determine) and any person who shall neglect or refuse to deliver up the goods according to such order shall forfeit to the party aggrieved the full value of such goods not greater than the sum of fifteen pounds such value to be determined by the court Provided always that no such order shall bar any person from recovering possession of the goods or money so delivered or forfeited by action-at-law from the person to whose possession such goods or money shall come by virtue of such order so that such action be commenced within six months next after such order shall be made.

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Regulations.*

detained
under £15
value to be
delivered to
the proper
owner.

PART XI.—MARINE STORE DEALERS.

128. For the purposes of this Act the following persons shall be deemed marine store dealers (that is to say) All persons who after the commencement of this Act—

In any way deal by retail by way of purchase in any base metal in a less quantity upon any one transaction than one hundred and twelve pounds in weight except by way of exchange for manufactured goods or for the purpose of themselves manufacturing or using such metal; or

Deal in buying and selling anchors cables sails or old junk old iron or marine stores of any description; or

PART XI.
*Marine
Store
Dealers.*

Retail
dealers in
certain
metals and
things to
be deemed
marine store
dealers.

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PART XI.
*Marine
Store
Dealers.*

In any way deal by retail in raw cotton wool or in damaged raw cotton wool in a less quantity upon any one transaction than one hundred and twelve pounds in weight :

And section 480 of the Merchant Shipping Act 1854 shall within the borough of Bootle extend and apply to marine store dealers as defined by this section and to the articles and things so dealt in.

Dealers in
marine
stores to be
licensed.

129. No person shall carry on the business of a dealer in marine stores without a license from the Corporation authorising such person to carry on such business which license the Corporation shall have power of granting or refusing.

Application
for license.

130. An application for any such license shall be in such form as the Corporation shall from time to time require and shall be signed by the applicant and shall specify the Christian name and surname and place of abode of the applicant and the place where such business is proposed to be carried on.

Duration of
license.

131. Every such license shall be signed by the town clerk and shall be in force for one year only from the day of the date of such license or until the next general licensing day in case any such general licensing day be appointed by the Corporation as they are hereby authorised to do.

Contents of
license.

132. There shall be specified in every such license the true Christian name and surname and place of abode of the applicant also the name of the street and the number of the house in which such business is or is intended to be carried on and the particular rooms or other parts of such house used or intended to be used for the purposes of such business and the times during which places of business of dealers in marine stores shall remain open or closed.

Fee and
registration
of license.

133. For every such license and for every renewal thereof there shall be paid to the town clerk such sum not exceeding five shillings as the Corporation shall direct and the town clerk shall enter such licenses in a register to be provided and kept by the Corporation for that purpose.

Notice of
change of
abode, and
of place of
business.

134. Whenever a licensee changes his place of abode or the place of carrying on his said business or carries on the same in any other part of the house than that mentioned in the license as used for the purposes thereof he shall within twenty-four hours next after such change give notice thereof in writing signed by him to the town clerk specifying in such notice his new place of abode or his new house of business or the additional or other part of the house used for the purposes of the said business as the case may be and shall within three days after such change produce his license at the office

of the town clerk who shall endorse thereon a memorandum specifying the particulars of such change.

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PART XI.
*Marine
Store
Dealers.*

135. Any person who commits any of the following offences (that is to say):—

Carries on within the borough the business of a dealer in marine stores without having obtained a license for such purpose;

or

Makes any wilfully false statement in any application for a license;

or

Neglects or omits to give any notice by this Act required to be given to the town clerk by licensees or to produce his license as directed by this Act;

shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

Penalty on carrying on business without license and other offences.

136. Any such license may be suspended or revoked by any court before whom the licensee is convicted of any offence which in the opinion of the court renders it expedient that such license should be suspended or revoked.

Licenses may be suspended or revoked.

137. Nothing in this Act contained with respect to dealers in marine stores shall relate to or affect persons who carry on the business of a general ship Chandler or that business and the business of a ropemaker and who only occasionally deal in second-hand marine stores.

Saving for ship Chandlers or rope makers.

138. Every dealer in marine stores and every servant and agent of such dealer shall at all reasonable times upon being required so to do by the Corporation their officers or servants or persons authorised by the Corporation in that behalf by writing under the hand of the town clerk and upon production of such authority or by any officer of police of the borough afford free access to every book of entry required to be kept by such dealer in marine stores for the purpose of inspecting the same and taking copies or extracts thereof or therefrom and to all places in which such person carries on such business as aforesaid and every person offending against this enactment shall incur for the first offence a penalty not exceeding five pounds and for every subsequent offence a penalty not exceeding twenty pounds.

Entry of premises and inspection of books.

139. A marine store dealer shall not by himself or his agents purchase any new or second-hand goods or articles from any person apparently under the age of sixteen years and every person offending against this enactment shall incur for the first offence a penalty not exceeding five pounds and for every subsequent offence a penalty not exceeding twenty pounds.

Marine store dealer not to purchase of children under sixteen.

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PART XII.

Rates.

Provision for
rating new
buildings to
general
district rate.

PART XII.—RATES.

140. Where in pursuance of section 38 of the Poor Law Amendment Act 1868 the occupier of any new house or other building shall be entered in the poor rate book the Corporation may make a similar entry in the general district rate book and such occupier shall thereupon be considered as actually rated to the current general district rate from the date of the last-mentioned entry and shall be liable to pay the sum assessed to that rate (less a proportionate sum for the time which shall have elapsed from the making of the current rate to the date of the last-mentioned entry) in like manner and subject to the like penalty of distress and with the like power of appeal as if he had been assessed for the same when such general district rate was made and the power to rate owners instead of occupiers in certain cases and the provision as to the assessment of certain property on a reduced estimate and other the provisions of section 211 of the Public Health Act 1875 shall so far as the same are applicable apply to the assessment authorised by this Act.

Power to
levy rates by
instalments.

141. The Corporation may levy any rate they are for the time being authorised to make either in one sum or by any number of instalments (not exceeding four) of such amounts and to be paid at such times within the financial year as they shall from time to time fix and determine at the time of making the rate but if the rate is made payable by instalments the demand note shall in addition to other requisite particulars state the time appointed for payment of each instalment and all the powers rights and remedies of the Corporation and their officers for levying and recovering of rates shall extend and apply to each instalment as if the same were a separate rate.

PART XIII.

Miscellaneous Provisions.

Expenses of
execution of
Act.

PART XIII.—MISCELLANEOUS PROVISIONS.

142. Any expenses of the execution by the Corporation of this Act with respect to which no other provision is made may be defrayed by the Corporation out of the borough fund and rate or district fund and general district rate as the Corporation may in their discretion having regard to the object of the expenditure deem just.

Compensa-
tion how to
be deter-
mined.

143. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided for by the Public Health Acts.

144. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate license or consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order made by a court of summary jurisdiction under any provision of this Act may appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts.

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PART XIII.
Miscellaneous Provisions.

As to appeal.

145. Offences against this Act and penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner.

Recovery of penalties &c.

146. Any notice or other such document under this Act may be in writing or print or partly in writing and partly in print and if the same require authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication. Notices orders and any other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health Act are by section 267 of that Act authorised to be served. Provided always that in the case of any company any such notice or document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

Authentication and service of notices.

147. All the provisions with respect to byelaws contained in sections 182 to 185 (both included) of the Public Health Act 1875 (except so much thereof as relates to byelaws of a rural sanitary authority) shall apply to all byelaws from time to time made by the Corporation under the powers of this Act except byelaws made under Part VIII. (Overhead Wires) of this Act and byelaws to which the Municipal Corporations Act 1882 applies.

General provisions as to byelaws.

148. Any summons or warrant issued for any purpose of this Act may contain in the body thereof or in the schedule thereto several sums.

Contents of summons.

149. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate or by reason of his being a member of the council.

Judges not disqualified.

150. Nothing contained in this Act shall extend or operate to authorise the Company to take use enter upon or in any manner interfere with any land soil water or hereditaments or any land parcel of any manor or any manorial rights or any other rights of whatsoever description belonging to Her Majesty in right of Her Duchy of Lancaster without the consent in writing of the Chancellor for

Saving rights of the Duchy of Lancaster.

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PART XIII.
Miscellaneous
Provisions.

the time being of the said duchy first had and obtained (which consent the said Chancellor is hereby authorised to give) or take away prejudice or diminish any estate right privilege power or authority vested in or enjoyed or exerciseable by Her Majesty Her heirs or successors in right of Her said duchy.

Saving
rights of the
Crown in the
foreshore.

151. Nothing contained in this Act shall authorise 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 right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Costs of Act.

152. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of 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 borough fund and rate or out of moneys to be borrowed on the security of that fund and rate and which moneys the Corporation are hereby authorised to borrow and if they borrow are required to repay in accordance with the provisions of the Public Health Acts.

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

153. The town clerk shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return such clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act If it appear to the Local Government

Board by such return or otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court of Justice.

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PART XIII.
*Miscellaneous
Provisions.*

A.D. 1890.

THE FIRST SCHEDULE.

DESCRIPTION OF IMPROVED BOUNDARY LINE.

The improved boundary of the borough and township shall include the lands and premises within a line commencing at the centre of the River Mersey in a straight line with the north wall of the Mersey Dock Estate thence following the north wall of the dock estate crossing Shore Road thence south-eastwardly along the east side of Shore Road to the viaduct of the Aintree and Bootle Branch Railway thence following the north side of the said railway (crossing Crosby Road South) and following the fence forming the northern boundary of the said railway at a distance of about fourteen yards from the centre of the railway lines as far as Bowles Street thence continuing in a line parallel to and at a distance of fourteen yards from the centre of the said railway lines as far as the east side of the Liverpool Crosby and Southport line of the Lancashire and Yorkshire Railway Company thence in a southwardly direction along the east side of the said railway to a point about fifty feet north of the north side of an intended road to be called Granite Road thence eastwardly crossing Hornby Boulevard and continuing parallel with Granite Road at a distance of about fifty feet to the north of the north side thereof thence crossing Linacre Road and following the south boundary of land belonging or reputed to belong to Alexander Johnstone to the west side of the towing path of the Leeds and Liverpool Canal thence southwardly along the boundary of the said towing path to the Orrell Brook thence eastwardly and north-eastwardly along the existing borough boundary to a point north of the Linacre Hospital such point being at the intersection of a fence extending in a north-westerly direction from the Linacre Hospital thence along such fence to the north corner of the hospital enclosure thence following the existing borough boundary along the north-east side of the hospital enclosure and continuing in a straight line therewith across Linacre Lane to the south-east side thereof thence passing in a south-westerly direction to the intersection of the proposed Fernhill Road thence following the east side of the said road for a distance of one hundred and thirty yards thence turning eastwardly and joining with the present boundary at a point eighty yards east of Fernhill Road thence following the present boundary eastwardly to the junction of the boundary between Orrell and Walton thence in a southwardly direction along a fence to the corner of the footpath from Walton to Orrell thence southwardly along the east side of the said footpath to the north wall enclosing the Walton Gaol thence along the west side of the west wall enclosing the said gaol to the south side of Hornby Road thence eastwardly along the south side of Hornby Road to the wall on the west side of the Liverpool parish cemetery thence along the west side of the said wall in a southwardly direction to the division wall between the said cemetery and the lands belonging or reputed to belong to the guardians of

the West Derby Union thence in a south-westerly direction along the west side of the wall upon the west side of the footpath adjoining the gasworks belonging to the said guardians and continuing along the west side of the said wall until the existing borough boundary is reached at a point about thirty-three yards east of the east side of the proposed Stuart Road thence westwardly to the north-east corner of the premises known as Bootle College thence southwardly along the east side of the wall forming the east boundary of Bootle College premises thence in a line therewith across Breeze Hill to the south side thereof thence westwardly along the south side of Breeze Hill to the wall forming the east boundary of the premises 46 Breeze Hill thence southwardly along the east side of the east wall of the said premises and continuing the line thereof for a distance of about thirty-nine yards from the south-east corner of the said premises until the north side of a proposed road is reached thence westwardly along the north side of the said road for a distance of about seven yards thence in a south-westerly direction crossing the said road in a line with the east side of the intended cutting of the Lancashire and Yorkshire Railway and along such cutting for a distance of about one hundred and fifty-five yards thence at a right angle therewith in a south-easterly direction until the north-west side of a proposed street is reached thence in a south-westerly direction along the west side of the said street for a distance of about fifty yards thence in a southerly direction to the south-east corner of Carisbrooke Road and Bedford Road thence eastward along the south side of Bedford Road for a distance of about twenty-two yards thence following the line of an intended back passage parallel with Carisbrooke Road and at a distance of about twenty-two yards on the east side thereof to a point about one hundred and eighty-four yards south of the south side of Bedford Road thence westwardly in a straight line crossing Carisbrooke Road and Roxburgh Street to a stone marking the existing boundary between the borough the city of Liverpool and the township of Walton-on-the-Hill.

THE SECOND SCHEDULE.

RULES AS TO THE STRENGTH OF TIMBER.

PART I.—GENERAL RULES.

In this schedule and for the purposes thereof—

The expression "public building" means a building used or intended or constructed or adapted to be used either ordinarily or occasionally as a church chapel or other place of public worship or as a hospital work-house college school (not being merely a dwelling-house so used) theatre public hall public concert room public ball room public lecture room

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or public exhibition room or as a public place of assembly for persons admitted thereto by tickets or otherwise or used or intended or constructed or adapted to be used either ordinarily or occasionally for any other public purpose:

The expression "warehouse building" means any building or portion thereof used or intended or constructed or adapted to be used as a warehouse or store and includes any mill factory manufactory brewery distillery works foundry or other such like building:

The expression "domestic building" means a building used or intended or constructed or adapted to be used as a dwelling-house and includes any outbuilding appurtenant to a dwelling-house whether attached thereto or not and any shop or office and any other building not being a public building or a warehouse building:

Provided that whenever a building combines characteristics of more than one of the three classes of buildings above defined (namely public building warehouse building and domestic building) the Corporation may decide to which of the said classes such building or any part thereof shall be deemed to belong.

Timbers of
fir or pine.

1. The following rules of this schedule shall apply to beams and joists of any species of fir or pine. Timbers of any other kind of wood shall be of such size and strength as is satisfactory to the surveyor.

Minimum size.

2. The sizes specified in this schedule for the cross sections of the several timbers mentioned therein shall represent the least size and strength which any such timbers may have.

Timbers on
edge.

3. Every beam and joist mentioned in this schedule shall be laid and fixed on edge its greatest side being in a vertical position and when laid and fixed in such position the distance between the upper and lower surfaces thereof shall be deemed to be the depth thereof and is in this schedule hereafter so referred to.

Calculations
of equal
strength.

4. In calculating the size and strength required for any beam or other timber intended to be of a strength equal to or greater than that of any particular beam or other timber of the same length and of the dimensions specified in this schedule the following method shall be adopted. In both cases the number of inches in the depth of such beam or other timber shall be multiplied by itself and the product shall be multiplied by the number of inches in the breadth. The number thus obtained shall be taken to represent the strength of such beam or other timber.

Floors of
usual kind.

5. The rules of this schedule relating to joists and beams in floors are applicable only to floors formed of joists laid on edge in the ordinary way and covered with boards.

Floors of
unusual kind.

6. In case of a framed floor or of a floor formed with beams at a short distance apart and covered with lattens deals or planks without joists the several timbers of such floor shall be of such size and strength as is satisfactory to the surveyor.

Distance apart
of joists and
beams.

7. The rules of this schedule relating to joists and beams in floors are applicable only to joists laid at a distance of not more than fifteen inches apart measured from the middle of one joist to the middle of the next or to the nearest wall and to beams laid at a distance of not more than ten feet apart

measured from the middle of one beam to the middle of the next or to the nearest wall. And joists and beams not exceeding the dimensions specified therefor in this schedule shall be laid and fixed at not more than the aforesaid distances apart namely fifteen inches and ten feet respectively. Provided that nothing in this rule contained shall prevent or limit the operation of the rules numbered 8 9 10 and 19 in this schedule.

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8. In the case of a floor formed of joists or beams of greater dimensions than the respective dimensions specified therefor in this schedule such joists or beams may be laid and fixed at a proportionately greater distance apart than fifteen inches and ten feet respectively.

Timbers larger than in schedule.

9. In the case of a floor formed of joists or beams of less dimensions than the respective dimensions specified therefor in this schedule such joists or beams shall be laid and fixed at a proportionately less distance apart than fifteen inches and ten feet respectively.

Timbers smaller than in schedule.

10. In the case of a floor in which any joist or beam is of a length for which no provision is made in this schedule such joist and beam shall be of such size and strength as is satisfactory to the surveyor.

Lengths not in schedule.

PART II.—FLOORS OF DOMESTIC BUILDINGS.

11. In the floors of domestic buildings the least cross section of the several bearing joists shall be of the following size and strength or shall be of equal strength therewith (that is to say):—

Joists.

- | | |
|--|------------------------------|
| (1.) Every joist not exceeding three feet four inches in clear bearing shall be three inches in depth and three inches in thickness. | 3 ft. 4 in. |
| (2.) Every joist exceeding three feet four inches and not exceeding five feet four inches in clear bearing shall be three and a half inches in depth and three inches in thickness. | 3 ft. 4 in. to 5 ft. 4 in. |
| (3.) Every joist exceeding five feet four inches and not exceeding seven feet four inches in clear bearing shall be four inches in depth and three inches in thickness. | 5 ft. 4 in. to 7 ft. 4 in. |
| (4.) Every joist exceeding seven feet four inches and not exceeding nine feet four inches in clear bearing shall be five inches in depth and two and a half inches in thickness. | 7 ft. 4 in. to 9 ft. 4 in. |
| (5.) Every joist exceeding nine feet four inches and not exceeding eleven feet four inches in clear bearing shall be six inches in depth and two and a half inches in thickness. | 9 ft. 4 in. to 11 ft. 4 in. |
| (6.) Every joist exceeding eleven feet four inches and not exceeding thirteen feet four inches in clear bearing shall be seven inches in depth and two and a half inches in thickness. | 11 ft. 4 in. to 13 ft. 4 in. |
| (7.) Every joist exceeding thirteen feet four inches and not exceeding fourteen feet four inches in clear bearing shall be seven inches in depth and three inches in thickness. | 13 ft. 4 in. to 14 ft. 4 in. |
| (8.) Every joist exceeding fourteen feet four inches and not exceeding sixteen feet four inches in clear bearing shall be eight inches in depth and three inches in thickness. | 14 ft. 4 in. to 16 ft. 4 in. |
| (9.) Every joist exceeding sixteen feet four inches and not exceeding eighteen feet four inches in clear bearing shall be nine inches in depth and three inches in thickness. | 16 ft. 4 in. to 18 ft. 4 in. |

A.D. 1890.	(10.) Every joist exceeding eighteen feet four inches and not exceeding twenty feet four inches in clear bearing shall be ten inches in depth and three inches in thickness.
18 ft. 4 in. to 20 ft. 4 in.	(11.) Every joist exceeding twenty feet four inches and not exceeding twenty-two feet four inches in clear bearing shall be eleven inches in depth and three inches in thickness.
20 ft. 4 in. to 22 ft. 4 in.	(12.) Every trimming joist receiving a trimmer at not more than three feet from one end and every trimmer joist receiving not more than six common joists shall have an extra thickness of one inch more than is herein specified for a common joist of the same bearing. Such extra thickness shall not be added in a separate scantling but the trimmer or trimming joist shall be solid throughout.
Trimming joists and trimmer joists.	
Beams.	12. In the floors of domestic buildings the least cross section of the several beams or girders supporting the same and not supporting any wall pier or other such load shall be of the following size and strength or shall be of equal strength therewith (that is to say):—
8 to 10 ft.	(1.) Every beam exceeding eight feet and not exceeding ten feet in clear bearing shall be ten inches in depth and six inches in thickness.
10 to 12 ft.	(2.) Every beam exceeding ten feet and not exceeding twelve feet in clear bearing shall be eleven inches in depth and seven inches in thickness.
12 to 14 ft.	(3.) Every beam exceeding twelve feet and not exceeding fourteen feet in clear bearing shall be twelve inches in depth and eight inches in thickness.
14 to 16 ft.	(4.) Every beam exceeding fourteen feet and not exceeding sixteen feet in clear bearing shall be thirteen inches in depth and nine inches in thickness.
16 to 18 ft.	(5.) Every beam exceeding sixteen feet and not exceeding eighteen feet in clear bearing shall be fourteen inches in depth and ten inches in thickness.
18 to 20 ft.	(6.) Every beam exceeding eighteen feet and not exceeding twenty feet in clear bearing shall be fifteen inches in depth and eleven inches in thickness.

PART III.—FLOORS OF PUBLIC BUILDINGS.

Floors of
public buildings
one fifth
stronger.

13. In the floors of public buildings the least cross section of the several bearing joists and of the beams supporting the same shall be at least one fifth stronger than the respective cross sections specified in Part II. of this schedule for joists and beams in the floors of domestic buildings or otherwise such joists and beams of public buildings (being of the same size and strength as those of domestic buildings) shall be laid and fixed at a distance of not more than twelve inches and eight feet respectively apart measured from the middle of one joist or beam to the middle of the next or to the nearest wall:

Provided that joists and beams in the floors of small private rooms and ante-rooms of public buildings may be of the same size and strength as those of domestic buildings.

PART IV.—FLOORS OF WAREHOUSE BUILDINGS.

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14. In the floors of warehouse buildings the least cross section of the several bearing joists shall be of the following size and strength or shall be of equal strength therewith (that is to say):—

- | | |
|---|-------------------------------------|
| (1.) Every joist not exceeding three feet in clear bearing shall be four and a half inches in depth and three inches in thickness. | Length up to 3 feet. |
| (2.) Every joist exceeding three feet and not exceeding four feet in clear bearing shall be six inches in depth and two and a half inches in thickness. | 3 to 4 feet. |
| (3.) Every joist exceeding four feet and not exceeding five feet in clear bearing shall be seven inches in depth and two and a half inches in thickness. | 4 to 5 feet. |
| (4.) Every joist exceeding five feet and not exceeding six feet in clear bearing shall be seven inches in depth and three inches in thickness. | 5 to 6 feet. |
| (5.) Every joist exceeding six feet and not exceeding seven feet in clear bearing shall be seven and a half inches in depth and three inches in thickness. | 6 to 7 feet. |
| (6.) Every joist exceeding seven feet and not exceeding eight feet in clear bearing shall be eight inches in depth and three inches in thickness. | 7 to 8 feet. |
| (7.) Every joist exceeding eight feet and not exceeding ten feet in clear bearing shall be nine inches in depth and three inches in thickness. | 8 to 10 feet. |
| (8.) Every joist exceeding ten feet and not exceeding twelve feet in clear bearing shall be ten inches in depth and three inches in thickness. | 10 to 12 feet. |
| (9.) Every joist exceeding twelve feet and not exceeding fourteen feet in clear bearing shall be eleven inches in depth and three inches in thickness. | 12 to 14 feet. |
| (10.) Every joist exceeding fourteen feet and not exceeding sixteen feet in clear bearing shall be twelve inches in depth and three inches in thickness. | 14 to 16 feet. |
| (11.) Every joist exceeding sixteen feet and not exceeding eighteen feet in clear bearing shall be nine inches in depth and six inches in thickness. | 16 to 18 feet. |
| (12.) Every joist exceeding eighteen feet and not exceeding twenty feet in clear bearing shall be eleven inches in depth and four and a half inches in thickness. | 18 to 20 feet. |
| (13.) Every trimming joist receiving a trimmer at not more than three feet from one end shall have an extra thickness of one inch and a half more than is herein specified for a common joist of the same bearing. And every trimmer joist receiving not more than six common joists shall for every such joist have an extra thickness of one quarter of an inch more than is herein specified for a common joist of the same bearing. | Trimming joists and trimmer joists. |

15. In the floors of warehouse buildings the least cross section of the several beams or girders supporting the same and not supporting any wall pier or other such load shall be of the following size and strength or shall be of equal strength therewith (that is to say):—

- | | |
|---|----------------|
| (1.) Every beam exceeding eight feet and not exceeding ten feet in clear bearing shall be twelve inches in depth and eleven inches in thickness. | 8 to 10 feet. |
| (2.) Every beam exceeding ten feet and not exceeding twelve feet in clear bearing shall be thirteen inches in depth and twelve inches in thickness. | 10 to 12 feet. |

A.D. 1890.	(3.) Every beam exceeding twelve feet and not exceeding fourteen feet in clear bearing shall be fourteen inches in depth and thirteen inches in thickness.
12 to 14 feet.	
14 to 16 feet.	(4.) Every beam exceeding fourteen feet and not exceeding sixteen feet in clear bearing shall be fifteen inches in depth and fourteen inches in thickness.
16 to 18 feet.	(5.) Every beam exceeding sixteen feet and not exceeding eighteen feet in clear bearing shall be fifteen inches in depth and eighteen inches in thickness.
18 to 20 feet.	(6.) Every beam exceeding eighteen feet and not exceeding twenty feet in clear bearing shall be fifteen inches in depth and twenty-four inches in thickness.

THE THIRD SCHEDULE.

AN AGREEMENT made the seventeenth day of March one thousand eight hundred and ninety between THE MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF BOOTLE-CUM-LINACRE in the county of Lancaster (herein-after called the Corporation) of the one part and THE LOCAL BOARD FOR THE DISTRICT OF LITHERLAND in the said county (herein-after called the Local Board) of the other part.

WHEREAS there is now pending in Parliament a Bill promoted by the Corporation intituled "A Bill to alter the name of the borough of Bootle-cum-Linacre to improve the borough boundary and to make better provision for the health local government and improvement of the borough and for other purposes":

And whereas the Bill provides that the boundary line between the borough on the one hand and certain local government and other districts (including the district of the Local Board) on the other hand shall for parliamentary municipal county parochial and all other purposes be the improved boundary line described in the First Schedule to the Bill And whereas in settling the improved boundary between the borough and the district of the Local Board it was agreed between the parties hereto to the effect herein-after mentioned Now therefore it is hereby agreed as follows:—

1. The Local Board shall upon the said Bill passing into law and for ever thereafter so far as their legal obligation as the local sanitary authority thereto extends maintain the boundary brook or any diversion thereof remaining within their district as defined by the improved boundaries (or any conduit or sewer in substitution therefor) as a waterway of equal capacity with the present brook from the new boundary near Granite Road and will at all times provide and maintain a free and reasonably sufficient discharge for the same so as to prevent damage or injury by overflow or stoppage of the said brook.

Nothing in this Agreement shall diminish or prejudicially affect any existing right of any riparian owner or other person or body with regard to the user or benefit of the said brook.

2. All sewers and parts of sewers which by reason of the alteration of the boundary will be situate within the district of the Local Board will by virtue of the proposed Act and the Public Health Act 1875 vest in and be repairable by the Local Board but the existing rights of the Corporation or any owner or other person to drain into or make use of the main outlet sewer of the Local Board in Akenside Street as distinguished from the sewer referred to in the next paragraph shall not be diminished or prejudicially affected but shall continue as if this Agreement had not been made.

3. The length of sewer in Akenside Street in the borough extending from Gray Street (at the point A on the plan herein-after mentioned) to the new borough boundary eastward of the Lancashire and Yorkshire Railway (at the point B on the said plan) shall vest in and be maintained by the Local Board and the Corporation and all owners and occupiers of premises in the borough so requiring shall have at all times the right to drain such premises into the said sewer on conditions similar to those now in force in respect to the main outlet sewer of the Local Board in Akenside Street referred to in paragraph 2.

4. The Local Board shall be at liberty if they think fit to continue to discharge into their main sewer in Akenside Street the waters of the boundary brook but if at any time hereafter the sewer of the Local Board in Akenside Street or any part thereof including both portions mentioned in paragraphs 2 and 3 shall be found insufficient to prevent damage or injury by flooding or otherwise the Local Board shall enlarge it to a sufficient size or otherwise reconstruct the same as may be required by the exigencies of the case. The sufficiency or insufficiency of the sewer to be determined by an inspector to be nominated by the Local Government Board in case any dispute arises between the Corporation and the Local Board upon the point.

5. The Corporation shall at their own expense in all things take up so much of the sewer as lies between the new boundary of the borough to the north of Granite Road and the old boundary shown on the annexed plan between points C and D signed by the mayor of Bootle on behalf of the Corporation and by the chairman of the Local Board on behalf of the Local Board and shall at the like expense relay the same upon the same site with a fall towards Knowsley Road. Such length of sewer shall belong to and be maintained by the Corporation and shall be used for the carriage of sewage from premises in the borough as altered by the said Bill when passed.

6. The Corporation and Local Board shall respectively take over all lamps as they exist in the respective added districts as from the twenty-fifth day of March one thousand eight hundred and ninety-one together with all future responsibilities as to lighting same.

7. The Local Board shall at their own expense remove (and retain as their own property) the flushing chamber in Linacre Road at the southern boundary of the district from its present position but such removal shall not interfere with the free flow of water along the course of the brook flowing through that portion of Bootle.

A.D. 1890.

8. The proposed Act of the Corporation shall as between the Local Board and the Corporation and notwithstanding clause 3 of the said Act commence and take effect as on and from the twenty-fifth day of March one thousand eight hundred and ninety-one.

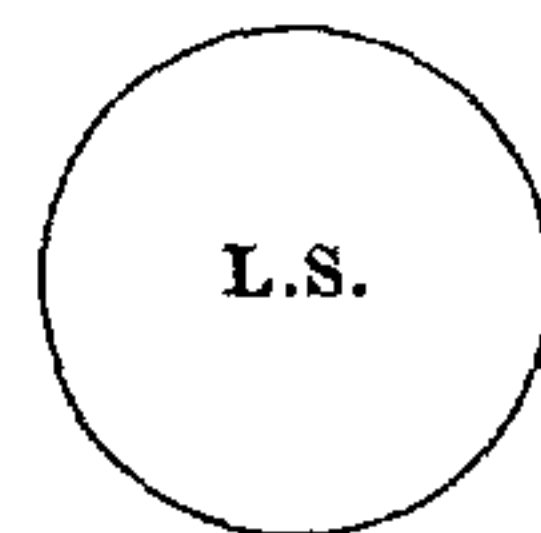
9. This Agreement shall be scheduled to and confirmed by the said Bill.

10. This Agreement is subject to such alterations as Parliament may think fit to make therein but if the committee on the said Bill make any material alteration in the Agreement it shall be competent to either party to withdraw the same.

In witness whereof the Corporation and the Local Board have hereunto affixed their respective common seals the day and year first before written.

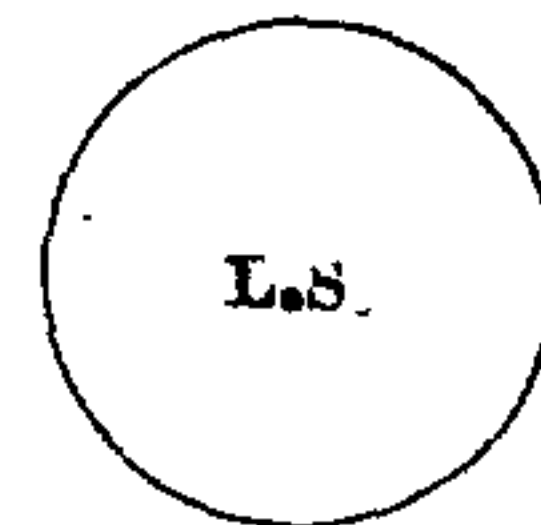
Passed under the common seal of the Litherland
Local Board

A. D. GOLDING
Chairman of the Board.
WILLM. KIRK
Solicitor Liverpool.



Sealed with the common seal of the said mayor
aldermen and burgesses in the presence of

B. CAIN *Mayor.*
J. H. FARMER *Town Clerk.*



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