



CHAPTER clxxxi.

An Act to amend the existing provisions as to and make further provisions for the discharge of the Corporate Debt of the City of Liverpool and for the borrowing and repayment of Capital in future to consolidate rates and to abolish district rating in the City and to confer powers on the Corporation of the City and make new provisions with respect to the Northern Hospital and the Derby Museum and with respect to the Superannuation of Officers of the Corporation and with respect to Waterworks Buildings Streets Sewers Hoards Sky Signs and other matters. A.D. 1893.

[27th July 1893.]

WHEREAS by the Liverpool Sanitary Act 1846 (section one hundred and sixty) the city of Liverpool (in this Act referred to as "the city") is divided into five separate rating districts (namely) the parish of Liverpool and the Everton the Kirkdale the West Derby and the Toxteth Park districts and in and for each of those districts there is leviable under the authority of the same Act (sections one hundred and fifty-one and one hundred and sixty) a separate paving rate and a separate sewer rate and a separate rate for the general purposes of the Act known as the general rate but in pursuance of resolutions of the council the last-mentioned rate has in fact been levied over the whole city: 9 & 10 Vict. c. cxxvii.

And whereas on the thirty-first day of December one thousand eight hundred and ninety-two there were owing in respect of loans raised by the mayor aldermen and citizens of the said city (in this Act called "the Corporation") for paving and sewerage purposes on the security of the paving and sewer rates the following sums:—

	£	s.	d.
In the parish of Liverpool - - -	443,166	16	10
In the district of Kirkdale - - -	203,046	3	4
In the district of Everton - - -	140,731	7	9
In the district of West Derby - - -	150,400	5	7
In the district of Toxteth Park - - -	176,302	14	0
	£1,113,647	7	6

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And whereas on the said thirty-first day of December one thousand eight hundred and ninety-two there were also owing in respect of loans raised by the Corporation under the authority of various Acts on the security of rates leviable over the whole city (including the said general rate) the following sums:—

	£	s.	d.
For improvements - - - - -	1,638,200	1	6
For parks - - - - -	513,733	7	4
For general sanitary purposes including artizans' dwellings and hospitals - - - - -	417,298	10	1
For tramways - - - - -	310,000	0	0
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	£2,879,231	18	11
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And whereas the said two sums of one million one hundred and thirteen thousand six hundred and forty-seven pounds seven shillings and sixpence and two million eight hundred and seventy-nine thousand two hundred and thirty-one pounds eighteen shillings and elevenpence together constituted at the above date the corporate debt of the city exclusive of the sums borrowed for waterworks purposes and secured on water rates and water charges whereof a considerable proportion arises from the area of supply outside the city :

And whereas portions of the corporate debt borrowed for like purposes are repayable within different periods and the periods for repayment of different portions vary from ten to sixty years but in all cases (with the exception of a sum of about forty thousand pounds borrowed from the Public Works Loans Commissioners) such debt is being repaid by means of a cumulative sinking fund :

43 & 44 Vict.
c. ccvii.

And whereas under powers contained in the *Liverpool Corporation Loans Act 1880* nearly the whole of the moneys in the Loans Fund established by that Act representing the various sinking funds have been invested in stock of the Corporation as authorised by that Act :

And whereas it is expedient to substitute for the said cumulative sinking funds the system of repayment by equal annual portions of principal applied in manner in this Act mentioned :

And whereas on the said thirty-first day of December one thousand eight hundred and ninety-two the sums borrowed by the Corporation for waterworks purposes other than for the works authorised by the *Liverpool Corporation Waterworks Act 1880* amounted to two million four hundred and seventy-four thousand two hundred and thirty-three pounds :

And whereas by section thirty-six of the Liverpool Corporation Loans Act 1880 it is in effect provided that the moneys constituting the depreciation fund formed under section one hundred and twenty-four of the Liverpool Corporation Waterworks Act 1847 shall only be applicable for the redemption of mortgages under the said Act of 1847 and the Acts amending the same or for the redemption of Corporation stock created in lieu of such mortgages to the extent by which the amount of the said depreciation fund shall from time to time exceed two hundred and fifty thousand pounds: A.D. 1893.

And whereas the said depreciation fund on the thirty-first day of December one thousand eight hundred and ninety-two amounted to the sum of three hundred and forty-three thousand seven hundred and sixty-four pounds and it is expedient to repeal section thirty-six of the said Loans Act and to make other provisions for repayment of the same debt:

And whereas on the said thirty-first day of December one thousand eight hundred and ninety-two the sums borrowed by the Corporation for the works authorised by the Liverpool Corporation Waterworks Act 1880 amounted to two million one hundred and thirty-four thousand nine hundred and fifty pounds:

And whereas besides the paving and sewer rates which are levied separately in and for the above-mentioned rating districts there are various other rates leviabie by the Corporation over the whole area of the city and with the same incidence (that is to say):—

The said General rate under the recited Act of 1846;

The Public Parks rate;

The Lighting rate;

The Fire Police rate;

The Improvement rate;

The 1861 Improvement rate;

The 1864 Improvement rate;

The 1865 Improvement rate;

The 1867 Improvement rate;

The 1871 Improvement rate; and

The 1872 Tramways rate:

And whereas it would tend to simplicity and economy if the said five rating districts were eventually abolished as such and if there were levied in lieu of the said paving and sewer rates and of all the other said several rates one uniform general rate over the whole city for all the purposes at present covered by all the above-mentioned rates provision nevertheless being made for an equitable adjustment of financial relations between the said five rating districts:

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— And whereas under the Liverpool Corporation Loans Act 1880 the Corporation possess the power of issuing irredeemable stock and in consideration of the provisions contained in this Act it is expedient to repeal the said power :

And whereas it is expedient to empower the Corporation henceforth to exercise their statutory borrowing powers by the creation and issue of redeemable stock in the manner prescribed by this Act :

And whereas the second schedule to this Act contains a statement of the corporate debt and the waterworks debts of the Corporation owing on the thirty-first day of December one thousand eight hundred and ninety-two :

And whereas the Corporation are the owners of the Liverpool tramways which are leased to the Liverpool United Tramways and Omnibus Company and the surplus income derived therefrom after providing for the cost of maintenance of the tramways and for payments to the sinking fund in respect of the tramways debt is at present distributed pursuant to section twenty of the Liverpool Improvement Act 1886 between the said five rating districts in proportion to the mileage of tramways in each district and it is expedient to make other provisions for the application of such surplus income :

And whereas it is expedient to empower the Corporation to grant a pension in certain events to the assessor or presiding judge of the Court of Passage in the city :

And whereas the Northern Hospital situate in Great Howard street was built in or about the year one thousand eight hundred and forty-four on land given and conveyed by the Corporation and with a view to the proposed rebuilding and enlargement of the hospital it is expedient that the Corporation be empowered to grant to the trustees certain strips of land adjoining the present site and that provisions relative thereto be made :

15 Vict. c. iii.

And whereas under the Liverpool Library and Museum Act 1852 the collection of stuffed birds and animals and specimens of natural history in the said Act referred to as "the Derby Museum" is vested in the trustees of the Derby Museum appointed under the said Act and is deposited in a building provided by the Corporation :

And whereas the management of the museum is vested in the Corporation subject in certain respects to the control of the trustees and the expenses of management are borne by the Corporation :

And whereas the trustees are desirous and it is expedient that they be relieved from their trust and that the Derby Museum be transferred to and vested in the Corporation upon trust for the purposes of the said Act as amended by this Act :

And whereas it is expedient to make further and better provisions with respect to the superannuation of officers and servants of the Corporation : A.D. 1893.

And whereas the Chorley Waterworks are by virtue of the Chorley Waterworks Transfer Act 1856 vested in the Corporation but the Corporation have no power to borrow the sums necessary for the extension and improvement from time to time of the Chorley Waterworks and the population and demand for water increases in Chorley and it is expedient to confer such power on the Corporation : 19 Vict. c. v.

And whereas it is expedient to enable the Corporation to acquire the sporting rights over the Rivington reservoirs and otherwise to amend the Waterworks Acts of the Corporation :

And whereas it is expedient to confer further powers on the Corporation and to make further provision with respect to sky signs hoards buildings streets sewers and other matters :

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

And whereas an absolute majority of the whole number of the council at a meeting held on the fourteenth day of December one thousand eight hundred and ninety-two after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Liverpool Courier newspaper being a local newspaper published or circulating in the city of Liverpool such notice being in addition to the ordinary notice required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the city rate of the city :

And whereas such resolution was published twice in the Liverpool Courier newspaper 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 fourth day of January one thousand eight hundred and ninety-three being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the city by resolution in the manner provided by Schedule III. 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

A.D. 1893. Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

PART I.—PRELIMINARY.

- Short title. 1. This Act may be cited as the Liverpool Corporation Act 1893.
- Execution of Act. 2. This Act shall be carried into execution by the Corporation acting by the council.
- Interpretation. 3. In this Act—
The expression “district debt” means all moneys owing on the appointed day by the Corporation for paving and sewerage purposes on the security of the paving and sewer district rates of the parish of Liverpool and of the other rating districts. The expression “general debt” means all moneys owing on the appointed day by the Corporation for improvements parks general sanitary purposes tramways and other purposes (not including waterworks purposes) on the security of rates leviable over the whole city :
The expression “corporate debt” means and includes both the above descriptions of corporate debt but does not include any moneys owing for waterworks purposes :
The expression “old waterworks debt” means all moneys owing on the appointed day by the Corporation in respect of their waterworks other than the waterworks authorised by the Liverpool Corporation Waterworks Act 1880 :
The expression “Vyrnwy waterworks debt” means all moneys owing or which may hereafter be borrowed in respect of the waterworks authorised by the said Act of 1880 :
The expression “Corporation stock” means Liverpool Corporation stock created or to be created under the Liverpool Corporation Loans Act 1880 :
The expression “the general rate” means the general rate by this Act authorised to be levied save in cases where the general rate leviable under the Sanitary Act 1846 is expressly referred to :
“The Sanitary Act 1846” or “the Act of 1846” means the Liverpool Sanitary Act 1846 :
“Daily penalty” means a penalty for each day on which any offence is continued after conviction thereof :
“Corporation Acts and Orders” means and includes the Corporation Acts and Orders enumerated in the schedule to the Liverpool Corporation Loans Act 1880 and the subsequent Acts and Orders enumerated in the third schedule to this Act :

“The Liverpool Building Acts” means and includes the Acts enumerated in the fourth schedule to this Act. A.D. 1893.

PART II.—FINANCE GENERALLY.

The Corporate Debt.

4. After the thirty-first day of December one thousand eight hundred and ninety-three (in this Act called “the appointed day”) the system of repayment of an equal portion of principal every year shall be applied to the corporate debt in manner by this Act provided in lieu of the existing system of cumulative sinking funds.

Substitution of annual repayment of portions of principal for sinking fund system in case of existing corporate debt.

5. On the appointed day all the Corporation stock representing investments of the loans fund or of other sinking funds in respect of the corporate debt shall be by virtue of this Act cancelled and extinguished and all alterations consequential on such cancellation and extinction shall thereupon be made in the books of the Corporation and of the Bank of England respectively.

Cancellation of Corporation stock in existing loans fund and sinking funds.

Any balance of the said loans fund or of such sinking funds applicable to the repayment of the corporate debt which on the appointed day has not been invested in Corporation stock shall be applied in the purchase of Corporation stock for cancellation or in the repayment of any part of the corporate debt represented by mortgages or otherwise than by Corporation stock.

6. Such cancellation of stock and extinction of debt shall be deemed to be made in respect of the different debts constituting the corporate debt in proportion to the amount of sinking fund appearing in the books of the Corporation as applicable to the repayment of each debt.

Cancellation of stock to be apportioned among the different debts.

7.—(A) In the financial year succeeding the appointed day and in every succeeding year during the period by this Act in that behalf prescribed the Corporation shall raise out of the general rate in manner herein-after mentioned a sum of ninety-two thousand pounds. Such annual sum shall continue to be raised until either the balance of the corporate debt remaining unredeemed or unpaid on the appointed day shall have been redeemed or repaid or a sum of cash shall have been invested in pursuance of the provisions herein-after contained sufficient to redeem so much of the Corporation stock representing any part of such balance as may remain unredeemed at its then market value and to repay the outstanding mortgages or other securities (if any) representing any part of such balance and thereupon such annual sum shall cease to be raised:

Raising of annual sum of ninety-two thousand pounds for corporate debt.

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Provided that if at any time after a sum shall have been invested sufficient to redeem so much of the aforesaid Corporation stock as may remain unredeemed at its then market value it shall appear to the Local Government Board that the amount invested will probably not be sufficient if realised to redeem the Corporation stock aforesaid (either by reason of the appreciation of the market value of such stock or by reason of the depreciation of all or any of the securities representing the amount invested) the said Board may require the Corporation to raise out of the general rate such further sums as will cause the amount aforesaid to be sufficient for the purpose of such redemption and the Corporation shall raise such sums accordingly and shall apply or invest the same or any part thereof in like manner as the said annual sum or any part thereof is authorised to be applied or invested.

(B) When raising such annual sum out of the general rate the Corporation shall in the first instance charge to each district a sum equal to one thirty-first part of the balance of its district debt which will remain unpaid on the appointed day and the balance of such annual sum shall be charged uniformly on the whole city but the provisions of this sub-section shall not apply to any further sums required to be raised in pursuance of the preceding proviso.

Application
of annual
sum.

8. The said annual sum shall subject as herein-after mentioned be from time to time applied either—

(A) In the purchase of Corporation stock forming part of the corporate debt for the purpose of its cancellation and extinction ;
or

(B) In the repayment of any part of the corporate debt represented by mortgages or otherwise than by Corporation stock.

The Corporation shall within nine months from the thirty-first day of December in the year one thousand eight hundred and ninety-four and in each succeeding year invest in any securities in which trustees are for the time being authorised by law to invest trust moneys (other than securities of the Corporation) or in mortgages bonds debentures debenture stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority (other than the Corporation) as defined by section thirty-four of the Local Loans Act 1875 any such annual sum and any such supplementary sum required by the Local Government Board as aforesaid or any part thereof respectively which has not been applied as aforesaid with full power for the Corporation from time to time as they may think fit to vary or transpose any investment or realise the same for the purpose of applying the proceeds in the purchase of Corporation stock or repayment of debt as aforesaid. The resulting income of any such

investment shall be carried to the credit of the general rate The borrowing powers of the Corporation shall be extinguished to the extent of the corporate debt cancelled or repaid under the provisions of this section.

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The Old Waterworks Debt.

9. On the appointed day all the Corporation stock representing investments of the depreciation fund and its accumulations formed and regulated under section one hundred and twenty-four of the Liverpool Corporation Waterworks Act 1847 as amended by section thirty-six of the Liverpool Corporation Loans Act 1880 shall be by virtue of this Act cancelled and extinguished and all alterations consequential on such cancellation and extinction shall thereupon be made in the books of the Corporation and of the Bank of England respectively.

Cancellation of Corporation stock representing old waterworks debt.

Any balance of the said depreciation fund and its accumulations which on the appointed day has not been invested in Corporation stock shall be applied in the purchase of Corporation stock representing the old waterworks debt for cancellation or in the repayment of any part of the old waterworks debt represented by mortgages or otherwise than by Corporation stock.

The borrowing powers of the Corporation shall be extinguished to the extent of the old waterworks debt cancelled or repaid under the provisions of this section.

10. Section thirty-six of the Liverpool Corporation Loans Act 1880 is hereby repealed In lieu thereof the Corporation for the purpose of providing for the repayment of the balance of the old waterworks debt which will remain unredeemed or unpaid on the appointed day shall in each year raise as part of their annual expenditure on their waterworks and pay into a fund to be called the "Old Waterworks Sinking Fund" the sum of ten thousand five hundred pounds and accumulate the same at compound interest until either the whole of the balance of the said debt shall have been redeemed or repaid or a sum of cash shall have been invested and accumulated in manner herein-after mentioned sufficient to redeem at the then market value the securities representing so much of such balance as may remain unredeemed or unpaid and thereupon the Corporation shall cease to raise and pay the said sum of ten thousand five hundred pounds as aforesaid.

Repeal of section thirty-six of Loans Act of 1880 and establishment of old waterworks sinking fund.

The Vyrnwy Waterworks Debt.

11. Notwithstanding anything contained in the Liverpool Corporation Loans Act 1880 or the Liverpool Corporation Waterworks Act 1880 the Corporation shall pay the annual sums which by

Establishment of Vyrnwy waterworks sinking fund.

A.D. 1893. section fifty-one of the Liverpool Corporation Waterworks Act 1880 they are required to set aside for the purpose of repaying the moneys borrowed under the powers of that Act to a fund to be called the "Vyrnwy Waterworks Sinking Fund" to be accumulated and dealt with in manner herein-after mentioned.

Future Borrowings on Mortgage.

Power to borrow on mortgage.

12. The Corporation are hereby authorised to raise by mortgage in manner herein-after mentioned all or any sums of money which by any public or local Act Provisional Order or consent they are on the appointed day authorised to borrow.

Certain provisions of Public Health Act to apply.

13. The following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say) :—

- Section 236 Form of mortgage :
- Section 237 Register of mortgages :
- Section 238 Transfer of mortgages :
- Section 239 Receiver may be appointed in certain cases.

As to mortgages.

14. All mortgages granted by the Corporation after the appointed day under any existing Act order consent or sanction or this Act or any subsequent Act order consent or sanction shall rank pari passu and shall subject to all existing charges be secured indifferently on the whole of the revenues of the Corporation from time to time arising from the property waterworks and undertakings for the time being of the Corporation and on all other funds and rates established and leviabie by the Corporation.

How borrowed moneys to be charged.

15. The Corporation shall charge to the general rate all sums payable in respect of moneys borrowed for other than waterworks purposes and shall charge all sums payable in respect of moneys borrowed for waterworks purposes to the waterworks revenue.

As to repayment of moneys to be borrowed after appointed day.

16. For the purpose of providing for the repayment of moneys borrowed on mortgage after the appointed day for other than waterworks purposes the Corporation shall each year pay into a fund to be called "the General Rate Mortgage Sinking Fund" and for the purpose of providing for the repayment of money borrowed on mortgage after the appointed day for waterworks purposes the Corporation shall each year pay into a fund to be called "the Waterworks Mortgage Sinking Fund".—

(A) Where the repayment of the money so borrowed is required to be provided for by repaying an equal portion of principal every year the amount of such portion :

(B) Where the repayment of the money so borrowed is required to be provided for by means of annual instalments of principal and interest or of an accumulating sinking fund the amount of the annual sum required to be paid as an instalment or to be set aside and paid into a sinking fund. A.D. 1893.

Application and dealings with Sinking Funds.

17.—(1) Where any sinking fund is established under or in accordance with this Act every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be invested in securities in which trustees are by law for the time being authorised to invest trust moneys (other than the securities of the Corporation) or in mortgages bonds debentures debenture stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority (other than the Corporation) as defined by section thirty-four of the Local Loans Act 1875 and the Corporation shall be at liberty from time to time to vary and transpose such investments or to realise the same for the purpose of applying the proceeds in the discharge of the money for the repayment of which the fund is formed. As to sinking funds.

(2) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be carried by the Corporation to the credit of the rate or revenue out of which such sinking fund has been formed or may be applied in reducing the annual sums to be paid to the fund.

(3) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the period prescribed for repayment of the debt a sum equal to the interest which would have been produced by such sinking fund or the part of such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(4) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Act shall be paid by the Corporation in addition to the payments herein provided for out of the rate or revenue primarily chargeable with the payment to the sinking fund.

(5) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance

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with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

(6) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(7) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Act together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the period prescribed for repayment of the debt the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as that Board shall approve.

(8) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the period prescribed for repayment of the debt the Corporation may with the consent of the Board discontinue the payments to such sinking fund until the Board shall otherwise direct.

(9) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

Power to
re-borrow.

18.—The Corporation shall except as herein-after provided have power to re-borrow for the purposes of paying off any moneys borrowed or re-borrowed which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly

applicable to the purpose of such repayment other than moneys borrowed for that purpose : A.D. 1893.

Provided also that any moneys re-borrowed shall for the purpose of repayment be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made.

19.—(1) The town clerk shall within twenty-one days after the thirty-first day of December in every year if during the twelve months next preceding the said thirty-first day of December any sum is required to be paid as an annual payment or to be paid to a sinking fund in pursuance of the provisions of this Act and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return to be prepared by the official instructed for that purpose by the Corporation in such form as may from time to time be prescribed by that Board and if required by the Board verified by statutory declaration of such official showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as annual payments and the amounts which have been paid to or invested or applied for the purpose of the repayment of debt or of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year. In the event of his failing to make such return through any neglect or default on his part the town clerk shall for each offence be liable to a fine not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court. Annual re-
turn to Local
Government
Board.

(2) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to make any payment required to be made or to set apart any sum required for any sinking fund (whether such payment or sum is required by this Act or by the Local Government Board in virtue thereof to be made or set apart) or have applied any portion of any sinking fund or any annual payment to any unauthorised purpose the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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Future Issue of Redeemable Stock.

Repeal of
power to
issue irre-
deemable
stock.

20.—(1) Notwithstanding anything in the Liverpool Corporation Loans Act 1880 it shall not be lawful for the Corporation after the passing of this Act to create or issue irredeemable stock.

(2) Every resolution of the Corporation after the passing of this Act for the creation of Corporation stock under the Liverpool Corporation Loans Act 1880 shall provide that such stock shall be redeemable within such period or periods not exceeding sixty years from the first creation of such stock and under such conditions as shall be specified or referred to in the resolution.

(3) All redeemable stock at any time and from time to time so created after the passing of this Act shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock bearing one and the same rate of dividend and shall become redeemable at one and the same period from the first creation of such stock.

General.

Provision for
interest on
corporate
debt.

21. In every financial year after the appointed day the sum or sums necessary to pay the interest payable on and expenses connected with the corporate debt for the time being outstanding shall be raised by the Corporation out of the general rate and the said sums shall be applied at the due dates in payment of such interest and expenses as aforesaid.

Application
of annual
portion of
principal
system to
future loans.

22. Notwithstanding the provisions in the Liverpool Corporation Loans Act 1880 or any other existing enactment but subject to any provisions which may hereafter be made by Parliament the repayment of all moneys borrowed by the Corporation after the appointed day for any other than waterworks purposes shall be effected by providing for the repayment of an equal portion of the principal (but not of principal and interest) every year and the provision for repayment shall in each case commence within twelve months from the time of borrowing. The amount of such annual portion shall where the money shall be borrowed under the powers of any public Act or Provisional Order or under the sanction of a Government department be the sum necessary to repay the debt in manner aforesaid within the period prescribed or sanctioned by the Act or Provisional Order or sanction and subject as aforesaid where the money shall be borrowed under the provisions of any of the Corporation Acts and Orders shall be—

As to moneys borrowed for purchase of lands or buildings not less than one-fiftieth part of the money borrowed :

As to moneys borrowed for erection of buildings not less than one thirty-fifth part of the money borrowed : A.D. 1893.

As to moneys borrowed for construction of tramways or of streets or sewers not less than one-thirtieth part of the money borrowed :

As to moneys borrowed for laying out parks gardens or recreation grounds not less than one-thirtieth part of the money borrowed.

23. Nothing in this Act shall affect the existing borrowing powers of the Corporation except that all money borrowed after the appointed day and which except for this Act would be chargeable on one or other of the existing rates by this Act abolished shall be chargeable on the general rate. Saving for existing borrowing powers.

24. Nothing in this Act contained shall in any way alter or affect the rights of mortgagees to the repayment of their loans at the times and in the manner stipulated in their securities. Saving for existing mortgagees.

25. The provisions of the Liverpool Corporation Loans Act 1880 with respect to the Corporation loans fund thereby established and other matters and the provisions of other Corporation Acts and Orders with respect to any part of the debts of the Corporation shall cease to apply so far as they are inconsistent with the provisions of this Act. Inconsistent provisions of existing Acts not to apply.

As to Rates.

26. The general rate and the district paving and sewer rates leviable under the Sanitary Act 1846 shall cease after the appointed day to be so leviable without prejudice nevertheless to the levy and recovery of any arrears of such rates or any of them as may be outstanding on or immediately before the appointed day and the said five rating districts constituted by the said Act shall from and after the time when the corporate debt shall have been redeemed or provided for as herein-before mentioned cease to exist as such. Abolition of separate rating districts and of rates under Act of 1846.

27. Except as herein-before provided all expenditure which immediately before the appointed day was payable out of the general rate or the paving rate or the sewer rate leviable under the Sanitary Act 1846 shall after that day be payable out of the general rate. Provision for expenditure formerly charged on rates under Act of 1846.

28. Whereas by virtue of the Sanitary Act 1846 an occupier is entitled to deduct from his rent one-half of the district sewer rate paid by him and by the operation of this Act the expenditure now chargeable on the district sewer rates will in future be chargeable on the general rate Therefore it is hereby enacted that the Council shall when laying the general rate by resolution decide what portion of the general rate leviable in each district calculated to the nearest farthing in the pound will in their opinion represent one-half of so Special provision as to occupiers in case of sewer rate.

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much of the general rate as is levied in respect of construction reconstruction repairs and maintenance of sewers in the city and in respect of the annual sum charged to the district on account of the balance of the district sewer debt including the interest thereon and every occupier paying such general rate shall be entitled to deduct from his rent the portion of the rate so fixed by the Council.

Cesser of payment of certain sums in aid of rates of parish of Liverpool.

29.—(1) The sum of five thousand pounds which under section one hundred and sixty-one of the Sanitary Act 1846 is payable annually by the Corporation out of the city fund in aid of the paving rate of the parish of Liverpool shall after the appointed day cease to be so payable but shall be paid annually to the credit of the general rate.

(2) The sum of three hundred and seventy-five pounds which under section twelve of the Liverpool Sanitary Amendment Act 1854 is payable annually by the Corporation for the purposes of sewerage within the parish of Liverpool shall after the appointed day cease to be so payable.

As to tramways surplus.

30. On the appointed day section twenty of the Liverpool Improvement Act 1886 shall be repealed and from that day any surplus on the tramways account shall be carried to the credit of the general rate.

Equitable adjustment as between parish of Liverpool and other rating districts.

31. And whereas by charging on the general rate all future capital expenditure on paving and sewerage and other expenditure hitherto charged on the several district rates and by the ultimate abolition of district rating and also by the cessation of the payments of five thousand pounds and three hundred and seventy-five pounds respectively formerly made to the parish of Liverpool and by carrying to the general rate the surplus on the tramways account financial loss may be incurred by the said parish or the other districts and the relative financial position of the different districts to one another may be altered and it is expedient to provide for making an equitable financial adjustment between all the said rating districts Therefore it is hereby enacted that within three months after the passing of this Act the Corporation shall by resolution to be carried by at least two-thirds of the members of the whole Council decide what shall be the equitable adjustment of financial relations as between all the said rating districts.

By such resolution the Corporation shall settle the annual or other sums or proportions of expenditure which they may think each district ought to pay bear or receive in addition to any sums which by this Act are specifically charged to each district and may make such other provisions as may appear to the Corporation to be

just and equitable as between the said rating districts and such adjustment shall take effect as from the appointed day and shall continue in force for such period as the Council by such resolution shall decide not exceeding the date when the balance of the corporate debt shall have been paid off or provided for by investments as herein-before mentioned. A.D. 1893.

In default of the Corporation passing such a resolution within the said period of three months or in case the majority of the councillors representing any rating district or districts in the city send a notice in writing signed by them to the town clerk within seven days from the date of the Corporation passing the resolution to the effect that in their opinion the rating district or districts they represent will be unfairly treated if such resolution is carried into effect the town clerk shall as the case may be inform the Local Government Board of the default or send a copy of the notice and of the resolution to the Local Government Board and then and in either of such cases it shall be the duty of the Local Government Board forthwith to appoint a skilled and impartial person to make such a financial adjustment as aforesaid and for that purpose the person so appointed shall have the powers of the Corporation under this section and may hold any local inquiry that he may think fit and his expenses and remuneration shall be paid by the Corporation. The arbitrator so appointed shall make his award in writing before the appointed day unless the period for making the same is extended by permission of the Local Government Board which permission they are hereby authorised to give.

32. After the appointed day the public parks rate leviable under the Liverpool Improvement Act 1865 and the fire police rate leviable under the Liverpool Improvement Act 1842 and the lighting rate leviable under the Liverpool Improvement Act 1882 and the improvement rates leviable under the Liverpool Improvement Acts 1858 1861 1864 1865 1867 and 1871 and the tramway rate leviable under the Liverpool Tramways (Purchase) Act 1872 shall respectively cease to be so leviable without prejudice nevertheless to the levy and recovery of any arrears of such rates or any of them as may be outstanding on or immediately before the appointed day. Cesser of improvement and other rates.

33. All expenditure which but for this Act would have been payable out of the public parks rate or fire police rate or lighting rate or any of the said improvement rates or the said tramway rate shall after the appointed day be payable out of the general rate and all moneys which immediately before that day were charged on any of the above-mentioned rates respectively shall after that day be by Expenditure heretofore paid out of improvement and other rates to be paid out of general rate.

[Ch. clxxxi.] *Liverpool Corporation Act, 1893.* [56 & 57 VICT.]

A.D. 1893. — virtue of this Act charged on the general rate and be subject to repayment as in this Act mentioned.

One general rate.

34. For the purpose of meeting all expenditure under the Corporation Acts and Orders or under any general Act (including the payment of interest on and repayment of borrowed money) which but for the passing of this Act would or might have been defrayed out of any of the rates abolished by this Act there shall be made by the Corporation one uniform general rate.

Levy of general rate.

35. The general rate shall be levied by the Corporation yearly or half-yearly as they may think fit. The Council shall when laying the general rate in the first instance debit each district with the proportion of the before-mentioned sum of ninety-two thousand pounds chargeable by this Act to the district and secondly with a sum equal to the interest and other expenses payable from year to year in respect of the balance of the district debt of the district and thirdly shall debit or credit each district as the case may be with the amount which by the equitable adjustment to be made under this Act is to be paid to or to be received by that district during the period fixed by the adjustment. But subject thereto and to the other provisions of this Act such general rate shall be levied uniformly over the whole city.

Assessment of general rate.

36. The general rate shall be levied on the net annual value of all property for the time being assessed to the relief of the poor and included in the valuation lists of the different parishes in the city in force at the time of levying the rate with such additions as may be lawfully made under this Act. Provided that—

(i) No person shall be rated to the general rate in respect of any church chapel or other building exclusively used for public worship or in respect of any rentcharge in lieu of any rectorial or vicarial tithes or in respect of any building used for the education of the poor exclusively :

(ii) No person occupying land used as arable meadow or pasture ground or orchards or allotments only or as woodland market garden or nursery ground or any land covered with water and used only as a dock or a canal or the towing-path thereof or as a railway made under the powers of any Act of Parliament for public conveyance shall be rated in respect of the same to the general rate in any greater proportion than one-fourth part of the net annual value thereof.

Application of provisions as to assessment levy &c.

37. Subject to the provisions of this Act sections eighteen to twenty-two and twenty-four to thirty-two and fifty-one of the Liverpool Improvement Act 1858 (except such portion of section

twenty-nine as authorises a justice to commit a person to prison for non-payment of rates) and sections sixty-eight sixty-nine and seventy of the Liverpool Improvement Act 1867 shall extend and apply mutatis mutandis to the general rate and are accordingly incorporated with this Act.

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38. The docks quays and estate of the Mersey Docks and Harbour Board (except the warehouses erected on the Albert Dock quays and any other warehouses already erected or to be hereafter erected by the said dock board on the dock estate) shall not be rated in respect of that portion of the general rate applied to purposes which but for this Act would have been provided for by rates made under the Act of 1846 or the Liverpool Sanitary Amendment Act 1854 and the Mersey Docks and Harbour Board and their officers shall be entitled to have from the Corporation and their officers all such information as they may require in reference to the various heads of expenditure for which provision is intended to be made by any general rate and to inspect all books papers and documents of the Corporation relating thereto.

For the protection of the Mersey Docks and Harbour Board.

The agreement between the Mersey Docks and Harbour Board and the Corporation which is scheduled to the Liverpool Corporation Act 1889 shall remain in force including the provision for the determination thereof and such of its provisions as relate to rates made under the said Acts of 1846 and 1854 shall be read as applicable to so much of the general rate as is applied to purposes which but for this Act would have been provided for by rates made under those Acts.

39. The Corporation shall cause all proper accounts to be kept with reference to the general rate created by this Act and such accounts shall be audited by the auditors of the city elected under the Municipal Corporations Act 1882 in like manner as the accounts of the city fund are audited.

Accounts to be kept with reference to general rate.

PART III.—COURT OF PASSAGE.

40. The Corporation may if they think fit grant to the assessor or presiding judge of the Court of Passage who has served for fifteen years and upwards as the assessor or presiding judge of such court and who shall be of the age of sixty-five years or upwards or who prior to such period or age may be disabled by permanent infirmity from the performance of the duties of his office a pension by way of annuity to be continued during his life provided that such pension shall not exceed two-thirds of his salary payable at the time of his retirement.

Pension to presiding judge.

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The pension payable under this section shall be chargeable upon and paid out of the city fund.

PART IV.—NORTHERN HOSPITAL.

Power to grant certain lands for purposes of Northern Hospital.

41.—(1) It shall be lawful for the Corporation if they think fit to grant and convey to the committee of the Northern Hospital situate in or near Great Howard Street all that parcel or strip of land situate between the site of the present hospital and the Lancashire and Yorkshire Railway containing one thousand five hundred and forty-five square yards or thereabouts and tinted red on a plan attached to a report of the Corporation surveyor dated twenty-sixth day of August one thousand eight hundred and ninety-two and also all that parcel of land situate at the north-east end of Gibraltar Street containing three hundred and sixty square yards or thereabouts and also tinted red on the same plan and the freehold and inheritance of the said parcels of land respectively for all the estate and interest of the Corporation therein.

(2) In the event of such grant being made the land conveyed shall be appropriated and used by the committee of the hospital as a site for the erection of a new hospital or for the enlargement of the existing hospital or for other hospital purposes with power for the committee with the consent of the Corporation but not otherwise to sell and dispose of any portion of the said land which may prove not to be required for the purposes of the hospital and to apply the proceeds of sale with the like consent in such manner as they may see fit for the benefit of the hospital.

Power to relieve Committee of Northern Hospital from certain restrictive covenants.

42. It shall be lawful for the Corporation if they think fit by deed under their seal to release the committee of the Northern Hospital from the observance and performance of all or any of the covenants and conditions contained in an indenture of the thirtieth day of March one thousand eight hundred and forty-four whereby the site of the existing hospital was conveyed by the Corporation to William Brown and others and any such deed may contain such other substituted covenants and conditions (if any) and such other provisions as the Corporation may determine.

PART V.—DERBY MUSEUM.

Transfer of Derby Museum to Corporation.

43. The collection of stuffed birds and animals and specimens of natural history known and in this Act referred to as "the Derby Museum" which by the Liverpool Library and Museum Act 1852 (herein-after called "the Library Act 1852") was vested in certain ex-officio and other trustees shall on the first day of October next after the passing of this Act be transferred to and vest in the

Corporation and as from that date the powers and duties of the trustees under the said Act shall absolutely cease and determine and they shall be by virtue of this Act discharged from acting in the execution thereof and shall be indemnified by the Corporation from all claims demands and liabilities in respect of acts bonâ fide done by them while acting as such trustees.

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44. Any action or proceeding and any cause of action or proceeding pending or existing by or against the said trustees shall not abate or be discontinued or in anywise prejudicially affected by reason of such transfer as aforesaid but the same may be continued prosecuted and enforced by or against the Corporation as and when it might have been continued prosecuted and enforced by or against the said trustees.

Pending actions by or against the trustees &c.

45. The Corporation may appoint and remove such officers and servants as they may consider necessary for the purposes of the Library Act 1852 and may pay them such salaries or remuneration as the Corporation may think fit out of the fund or rate for the time being applicable to defray expenditure under the Library Act 1852.

Power to appoint Museum officials.

46. If any specimen added at any time to the original Derby Museum shall be intermixed with the specimens forming such museum such added specimen shall be marked in such manner as shall distinguish it from the specimens originally belonging to the said museum.

As to additions to Museum.

PART VI.—SUPERANNUATION.

47. In this Part of this Act the expression "officer" or "servant" shall mean an officer or servant appointed in an established capacity and in the receipt of a salary or of weekly wages.

Definition of officer or servant.

48. From and after the first day of September one thousand eight hundred and ninety-three the contribution to be made by any officer or servant of the Corporation to the superannuation fund which has been established by the Corporation under the Liverpool Improvement Act 1882 shall be three per centum of the salary or wages of such officer or servant and every such contribution may be deducted by the Corporation from such salary or wages and paid into the superannuation fund.

Amount of contributions by officials to superannuation fund.

49. The Corporation shall cause accounts to be kept of the amount contributed whether before or after the passing of this Act by each officer or servant to the superannuation fund and of all interest added thereto.

Accounts to be kept with reference to superannuation fund.

50. The Corporation shall invest the superannuation fund in manner provided by sections sixty-two and sixty-three of the Liver-

Investment of super-

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annuation
fund.

pool Improvement Act 1882 and shall pay into the fund the interest as and when received on the sums from time to time so invested and such interest shall be apportioned half-yearly in proportion to the sum standing to the credit of each officer or servant and shall be carried to his credit in the superannuation fund. Provided that nothing in the said sections or in this section shall authorise any investment by the Corporation in their own securities.

Right to
superannua-
tion allow-
ance of con-
tributors to
fund.

51.—(1) Any officer or servant appointed since the passing of the said Act of 1882 or hereafter appointed who has contributed to the superannuation fund shall if he has served for twenty-five years and is not less than sixty years of age be entitled to a superannuation allowance after the rate of twenty-five-fiftieths of his salary or wages with an additional two-fiftieths of his salary or wages for each completed year of service after the twenty-fifth year but the Corporation may if they think fit owing to the special circumstances of the case grant a higher superannuation allowance than that above mentioned. Provided that in no case shall he be entitled to more than two-thirds of his salary or wages.

(2) Any officer or servant appointed since the passing of the said Act of 1882 or hereafter appointed who has contributed to the superannuation fund shall if he has served fifteen and less than twenty-five years and has become incapacitated for service through illness or accident not brought about by his own misconduct or if he has served fifteen years and has attained sixty years of age be entitled to a superannuation allowance in respect of the first fifteen years of service after the rate of fifteen-fiftieths of his salary or wages with an additional one-fiftieth of his salary or wages in respect of each completed year of service after the fifteenth year and if he has served for twenty-five years or upwards and has been incapacitated as aforesaid shall be entitled to the same superannuation allowance as is provided for in part (1) of this section but the Corporation may if they think fit owing to the special circumstances of the case grant a higher superannuation allowance than that above mentioned.

Power to
grant super-
annuation in
certain cases.

52. The Corporation may grant to any officer or servant appointed since the passing of the said Act of 1882 or hereafter appointed who has contributed to the superannuation fund and has served less than fifteen years and who is incapacitated from service through illness or accident not brought about by his own misconduct or who is not less than sixty years of age such superannuation allowance as they may think fit having regard to the circumstances of the case.

Superannua-
tion for
officials

53. Any officer or servant appointed before the passing of the said Act of 1882 if he retires with the consent of the Council after

twenty-five years' service shall be entitled to a superannuation allowance in accordance with the maximum scale allowed by the Act of 1882.

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appointed
before 1882.

54. Any officer or servant of the Corporation appointed before the passing of the said Act of 1882 may contribute to the superannuation fund and in such case the foregoing provisions of this Part of this Act with regard to officers and servants appointed since that date and who before the passing of this Act contributed to the superannuation fund shall apply except that no such officer or servant shall until he has contributed to the fund for at least ten years be entitled to claim superannuation or to be superannuated on the scale allowed to officers and servants appointed since the passing of the said Act of 1882.

Power for
officials
appointed
before 1882
to contribute.

55. Any superannuation allowances payable to an officer or servant appointed before the passing of the said Act of 1882 shall be paid out of the fund or funds mentioned in section sixty of the said Act subject to such a contribution from the superannuation fund as the Council shall think ought to be made and any superannuation allowances payable to an officer or servant appointed since the passing of the said Act shall be paid out of the superannuation fund or in case of any deficiency of that fund the same shall be made good out of such fund or funds of the Corporation as they may think fit.

As to pay-
ment of
superannua-
tion allow-
ances.

56. The clerk to the city justices and the clerks in the offices and employment of the city justices shall for the purposes of the said Act of 1882 and of this Part of this Act be considered as officers and servants of the Corporation.

Superannua-
tion to clerks
to justices
&c.

57. Any officer or servant appointed after the passing of the said Act of 1882 who has not hitherto contributed to the superannuation fund shall be entitled to contribute thereto and if he contributes shall then become subject to the provisions of this Part of this Act relating to officers and servants appointed since the passing of the said Act of 1882 and who before the passing of this Act contributed to the superannuation fund. Provided that the amount to be contributed by such officer or servant to the superannuation fund shall for the first ten years of his contribution be at the rate of five per centum per annum on his salary or wages.

Power to
officials ap-
pointed since
1882 and not
having
hitherto con-
tributed to
be entitled to
do so.

58. In case of the death of any officer or servant of the Corporation at any time after the first day of January one thousand eight hundred and ninety-three while in the service the Corporation shall pay the whole of the amount standing to his credit in the superannuation fund account to his legal personal representatives.

Case of death
of official.

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Case of
voluntary
retirement.

59. In case an officer or servant has been in the service for over ten years and leaves the service voluntarily and not to escape dismissal then the Corporation shall return to him the whole of the amount standing to his credit in the superannuation fund.

Case of
retirement at
request of
Corporation.

60. In case an officer or servant is required by the Corporation to retire from the service the Corporation shall on his request return to him the whole of the amount standing to his credit in the superannuation fund instead of granting him the superannuation allowance in such case provided.

Payment of
capital sum
in lieu of
superannua-
tion.

61. In case an officer or servant becomes entitled to superannuation under the provisions of this Act by reason of length of service or ill-health or old age the Corporation shall on his request instead of granting him the superannuation allowance to which he is entitled pay him the whole of the amount standing to his credit in the superannuation fund.

Case of death
of official
having
retired on
superannua-
tion.

62. In case an officer or servant has retired on a superannuation allowance and he dies before the total amount of such allowance equals seventy-five per centum of the sum which stood to his credit at the date when such allowance commenced the Corporation may pay the difference to the widow children or legal personal representatives of such officer or servant or otherwise apply it for her or their benefit in such way as the Corporation think fit.

Application
of con-
tributions in
certain cases.

63. Subject to the provisions of this Act any sum standing to the credit of any officer or servant who is superannuated or who receives a portion of such sum in lieu of superannuation or who leaves the service before he has served ten years or who is dismissed therefrom for misconduct or is guilty of fraud shall be carried to the credit of the superannuation fund and applied by the Corporation accordingly.

Corporation
may require
official to
retire.

64. If the Corporation are of opinion that it would be in the interests of the Corporation for an officer or servant to retire from the service but they are unwilling to dismiss him from the service they may by resolution of a committee confirmed by the council require him to retire and on the expiration of three months from the confirmation of such resolution by the council he shall retire and shall be entitled unless he shall request the Corporation to return to him the amount standing to his credit in the superannuation fund if he has been appointed before the passing of the said Act of 1882 and has not contributed to the superannuation fund for ten years to a superannuation allowance according to the maximum scale allowed by that Act or if he has contributed to the said fund for ten years or if he was appointed after the passing of the

said Act of 1882 he shall be entitled to a superannuation allowance of one-fiftieth part of his salary or wages for each year of service. A.D. 1893:
Provided that in no case shall he be entitled to more than two-thirds of his salary or wages.

65. In case an officer or servant is dismissed for misconduct or is guilty of fraud he shall forfeit all claims to any superannuation allowance. As to official dismissed for fraud &c.

PART VII.—AMENDMENT OF WATERWORKS ACTS.

66. Any expenditure which has been incurred by the Corporation before the appointed day in effecting extensions or permanent improvements of their Chorley Waterworks shall be charged to the capital account of the Liverpool Waterworks and shall be deemed to be borrowed as part of the capital authorised to be borrowed by the Liverpool Corporation Waterworks Amendment Act 1850 and the interest thereon together with a sum sufficient to repay the money so borrowed by means of a cumulative sinking fund within thirty-five years from the appointed day shall be a charge on the Chorley water account. As to expenditure for extension of Chorley Waterworks.

The Corporation shall in addition to the payments to that fund herein-before provided for pay each year into the "Old Waterworks Sinking Fund" the annual sum herein-before provided for such repayment.

67. The Corporation may from time to time with the sanction of the Local Government Board borrow any sums required by them for carrying out extensions and improvements of their Chorley Waterworks as part of the capital authorised to be borrowed by the Liverpool Corporation Waterworks Amendment Act 1850 and the interest thereon together with the annual sum required to be provided for repaying the sums so borrowed shall be a charge on the Chorley Water Account. Power to borrow for extension of Chorley Waterworks.

Every sum so borrowed shall be repaid by the Corporation by means of an accumulating sinking fund within such period as may be fixed by the Local Government Board.

68. The Corporation may serve a notice on any person entitled to any fishing shooting or sporting rights within or on any of their Rivington reservoirs stating that they are desirous to treat for the acquisition of such rights and may thereupon acquire the same and if an agreement for the acquisition thereof is not arrived at within three months from the date of service of the notice a difference shall be deemed to have arisen between the Corporation and the person so entitled and shall be settled by arbitration in manner Power to buy up sporting rights over Rivington reservoirs.

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provided by the Arbitration Act 1889 and that Act shall apply in any such case accordingly.

Amendment of section twenty-nine of Waterworks Act 1862.

25 & 26 Vict. c. cvii.

69. Section twenty-nine of the Liverpool Corporation Waterworks Act 1862 shall be read and have effect as if there were therein inserted in place of the words "within the said borough" the words "within the limits within which the Corporation are for the time being authorised to supply water."

Amendment of section eleven of Waterworks Act 1887.

50 & 51 Vict. c. clxvii.

70. Where the Corporation agree to supply water to any local or sanitary authority company or person under the powers of section eleven of the Liverpool Waterworks and Improvement Act 1887 or where they are required to give a supply under any agreement scheduled to that Act they may agree to execute on behalf of such local or sanitary authority company or person any works necessary or proper for giving the supply and for the purpose of carrying out such agreement they may with the sanction of the Local Government Board borrow such sums as may be necessary and the money so borrowed shall as respects a supply from the Rivington aqueduct be deemed to be a purpose for which the Corporation are authorised to borrow by the Liverpool Corporation Waterworks Amendment Act 1850 and as respects a supply from the Vyrnwy aqueduct shall be deemed to be a purpose for which the Corporation are authorised to borrow by the Liverpool Corporation Waterworks Act 1880.

13 & 14 Vict. c. lxxx.

43 & 44 Vict. c. cxliii.

Every sum borrowed under this section shall be repaid by means of a cumulative sinking fund within such period as may be fixed by the Local Government Board.

PART VIII.—BUILDINGS AND STREETS.

What to be deemed new public and new warehouse buildings.

71. The use of any building as a public building or as a warehouse building within the meaning of the Liverpool Building Acts after the passing of this Act which was not so used at any time within the ten years immediately preceding the passing of this Act shall be deemed to be the erection of a new public building or new warehouse building as the case may be so as to make such building subject to all enactments bye-laws and regulations to which new public buildings or new warehouse buildings are from time to time subject in the city.

Nothing in this section applies to shops partially used as store-rooms.

Alterations to old buildings.

72. Any alteration addition or other work made or done for any purpose in to or upon any old building or in to or upon any new building after the roof has been covered in shall to the extent

of such alteration addition or work be subject to all enactments bye-laws and regulations that new buildings in the city are from time to time subject to.

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73. Where the costs charges and expenses attending any work done by the Council under section forty-three of the Sanitary Act 1846 do not exceed twenty shillings the Corporation may remit payment of the same by the owners if they see fit.

Power to remit expenses of flagging passages.
9 & 10 Vict. c. cxxvii.

The said section shall be read and have effect as though the words "abutting thereon and" and also the words "abutting on such court or passage and" were omitted therefrom and as though after the word "having" where it last occurs there were inserted the words "the right to."

But notices to execute such works need not be given by the Corporation and the execution of such works shall not be deemed to be an adoption of any such passage by the Corporation.

74.—(1) It shall not be lawful to erect fix maintain or retain to on or in connexion with any building or structure any sky sign whether now existing or not except with the license in writing of the Corporation nor except for such period not exceeding two years and under and subject to such terms and conditions (if any) as may be prescribed in the license.

Restrictions on erection of sky signs.

(2) In any of the following cases a license of the Corporation under this section shall become void (namely):—

(i) If any addition to any sky sign be made except for the purpose of making it secure under the direction of the city engineer:

(ii) If any change be made in the sky sign or any part thereof:

(iii) If the sky sign or any part thereof fall or become dangerous either through accident decay or any other cause:

(iv) If any addition or alteration be made to or in the house building or structure on over or to which any sky sign is placed or attached if such addition or alteration involves the disturbance of the sky sign or any part thereof:

(v) If the house building or structure over on or to which the sky sign is placed or attached become unoccupied or be demolished or destroyed.

(3) If any sky sign be erected or retained contrary to the provisions of this Act or after the license for the erection maintenance or retention thereof for any period shall have expired or become void it shall be lawful for the building surveyor to take proceedings before a court of summary jurisdiction for the taking down and removal of the sky sign in the same manner as he is empowered to take proceedings for the removal of a dangerous

A.D. 1893. structure under the Liverpool Improvement Act 1882 and the court may make an order accordingly for such taking down and removal with the like consequences as to penalties and otherwise as under sections thirty-nine to forty-one of the last-mentioned Act.

(4) Any person acting in contravention of any of the provisions of this section or of the terms and conditions (if any) of any approval license or consent under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(5) Nothing in this section shall apply to any sky sign existing on the first day of December one thousand eight hundred and ninety-two till after the expiration of five years from that date.

Definition of sky sign.

75.—In and for the purposes of this Act the expression “sky sign” means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part upon over or above any house building or structure which or any part of which sky sign shall be visible against the sky from any point in any street or public way and includes all and every part of any such post pole standard framework or other support. The expression “sky sign” shall also include any balloon parachute or similar device employed wholly or in part for the purposes of any advertisement or announcement on over or above any house building structure or erection of any kind or on or over any street or public way but shall not be deemed to include (i) any flagstaff pole vane or weather cock unless adapted or used wholly or in part for the purposes of any advertisement or announcement (ii) any sign on any board frame or other contrivance securely fixed to or on the top of the wall or parapet of any building on the cornice or blocking course of any wall or to the ridge of a roof. Provided that such board frame or other contrivance be of one continuous face and not open work and do not extend in height more than three feet above any part of the wall or parapet or ridge to against or on which it is fixed or supported or (iii) any such word letter model sign device or representation as aforesaid which relates exclusively to the business of a railway company and which is placed or may be placed wholly upon or over any railway station yard platform or station approach belonging to a railway company and which is also so placed that it could not fall into any street or public place.

Provisions as to hoards and other

76.—(1) After the passing of this Act every hoard or similar structure to be used either partly or wholly for advertising purposes

in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Corporation. A.D. 1893.

structures
used for
advertising
purposes.

(2) It shall not be lawful after the passing of this Act to erect any hoard or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street to a greater height than fifteen feet above the level of such street without the consent of the Corporation and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoard as the Corporation may determine.

(3) The owner or other person using any hoard wall or other structure for advertising purposes whether erected before or after the passing of this Act shall at all times hereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Corporation and in the event of any nuisance being created in any street by reason of the falling off of any papers affixed for advertising purposes to such hoard wall or other structure shall forthwith remove and clear away such papers.

(4) Any person who acts in contravention of any of the provisions of this section or who violates any conditions or the terms of any consent given in pursuance of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(5) Any consent or condition under this section may be under the hand of the town clerk or the city engineer.

Provided always that this section shall not apply to any hoard or similar structure affixed to any railway station or premises of any railway company for the purposes of such company.

77.—(1) If any person intends to reconstruct or alter the course of any drain in the city which communicates or is intended or required to communicate with any public sewer he shall give notice of his intention to the city engineer and shall supply to him such plan and short description of the intended drain or work as the engineer may require. Reconstruction of drains to require approval of engineer.

(2.) It shall not be lawful for any person to reconstruct or alter the course of any drain as aforesaid except in accordance with the enactments and byelaws relating to the drainage of buildings for the time being in force in the city.

(3.) Any person offending against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding five shillings.

78. If the footway or carriageway of any street is injured by or in consequence of any building work or excavation on or under Injury to streets by excavation to

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be made
good.

such footway or carriageway or on or under lands adjoining thereto the Corporation may repair or replace the footway or carriageway so injured and may recover as a civil debt summarily or in any court of competent jurisdiction from the owner of the land on or under which the building work has been done or excavation has been made or from the person causing the injury as the Corporation may think fit all damages arising from such injury and all expenses incurred in such repair or replacement.

Trees or
shrubs over-
hanging
streets.

79. Where any tree hedge or shrub overhangs any public street so as to obstruct or interfere with the light from any public lamp or otherwise to interfere with the free passage or comfort of passengers the Corporation may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop the tree hedge or shrub so as to prevent such obstruction or interference and in default of compliance with the notice may themselves carry out its requisitions doing no unnecessary damage.

PART IX.—MISCELLANEOUS.

Erection of
lamps by
private
persons.

80. It shall be lawful for the Corporation from time to time to grant permission to the owner or occupier of any building abutting on any street to place or fix a lamp or lamps in on or over the surface of the street opposite and adjacent to such building for the purpose of lighting any portion of such building on such terms and conditions as the Corporation may think fit.

Expense of
watching
dangerous
buildings.

81. Section thirty-nine of the Liverpool Improvement Act 1882 is hereby amended so as to authorise the recovery by the Corporation from the owner or occupier of any costs incurred by them in watching any building or structure referred to in that section after forty-eight hours from the service of the notice on such owner or occupier.

Amendment
of section
one hundred
and eight of
Waterworks
Act 1871.
34 & 35 Vict.
c. clxxxiv.

82. The provisions of section one hundred and eight of the Liverpool Improvement and Waterworks Act 1871 whereof the marginal note is "Form authentication and service of notices &c. by Corporation" shall extend and apply to all summonses for rates or water rents granted or issued by any justice of the peace for the city Provided always that there shall be endorsed on every such summons notice that the same is served under the authority of the said section of the said Act of 1871 as extended by this section.

Provision as
to hackney
carriages.

83. The Corporation may put in force any of the provisions of the Town Police Clauses Acts 1847 and 1889 relating to hackney

carriages notwithstanding the licenses are granted by them under the Liverpool Improvement Act 1842. A.D. 1893.

84. 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.

Exemption of Government property from building regulations.

85. All offences fines costs charges and expenses by or under this Act authorised or directed to be prosecuted or recovered summarily or the prosecution or recovery of which is not expressly provided for may be prosecuted and recovered in manner provided by the Summary Jurisdiction Acts and all fines recovered summarily under this Act shall be paid to the Corporation and carried to the city fund.

Prosecution and recovery of offences and fines.

86. Any person deeming himself aggrieved by any order conviction determination or adjudication of any justice or justices under this Act or by any order or requirement or the withholding of any certificate consent or approval of or by the Corporation or of or by any officer of the Corporation under this Act may appeal to the next practicable court of quarter sessions subject and according to the conditions and regulations contained in the Summary Jurisdiction (England) Acts.

Appeal to quarter sessions.

87. The sections and parts of sections of the Liverpool Sanitary Act 1846 and of the Liverpool Sanitary Amendment Act 1854 and of the Liverpool Improvement Act 1858 and of the Liverpool Library and Museum Act 1852 which are specified or referred to in the first schedule to this Act and any provisions of the Corporation Acts or Orders which incorporate or apply those sections or parts of sections respectively are hereby repealed but without prejudice to anything duly done or suffered under any of the said sections or to any proceeding or cause of proceeding or liability pending or existing at the time of the passing of this Act and any such proceeding or liability may be continued commenced carried on and enforced in all respects as if this Act had not been passed.

Repeal.

88. The costs charges and expenses of and incidental to preparing applying for and obtaining this Act as taxed and ascertained by the taxing officer of the House of Lords or the House of Commons shall be paid by the Corporation out of the general rate the waterworks revenue and the city fund in such proportions as the Corporation may determine.

Costs of Act.

A.D. 1893.

SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Title or Short Title.	Extent of Repeal.
Liverpool Sanitary Act 1846 - (9 & 10 Vict. c. cxxvii.)	Sections one hundred and fifty-one one hundred and sixty one hundred and sixty-one one hundred and eighty-five to one hundred and ninety-six.
Liverpool Sanitary Amendment Act 1854. (17 Vict. c. xv.)	Section twelve.
Liverpool Library and Museum Act 1852. (15 Vict. c. iii.)	Sections eight nine ten from "and approved" to end of section eleven twelve in section thirteen the words "with the consent of the trustees" fourteen in section fifteen the words "one of the trustees for the time being or" and the words "with the consent of the trustees" and section seventeen.
Liverpool Improvement Act 1858	Sections thirty-five to forty-seven.

THE SECOND SCHEDULE.

STATEMENT AS TO THE CORPORATE DEBT AND WATERWORKS DEBT.

Authority for Borrowing.	Borrowing Powers.	Purpose	Debt Outstanding.			Sinking Fund.			Unexercised Borrowing Powers 31st December 1892.	Periods and Conditions for Repayment.
			Stock.	Mortgages.	Total.	Loans Fund.	Sinking Fund.	Total.		
	£		£	£	£	£	£	£	£	
	s.		s.	s.	s.	s.	s.	s.	s.	
	d.		d.	d.	d.	d.	d.	d.	d.	
Sanitary Act 1846	Unlimited	Streets sewers purchase of property &c.	1,159,956 18 3	27,600 0 0	1,187,556 18 3	257,179 2 4	62,569 16 1	319,738 17 5	—	One thirtieth part annually cumulative.
Sanitary Amendment Act 1864 and Provisional Order 1884.	275,000	Purchase of sanitary property.	139,208 6 8	10,825 0 0	150,033 6 8	54,848 15 7	478 6 10	54,827 2 5	22,019 7 10	"
Improvement Act 1861	130,000	Street improvements purchase of property &c.	66,878 16 0	1,000 0 0	67,878 16 0	28,415 19 2	2,480 18 4	30,896 17 6	—	One fiftieth part annually cumulative.
" 1864	548,000	"	312,603 11 5	2,400 0 0	315,003 11 5	163,476 9 2	12,262 5 10	175,738 15 0	—	"
" 1865	215,000	"	142,732 13 10	1,750 0 0	144,482 13 10	71,238 13 8	5,583 17 7	76,822 11 3	—	"
" 1867	500,000	"	287,442 17 5	16,100 0 0	303,542 17 5	131,307 2 5	12,648 4 8	143,955 7 1	111,788 13 6	"
" 1878	200,000	"	94,578 18 11	—	94,578 18 11	25,300 7 11	2,819 19 2	28,120 7 1	97,942 16 10	"
" P.O. 1878	520,000	"	450,419 1 7	—	450,419 1 7	45,108 3 6	7,278 11 8	52,386 15 2	13,525 14 3	Fifty years.
" Act 1882	116,000	"	87,900 0 0	—	87,900 0 0	3,284 9 1	558 11 6	3,843 0 7	28,100 0 0	Sixty years.
" 1883	350,000	"	156,394 2 4	—	156,394 2 4	5,707 0 10	3,197 19 4	8,905 0 2	185,766 16 3	"
" 1885	30,000	"	18,000 0 0	—	18,000 0 0	1,236 1 8	254 1 11	1,490 3 7	12,000 0 0	Forty years.
" 1865	640,855	Parks	469,778 7 4	43,955 0 0	513,733 7 4	124,977 7 10	12,120 16 4	137,098 4 2	3,700 0 0	One hundredth part annually cumulative.
Tramways Act 1870 and Liverpool Tramways Act 1892.	464,000	Tramways	310,000 0 0	—	310,000 0 0	79,133 4 8	9,768 14 0	88,901 18 8	—	Thirty years and one thirtieth part annually cumulative.
" 38 & 39 Vict. c. 36 and 48 & 49 Vict. c. 72.	138,500	Artizans' dwellings	88,500 0 0	98,855 12 8	127,355 12 8	4,705 18 1	1,059 19 11	5,765 18 0	—	Fifty years and one thirtieth part annually cumulative.
Sanitary Act 1846 and Improvement Act 1886.	56,000	Hospitals	41,000 0 0	25,000 0 0	66,000 0 0	3,385 0 2	2,866 18 4	6,251 18 6	—	Fifty years forty years thirty years and ten years.
Liverpool Waterworks Acts 1847 1850. Ditto Act 1880	Unlimited 3,250,000	Waterworks	3,225,393 13 9	167,485 12 8	3,392,879 6 5	998,808 16 1	135,939 0 6	1,134,742 16 7	—	Unlimited.
			4,068,421 1 3	534,687 16 6	4,603,108 17 9	82,209 12 4	11,554 9 5	93,764 1 9	—	Sixty years from 1895.
			7,893,814 15 0	702,173 9 2	8,595,988 4 2	1,081,013 8 5	147,493 9 11	1,228,506 18 4	New Waterworks 1,121,124 15 4	

A.D. 1893.

THE THIRD SCHEDULE.

The Liverpool Corporation Act 1880.
The Liverpool Corporation Loans Act 1880.
The Liverpool Improvement Act 1882.
The Liverpool Improvement Act 1883.
The Liverpool Improvement Act 1885.
The Liverpool Improvement Act 1886.
The Liverpool Waterworks and Improvement Act 1887.
The Liverpool Corporation Act 1889.
The Liverpool Corporation Act 1890.
The Liverpool Provisional Order 1884.

THE FOURTH SCHEDULE.

THE LIVERPOOL BUILDING ACTS.

The Liverpool Building Act 1842.
The Liverpool Sanitary Act 1846.
The Liverpool Sanitary Amendment Act 1854.
The Liverpool Improvement Act 1842.
The Liverpool Improvement Act 1864.
The Liverpool Improvement Act 1867.
The Liverpool Improvement and Waterworks Act 1871.
The Liverpool Corporation Act 1889.
The Liverpool Fire Prevention Act 1843.
The Liverpool Fire Prevention Act 1844.

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