



### CHAPTER ccxl.

An Act for authorising the Corporation of the city of Liverpool to execute certain street improvements and to acquire certain lands for the protection of their Rivington water supply for confirming an agreement between the Corporation and the Mersey Docks and Harbour Board for making further regulations with respect to streets and buildings and with respect to sanitary matters for conferring on the Corporation powers with respect to Stanley Cattle Market for amending divers provisions of the Local Acts in force within the city and for other purposes. A.D. 1902

[8th August 1902.]

**W**HEREAS it is expedient to empower the mayor aldermen and citizens (herein-after called "the Corporation") of the city of Liverpool (herein-after called "the city") to execute the street improvements in this Act mentioned and for that purpose to acquire lands :

And whereas it is expedient to empower the Corporation to acquire lands within the drainage area of the Rivington Waterworks with a view to preserving the waters within such area from pollution :

And whereas in pursuance of the Liverpool Corporation Act 1898 and of an agreement between the Mersey Docks and Harbour Board (herein-after called "the dock board") of the one part and the Corporation of the other part (which agreement was scheduled to and confirmed by the said Act) and by an indenture dated the thirty-first day of December one thousand nine hundred and made between the dock board of the one part and the Corporation of the other part the Corporation have acquired from the dock board the site of the George's Dock and have effected an exchange of certain lands with the dock board :

[Price 2s. 9d.]

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61 & 62 Vict.  
c. ccli.

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And whereas the Corporation and the dock board have entered into an agreement for the exchange of other lands for the purpose (among other things) of rectifying the boundaries of their respective properties at the George's Dock and it is expedient to confirm such agreement :

And whereas it is expedient to make further regulations with respect to streets and buildings and with respect to sanitary matters and with respect to the supply of electricity by the Corporation :

And whereas the Corporation are the market authority and the owners of markets within the city and are entitled to demand and receive tolls in respect thereof :

2 Will. 4.  
c. viii.

And whereas the Liverpool New Cattle Market Company were incorporated by an Act " For establishing a market in the parish of " Walton-on-the-Hill in the county palatine of Lancaster " (herein-after referred to as " the Stanley Cattle Market Act ") with all the rights powers and privileges set out in that Act and a market commonly known and herein-after referred to as " the Stanley Cattle Market " was established under the provisions of the said Act :

And whereas the Corporation have purchased under an indenture dated the second day of January one thousand nine hundred and one from the Liverpool New Cattle Market Company the said market with all the rights powers privileges monopolies and franchises vested in the said Company :

And whereas it is desirable that the said market should be carried on in the same manner as the other markets of the Corporation and that various provisions relating to the management of the latter and in particular those relating to accounts should be made applicable to the said market :

And whereas it is expedient to repeal and to reenact with amendments the provisions of the Liverpool Corporation Act 1898 which relate to children trading in the streets :

And whereas it is expedient to empower the Corporation to contribute to a university in Liverpool :

And whereas it is expedient to amend divers provisions of the local Acts and Orders in force within the city :

And whereas the Corporation have prepared estimates showing that they will or may require to borrow for purchase of lands and for the execution of the street improvements by this Act authorised and of the capital payments to be made and of the works to be executed under the scheduled agreement with the dock board (being

permanent works within the meaning of section 234 of the Public Health Act 1875) as follows (that is to say):—

For purchase of lands and street improvements sums not exceeding 485,000*l.* ;

For the capital payments to be made and for the execution of works under the agreement with the dock board sums not exceeding 71,000*l.* ;

and it is expedient to empower the Corporation to raise such sums accordingly :

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 twelfth day of December one thousand nine hundred and one after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Liverpool Mercury newspaper being a local newspaper published or circulating in the city 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 fund and general rate or on such other funds and rates and in such proportions as the Corporation shall determine :

And whereas such resolution was published twice in the said 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 eighth day of January one thousand nine hundred and two 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 :

And whereas plans and sections relating to the objects of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of lands required or which may be taken for the purposes or under the powers of this Act have been deposited with the clerk of the peace for the county of Lancaster and with the town clerk of the city and are in this Act referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted

A.D. 1902. — and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

## PART I.

## PRELIMINARY.

Short title. 1. This Act may be cited as the Liverpool Corporation Act 1902.

Act divided into parts. 2. This Act is divided into parts as follows (that is to say) :—

- Part I.—Preliminary.
- Part II.—Street Improvements.
- Part III.—Lands.
- Part IV.—Streets and Buildings.
- Part V.—Sanitary Provisions.
- Part VI.—Stanley Cattle Market.
- Part VII.—Street Trading.
- Part VIII.—Financial.
- Part IX.—Amendment of Local Acts.
- Part X.—Miscellaneous.

Incorporation of Lands Clauses Acts. 3. The Lands Clauses Acts are (except where expressly varied or otherwise provided for by this Act) incorporated with and form part of this Act.

Interpretation. 4. In and for the purposes of this Act terms to which a meaning is assigned by any of the Acts incorporated herewith or by the Public Health Act 1875 have (unless the context otherwise requires) the same respective meanings :

“Daily penalty” means a penalty for every day during which an offence is continued after conviction thereof.

## PART II.

## STREET IMPROVEMENTS.

Power to execute street improvements. 5. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the street improvements hereinafter described with all proper approaches works and conveniences connected therewith and they may enter on take and use all or any of the lands in that behalf delineated on the said plans and described in the deposited book of reference.

The street improvements authorised by this Act are—

A.D. 1902.

In the township of West Derby and parish of Walton-on-the-Hill in the city of Liverpool—

A widening of Smithdown Road on the north side thereof between Earle Road and Scholar Street :

In the parish and city of Liverpool—

A widening of Boundary Place on the south-west side thereof between Daulby Street and Pembroke Place ;

A widening of Church Street on the south-west side thereof between the Branch Bank of Liverpool and Hanover Street ;

A widening of Hanover Street on the north side thereof between Church Street and Brooks Alley ;

A widening of Duke Street on the south side thereof between Duke Street Lane and York Street and on the north side thereof between numbers 45 and 61 inclusive.

6. In executing the street improvements authorised by this Act the Corporation may deviate to any extent not exceeding the limits of deviation shown on the deposited plans and may also deviate from the levels shown on the deposited sections to any extent not exceeding two feet.

Power to deviate.

7. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown or described in the deposited plans or book of reference the Corporation after giving ten days notice to the owners lessees and occupiers of the lands in question may apply to two justices for the correction thereof and if it appears to the justices that the omission mis-statement or wrong description arose from mistake they shall so certify stating the particulars thereof and their certificate shall be deposited as if it had originally formed part of the deposited plans or book of reference (as the case may be) and shall be kept therewith and shall be deemed to be part thereof and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to such certificate and the Corporation may take the lands and execute the works in accordance with such certificate.

Correction of errors &c. in deposited plans and book of reference.

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

Persons under disability may grant easements &c.

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purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Application of certain provisions of Improvement Act 1867.

**9.** The provisions contained in the following sections of the Liverpool Improvement Act 1867 shall apply for the purpose of the execution of the provisions of this Act as if they were re-enacted in this Act (that is to say):—

Section 24 (Land acquired by Corporation under Act to be corporate estate);

Section 25 (Corporation may sell or lease lands not required for purposes of Act) except so much of that section as relates to the application of the proceeds of sale or of leases or grants of land;

Section 27 (Power to alter and divert sewers &c.);

Section 28 (Alterations consequent on changing levels of streets to be made at expense of Corporation);

Section 29 (Damage to buildings to be compensated for by Corporation);

Section 30 (Expense of removing water-pipes to be paid by Corporation out of moneys applicable to street improvements);

Section 31 (Corporation to reinstate pipes of Liverpool United Gaslight Company);

Section 32 (Corporation to make good damage to property of Gaslight Company and to compensate parties for loss by interference with mains &c.);

Section 33 (Elevation of building fronting streets to be as Corporation approve); and

Section 39 (Compensation by Corporation under Act may be in land or in works).

Ground laid into streets to form part thereof.

**10.** The sites of all houses and all lands which may be acquired by the Corporation under this Act and laid into and appropriated for streets shall when and so soon as the same are so laid into and appropriated for streets and for ever thereafter form part of the public street and shall be repaired and maintained in such and the same way and manner as the streets in the city are for the time being by law repaired and maintained.

Removal of human remains in Jewish

**11.—(1)** If and when the Corporation shall acquire the burial ground known as the Jewish Burial Ground Boundary Place they shall before applying or using any part thereof for any of the

purposes of this Act remove or cause to be removed the remains of all deceased persons interred in the said burial ground. A.D. 1902.

(2) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive days in two local newspapers circulating in the city to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section.

burial  
ground.

(3) At any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the said burial ground may give notice in writing to the Corporation of his intention to undertake the removal of such remains and thereupon he shall be at liberty to cause such remains to be removed to and re-interred in any Jewish burial ground or cemetery in which burials may legally take place or in a separate piece of ground in any burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Corporation that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the Liverpool County Court who shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave the sum of ten pounds) shall be defrayed by the Corporation such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section the Corporation may remove the remains of the deceased person and cause them to be interred in such other burial ground or cemetery in which burials may legally take place as the Corporation think suitable for the purpose.

(7) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Corporation be removed and re-erected at the place of re-interment of such remains or at such place within the city as the registrar of the Liverpool County Court may direct on the application (if any) of such heir executor administrator or relative

A.D. 1902. as aforesaid or failing such application on the application of the Corporation.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer of health of the city.

### PART III.

#### LANDS.

Power to acquire lands in drainage area of Rivington Waterworks.

**12.** Subject to the provisions of this Act the Corporation may enter on and take and may hold for the purpose of protecting their reservoirs works and waters in the county of Lancaster commonly known as the Rivington Waterworks the lands delineated on the deposited plans and described in the deposited book of reference and any rights or easements in on over or connected with the same which are situate in the drainage area of the said Rivington Waterworks save and except the lands belonging or reputed to belong to Colonel Richard Henry Ainsworth in the township of Horwich and the district of the Horwich Urban District Council other than so much thereof containing four and a half acres or thereabouts as is coloured red on the plan signed in duplicate by Charles Bill the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one copy of which has been deposited in the Private Bill Office of the House of Commons :

Provided that the boundary of such drainage area in the township of Belmont (in the deposited plans and book of reference described as "in the parish of Turton") shall be deemed to be as shown by red dotted lines on a plan signed in quadruplicate by the said Charles Bill :

Provided also that the Corporation shall not create or permit the creation or continuance of any nuisance on any such lands.

For protection of Rivington Church and Rivington Chapel.

**13.—(1)** Notwithstanding anything in this Act contained or shown upon the deposited plans the Corporation shall not enter upon take or use otherwise than by agreement any of the lands in the parish of Rivington and numbered 234 and 66 on the deposited plans relating to the drainage area of the Rivington Waterworks being lands held and used for Rivington Church and Parsonage House and burial ground and the benefice of such church nor any of the lands in the same parish numbered 64 on the same plans and held for the purposes of Shaw's Educational Endowment Rivington being a foundation established by a scheme made by the Charity

Commissioners for England and Wales dated 30th April 1877 nor any of the lands in the same parish numbered 174 and 175 on the same plans held and used for the chapel known as Rivington Chapel and the burial ground and minister's house schools school-house and being property held by the trustees of the said chapel burial ground minister's house schools and school-house or any of them or any other lands or buildings situate within the drainage area of the Rivington Waterworks belonging to any other religious or educational body and used exclusively for the purpose of religious worship parsonage house school or any land appropriated as a churchyard or burial ground.

(2) In addition to all other rights and remedies the Corporation may possess for preventing the pollution of or interference with the waters flowing either directly or indirectly into the Rivington Waterworks they may at any time or times execute in or upon any lands or buildings in the drainage area of the said waterworks which by this section the Corporation are prohibited from acquiring otherwise than by agreement any works which may be necessary for the purpose of protecting from contamination fouling or discolouration the waters flowing directly or indirectly into their said waterworks.

(3) In the event of any owners or occupiers of any such lands or buildings sustaining any loss or damage by reason of the said execution of any such works as aforesaid the Corporation shall make due compensation to such owner or occupier therefor and failing agreement the amount of such compensation shall be determined by arbitration pursuant to the provisions of the Lands Clauses Consolidation Act 1845 Provided always that the owners and occupiers may after the execution of the said works hold use and enjoy the land and buildings upon which the said works shall be executed for all purposes so that nothing be done to the injury of such works.

(4) Before executing any such works as aforesaid the Corporation shall cause plans sections and designs of the proposed works to be submitted to the owners for their approval and in case of any difference as to the necessity for or the nature of the proposed works or any of them such dispute shall be settled in the manner provided by the Arbitration Act 1889.

(5) Any works which may be executed by the Corporation under this section shall unless otherwise agreed between the owners and the Corporation be completed within six months from the approval of the plans thereof or from the making of the award which shall

A.D. 1902. last happen and shall always be properly maintained by and at the cost of the Corporation.

Removal of  
human  
remains in  
Rivington  
Church  
burial  
ground.

**14.**—(1) If and when the Corporation shall acquire the burial ground of Rivington Church they shall before applying or using any part thereof for any of the purposes of this Act remove or cause to be removed the remains of all deceased persons interred in the said burial ground :

Provided that a Secretary of State on the application of the Corporation and on being satisfied that such removal is not necessary or desirable may dispense with all or any of the requirements of this section on such conditions (if any) as he thinks fit.

(2) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive days in two local newspapers circulating in the rural district of Chorley to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section.

(3) At any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the said burial ground may give notice in writing to the Corporation of his intention to undertake the removal of such remains and thereupon he shall be at liberty without any faculty for the purpose but subject as herein-after mentioned to any regulations made by the bishop of the diocese of Manchester to cause such remains to be removed to and reinterred in any consecrated burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Corporation that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the consistory court of the diocese of Manchester who shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave the sum of ten pounds) shall be defrayed by the Corporation such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in

respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section and with any regulation of the bishop the Corporation may without any faculty for the purpose remove the remains of the deceased person and cause them to be interred in such other consecrated burial ground or cemetery in which burials may legally take place as the Corporation think suitable for the purpose subject to the consent of the bishop.

A.D. 1902.

(7) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Corporation be removed and re-erected at the place of re-interment of such remains or at such place as the bishop may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Corporation.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer of health of the said rural district.

**15.** The provisions contained in the section of this Act of which the marginal note is "Removal of human remains in Jewish burial ground" shall extend and apply to the burial ground of Rivington Chapel subject to the following modifications (that is to say):—

Removal of human remains in Rivington Chapel burial ground.

In the application of those provisions to the said burial ground—

- (A) The burial ground of Rivington Chapel shall be deemed to be named in lieu of the Jewish burial ground named in the said section;
- (B) The words "rural district of Chorley" shall be deemed to be substituted for the word "city" in subsections (2) (7) and (8);
- (C) The word "Jewish" shall be deemed to be omitted from subsection (3);
- (D) The words "Chorley County Court" shall be deemed to be substituted for the words "Liverpool County Court" in subsections (4) and (7).

**16.** Nothing in this Act shall extend or be construed to extend to affect take away lessen prejudice alter or diminish any of the water rights or interests powers privileges or authorities relating to the supply of water either granted excepted reserved or otherwise preserved for the benefit of the owner of the works respectively known as the Heapey Bleach Works and the White Coppice Works

Saving for owners of Heapey Bleach Works and White Coppice Works.

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or secured to William Standish Standish his heirs or assigns the then owner of the said works by virtue of the provisions of the Liverpool Corporation Waterworks Act 1847 and such water rights interests powers privileges or authorities relating to the supply of water shall remain vested in the owners for the time being of the said Heapey Bleach Works and White Coppice Works respectively as fully and freely as if this Act had not been passed.

For protection of  
Thomas  
Edward  
Lawrence  
Wright and  
others.

**17.** For the protection of Thomas Edward Lawrence Wright Algernon St. George William Rushout Rushout and William Selby Lowndes or other the person or persons for the time being entitled in possession whether for life or any greater estate to the estate near Bolton in the county of Lancaster known as the Hill Top or Belmont Estate (in this section referred to as "the owner") the following provisions shall have effect (that is to say) :—

If the Corporation shall acquire under the provisions of this Act any portion of the Hill Top or Belmont estate of the owner which consists of or includes any moorland they shall if the owner so desire grant a lease to the owner of the sporting rights over the moorland portion of so much of the said estate as is acquired by them at an annual rental of two shillings and sixpence per acre such lease to commence from the date of the cesser of the interest of the present lessee of the said sporting rights and to continue for a term of thirty years from such last-mentioned date or for the life of the said Thomas Edward Lawrence Wright whichever shall be the longer Provided that the option hereby reserved to the owner shall be exercised by notice in writing to the Corporation within twelve months after such portion of the said estate shall have been conveyed to the Corporation.

For protection of  
Thomas  
Cooke  
Catterall.

**18.** For the protection of Thomas Cooke Catterall or other the owner for the time being of the lands and quarries known as the Leicester Mill Quarries shown on the deposited plans the following provision shall have effect (that is to say) :—

Unless within six months after the passing of this Act the Corporation serve notice to treat for the purchase of the said lands and quarries the powers of the Corporation for the compulsory purchase thereof under this Act shall cease.

For protection of  
Percival  
Sumner  
Mayhew.

**19.** Notwithstanding anything contained in this Act the following provisions shall apply and have effect (that is to say) :—

(1) If the Corporation acquire any part of the lands in the parishes of Anglezarke and Heapey belonging to Percival

Sumner Mayhew and delineated on the deposited plans and described in the deposited book of reference (in this section referred to as "the said lands") they shall if so required by him acquire the whole of the said lands : A.D. 1902.

- (2) In determining the purchase money or compensation to be paid by the Corporation in respect of the said lands the jury arbitrators or umpire (as the case may be) shall take into consideration the depreciation (if any) in the value of the property known as the Duxbury Park estate in the townships of Duxbury Chorley and Heath Charnock caused by the separation of the ownership of the said lands from the ownership of the last-mentioned estate :
- (3) If the Corporation shall acquire the said lands Percival Sumner Mayhew may by notice in writing to be given to the Corporation within three months after completion of the purchase require the Corporation to grant and thereupon the Corporation shall grant to him a lease for the term of his natural life of the exclusive right of shooting over the said lands upon and subject to such terms and conditions as may be agreed or as in default of agreement shall be determined by arbitration in manner provided by the Arbitration Act 1889.

**20.** Notwithstanding anything contained in this Act or shown on the deposited plans the Corporation shall not enter upon take or use except by agreement any part of the lands in the parish of Tockholes referred to in section 64 of the Darwen Corporation Act 1899 which the mayor aldermen and burgesses of the borough of Darwen were by that section authorised to acquire and have acquired at the date of the passing of this Act. For protection of Darwen Corporation.

**21.—**(1) The provisions of this Act and of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement shall not apply to the lands in the parish of Rivington belonging or reputed to belong to William Hesketh Lever (who and so far as relate to the house and lands known as "the Bungalow" coloured green on the plan referred to in the next following section of this Act his successors in title are in this and the next following sections referred to as "the owner") shown and coloured yellow on a plan signed by Charles Bill the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (which plan is in this and the next following sections called "the signed plan") but those lands shall from and after the passing of this Act be by virtue of this Act without conveyance or any other instrument vested in the Appropriation of certain lands as public park to be known as Lever Park.

A.D. 1902. Corporation for all the estate and interest of the owner therein subject nevertheless to the provisions of this Act.

(2) The Corporation shall subject to the provisions of this section permit the owner at his own expense to lay out the said lands (except so much thereof as is situate between the unclimbable fence herein-after referred to and the Lower Rivington Reservoir) as a public park herein-after described as "Lever Park" for the use and enjoyment of the inhabitants of the county borough of Bolton and generally of the public for ever and to pull down any building or buildings now standing on the said lands and to erect any building or buildings thereon necessary or convenient for the use and enjoyment of the park as such and to make any roads or footpaths thereon for affording to the public proper access thereto and generally to form lay out and deal with Lever Park as may appear to him to be desirable in order to secure their free and uninterrupted enjoyment by the public and in the event of the owner so laying out the said park the Corporation may fence the same on the westerly side thereof as shown on the signed plan with an unclimbable fence no part of which shall be nearer to the Corporation reservoir than one hundred feet Provided that any building erected under this section shall be so placed and the drainage thereof shall be so carried out in all respects as to be to the satisfaction of the water engineer of the Corporation.

(3) The Corporation may divert or culvert over any streams or execute such other works on the said lands as they may consider necessary or desirable in order to protect and preserve from pollution the Lower Rivington Reservoir and their other waterworks and any waters flowing into the same or any of them Provided always that before carrying out any such works the Corporation shall give to the owner notice of their intention so that he may have an opportunity of laying any objection to such works if he sees fit before the Local Government Board.

Any difference or dispute arising between the Corporation and the owner in reference to the matters dealt with in this section shall be referred to an arbitrator to be appointed by the Local Government Board whose decision shall be final.

(4) The Corporation shall maintain and manage Lever Park and may expend money on waterworks account for those purposes and may exercise in respect thereof all the powers (including the power of making byelaws) which under any public Act or any local Act or Order in force in the city they have or can exercise in relation to any park gardens or place of public resort vested in

them with power also to make byelaws for preventing pollution of any streams or waters flowing through or being in Lever Park and for the closing of the park in the event of any serious outbreak of typhoid fever or cholera in the borough of Bolton or elsewhere in the neighbourhood of the park and for enabling the Corporation to prohibit the holding of galas fêtes and sports in the park. Provided always that one month at least before any application for confirmation of such byelaws is made to the Local Government Board in accordance with section 184 of the Public Health Act 1875 a copy of the proposed byelaws shall be sent to the owner so that he may have an opportunity of laying if he sees fit before the Local Government Board any objections thereto or representations thereon.

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22.—(1) Notwithstanding anything in this Act contained or shown on the deposited plans the Corporation shall not enter upon take or use otherwise than by agreement the house known as “the Bungalow” or the lands in the parish of Rivington shown and coloured green on the signed plan and the Corporation shall if so required by the owner grant to him an easement or right for constructing maintaining and using over any lands acquired from him by the Corporation a sufficient roadway for giving convenient access to the Bungalow from Sheep House Lane by way of the western lodge now in course of construction and marked on the signed plan :

For protection of  
William  
Hesketh  
Lever.

Provided that if the Corporation purchase the whole or practically the whole of the lands of the owner delineated on the deposited plans and described in the deposited book of reference (other than the lands coloured yellow and green on the signed plan) no buildings other than ordinary farm buildings or buildings to be used in connexion with the occupation of the Bungalow as a private residence shall be erected by the owner on any part of the said lands coloured green without the consent in writing of the Corporation and no buildings other than ordinary farmhouses or buildings or buildings required for waterworks purposes shall be erected by the Corporation on any lands acquired by them from the owner without the consent in writing of the owner.

(2) Any difference under the foregoing provisions of this section shall unless otherwise agreed be determined by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers in manner provided by the Arbitration Act 1889.

A.D. 1902.

(3) If the Corporation shall acquire any lands of the owner (other than the lands coloured yellow and green on the signed plan) the owner may by notice in writing to be given to the Corporation within three months after completion of the purchase require the Corporation to grant and thereupon the Corporation shall grant to him a lease for the term of his natural life of the exclusive right of shooting ever the said lands upon and subject to such terms and conditions as may be agreed or as in default of agreement shall be determined by arbitration in manner provided by the Arbitration Act 1889.

Period for compulsory purchase of lands.

**23.** The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Owners may be required to sell parts only of certain lands and buildings.

**24.** And whereas in the execution of the street improvements by this Act authorised or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the First Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are herein-after included in the term “the owner” and the said properties are herein-after referred to as “the scheduled properties”:
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the jury arbitrators or other authority to whom

the question of disputed compensation shall be submitted (herein-after referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed :

- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :
- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall

A.D. 1902. — having regard to the circumstances of the case and their final determination think fit.

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

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

Restriction  
as to houses  
of labouring  
class.

**25.—**(1) The Corporation shall not under the powers by this Act granted purchase or acquire in any borough or other urban district and elsewhere than in any borough or urban district in any parish ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(A) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case ; and

(B) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit. A.D. 1902.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they have power to acquire :

Provided that nothing in this section shall relieve the Corporation from the necessity of obtaining the approval of the Local Government Board for such appropriation or use of their corporate land as would require such approval under the Municipal Corporations Act 1882 (as amended by section 72 of the Local Government Act 1888) or any other general Act.

(7) Subject to the provisions of this section the Corporation and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Public Health Act 1875 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act :

Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

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Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as they may see fit.

(8) The Corporation shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(9) For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "labouring class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Proceeds of sale of surplus lands under this Act.

**26.** The proceeds of the sale of any surplus lands of the Corporation sold under the powers of this Act shall be distinguished as capital in the accounts of the Corporation and shall be applied in discharge of any moneys borrowed by the Corporation the interest and redemption fund for which is charged upon the general rate and borrowed money discharged by the application of such proceeds shall not be re-borrowed.

Power to dispose of surplus lands acquired under Waterworks Acts.

**27.** The Corporation shall have and shall be deemed always to have had power to sell lease deal with and dispose of any lands which have been at any time or which may hereafter be acquired for waterworks purposes by the Corporation and which are not required for waterworks purposes :

Provided that the net proceeds of any such sale shall be carried to the waterworks mortgage sinking fund established by the Liverpool Corporation Act 1893 or be applied to some purpose of the Corporation waterworks for which the Corporation have borrowing powers Provided further that such borrowing powers shall be reduced by the amount of proceeds applied to any such purpose of the Corporation waterworks.

Power to appropriate lands.

**28.** The Corporation may appropriate and use with the approval of the Local Government Board and subject to such

conditions as the Board may think fit to impose for any of the purposes of this Act or for any of the purposes of the Public Health Acts or the Municipal Corporation Acts any lands or property for the time being vested in them which are not wanted for the purpose for which such lands and property were originally acquired but nothing in this section shall authorise the Corporation to create or permit the creation or continuance of any nuisance on any such lands.

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**29.** The agreement between the dock board and the Corporation dated the seventeenth day of December one thousand nine hundred and one with reference to the exchange of certain lands between the dock board and the Corporation and other relative matters as set forth in the Second Schedule to this Act is hereby confirmed and made binding upon the parties thereto and the dock board and the Corporation are hereby respectively empowered accordingly :

Confirming  
agreement  
with Mersey  
Docks and  
Harbour  
Board.

Provided always that within three months from the date of passing of this Act the Corporation shall produce to the Commissioners of Inland Revenue a deed of conveyance in pursuance of the agreement set forth in the Second Schedule duly stamped with the ad valorem duty payable upon a deed of exchange by reference to the Stamp Act 1891 section 73.

#### PART IV.

##### STREETS AND BUILDINGS.

**30.** Where in the opinion of the Corporation a new street will form a continuation of or means of communication with a main thoroughfare in the city or a continuation of or means of communication with a main approach to the city the Corporation may if they see fit require the houses or other buildings intended to be erected in such new street to be set back from the centre line thereof to such distance not exceeding forty feet as they may see fit and the Corporation shall thereupon make compensation to the owner or owners of the lands abutting upon the said new street for any damage which may be sustained by him or them by reason of his or their being unable to build upon the land situate between the line of such new street and the line of the houses erected or to be erected on either side thereof and failing agreement the amount of such compensation shall be determined by arbitration in the manner provided by the Lands Clauses Acts :

Width of  
new streets  
in certain  
cases.

Provided always that the Corporation may if they think fit instead of paying the compensation under this section agree with the owner

A.D. 1902. or owners of the lands referred to in the said section for the purchase of the said lands or any part or parts thereof.

All moneys payable by the Corporation by way of compensation or for the purchase of lands under this section shall be defrayed out of moneys borrowed or to be borrowed under the powers of section 72 of the Liverpool Improvement Act 1867 and as part of the sum of seven hundred thousand pounds thereby authorised to be borrowed.

As to relative widths of carriageway and footways.

**31.** It shall be lawful for the Corporation and for any person depositing the plans of any new street to agree to vary the relative widths of the carriageway and footways of such new street so however that the combined width of the carriageway and footways throughout the whole length of the street shall in no case be less than the width provided by the byelaws with respect to new streets for the time being in force in the city.

Power of Corporation to convey portions of street to adjoining owners.

**32.** The Corporation may upon such terms as they think fit convey any portion of a public street to the owner of any land adjoining it for the purpose of obtaining a uniform line of frontage and of improving such street and any moneys received by the Corporation from the owner under this section shall be applied in or towards repayment of moneys borrowed for street improvement purposes.

Erection of buildings in new streets.

**33.** It shall not be lawful for any person to erect any dwelling-house in or adjoining any part of a new street before that part of the street has been laid out with a proper foundation and has been sewered kerbed and channelled to the satisfaction of the Corporation and no kerbstone after it has been laid down shall be taken up or removed without the previous consent of the Corporation.

Any person who is guilty of any contravention of this section shall for each offence be liable to a penalty not exceeding twenty pounds and in the case of a continuing offence to a daily penalty not exceeding forty shillings.

As to direction or position of new streets.

**34.** If the Corporation disapprove of the proposed direction or position relatively to the nearest streets of any new street as shown on the plan thereof deposited under any byelaws made by the Corporation under the provisions of the Public Health Act 1875 and any Act amending or extending that Act they shall within thirty days after delivery or deposit of such plan to or at the office of the city engineer give notice to the person delivering or depositing such plan of the particulars of such disapproval and of the requirements of the Corporation in respect of the direction or position as aforesaid of the proposed street and in the event of such notice of

disapproval being given it shall not be lawful to begin to make or lay out the new street until an amended or new plan thereof has been delivered or deposited as aforesaid and approved by the Corporation. A.D. 1902.

Any person who begins to make or lay out any new street in contravention of the above enactment or who without the written consent of the Corporation deviates from any approved plan shall be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding forty shillings for every day during which the offence is continued after written notice thereof from the Corporation.

Provided that if within thirty days after receiving notice of the requirements of the Corporation and before proceeding further in the matter the person delivering or depositing such plan gives written notice to the Corporation alleging that he will sustain loss or damage by the decision of the Corporation under this section and claiming compensation from the Corporation in respect thereof the Corporation may either waive or insist on their requirements as they see fit and in the latter event any claim for compensation shall in default of agreement between such person and the Corporation be referred to and settled by arbitration in manner provided by the Lands Clauses Consolidation Act 1845. In any such reference the arbitrator or arbitrators and umpire shall have regard to any increased value which will in his or their opinion be given to any property of such owner by reason of the execution of the requirements of the Corporation and any such reference may on the application of either party to the reference be made a rule of His Majesty's High Court of Justice.

Section 47 of the Liverpool Improvement Act 1882 is hereby repealed.

**35.** The Corporation may require the corner of any new building at the corner of two streets to be rounded off or splayed off to the height of the first storey or to the full height of the building and to such extent otherwise as they may determine and for any loss which may be sustained through the exercise of the powers by this section conferred upon the Corporation they shall pay compensation in accordance with the provisions of the Lands Clauses Acts.

Buildings at corners of streets.

**36.** Any fence to be erected in pursuance of section 27 of the Liverpool Improvement and Waterworks Act 1871 shall so far as practicable be placed on the boundary of the property.

Unfenced land adjoining streets.

**37.—(1)** The Corporation may if they see fit require any person laying out a new street to provide separate sewers for the reception of surface water and of sewage respectively.

Separate sewers for sewage and surface water.

A.D. 1902.

(2) The Corporation may also from time to time by resolution declare that any sewer or sewers for the time being belonging to them shall be appropriated and used for surface water only or for sewage only.

(3) Where in any street provision has been made for separate sewers for surface water and for sewage as aforesaid no sewage shall be allowed to pass into the surface water sewer and so far as practicable no surface or storm water shall be allowed to pass into the sewage sewers.

(4) Any person offending against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(5) Provided that in the case of any house or premises existing at the time of the provision of separate sewers as aforesaid the drains whereof would but for the passing of this Act have been sufficient to effectually drain such house or premises the Corporation shall at their own expense make all necessary alterations to the drains and pipes of such house or premises in order to keep separate the sewage and surface water drainage thereof and no penalty shall be incurred under this section in the case of such house or premises until the completion of such alterations as aforesaid.

(6) Nothing in this section shall in any way limit affect or add to the obligations which the Mersey Docks and Harbour Board are under to make and keep in repair sewers and drains under the dock estate as provided by the Liverpool Sanitary Act 1846.

Height of  
chimneys.

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

(1) Every chimney hereafter erected for carrying smoke or steam or for the carrying away of any noisome or deleterious gases or effluvia from any mill factory brewery sizing-house dye-house corn-mill foundry or building 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 Council 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) 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.

## PART V.

A.D. 1902.

## SANITARY PROVISIONS.

**39.** The Corporation may if they think fit so to do provide and place in any street or court movable or fixed dust-boxes wherein dust ashes or other similar refuse may be deposited and may by public notice require the occupiers of houses or buildings adjoining or near to such street or court to cause all the dust and ashes and similar refuse from their premises to be deposited daily in such dust-boxes. Any occupier who fails to comply with the provisions of this section shall be liable for each offence to a penalty not exceeding forty shillings.

Penalty for not using dust-boxes if provided by Corporation.

**40.** Where two or more houses or other buildings belonging to the same owner or to different owners are connected with a public sewer or cesspool by a single private drain an application may be made under section 41 of the Public Health Act 1875 relating to complaints as to nuisances from drains and the Corporation may recover any expenses incurred by them in executing any works under the powers conferred on them by that section from the owner of the houses or buildings and such expenses may be recovered summarily or may be declared by the Corporation to be private improvement expenses under the Public Health Acts and may be recovered accordingly.

Extension of Public Health Act 1875 s. 41.

For the purposes of this section the expression "drain" includes a drain used for the drainage of more than one building whether belonging to one or more owners.

**41.** If a watercloset or drain is so constructed or repaired as to be a nuisance or injurious or dangerous to health the person who undertook or executed such construction or repair shall unless he shows that such construction or repair was not due to any wilful act neglect or default be liable to a penalty not exceeding twenty pounds:

Improper construction or repair of watercloset or drain.

Provided that where a person is charged with an offence under this section he shall be entitled upon information duly laid by him to have any other person being his agent servant or workman whom he charges as the actual offender brought before the court at the time appointed for hearing the charge and if the person charged proves to the satisfaction of the court that he had used due diligence to prevent the commission of the offence and that the said other person committed the offence without his knowledge consent or connivance he shall be exempt from any penalty and the said other person may be summarily convicted of the offence.

A.D. 1902.

Rust inter-  
ceptor and  
terminals.

**42.** Each ventilating pipe of a drain must have a suitable interceptor at the foot and in any case a strong galvanised wire balloon-shaped or other suitable terminal.

Penalty on  
withholding  
information  
from medical  
officer of  
health.

**43.—**(1) The occupier of any building in the city which is used for human habitation and in which there is or has been any person suffering from a dangerous infectious disease shall on the application of the medical officer of health or the deputy or assistant medical officer of health for the city at any time during the illness of such person or within six weeks from the occurrence of such illness furnish such information within his knowledge as the medical officer of health or the deputy or assistant medical officer of health may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

(2) Any occupier refusing to furnish such information or knowingly furnishing false information shall be liable on summary conviction to a penalty not exceeding forty shillings.

(3) "Occupier" shall have the same meaning as in the Infectious Diseases (Notification) Act 1889.

As to dealers  
in ice creams  
and fried  
fish.

**44.** Every dealer in ice creams or other similar commodity and every dealer in fried fish vending his wares from any cart barrow or other vehicle or stand must have his name and address legibly painted or inscribed on such cart barrow or stand and if he fails to comply with this enactment he shall be liable to a penalty not exceeding forty shillings.

## PART VI.

## STANLEY CATTLE MARKET.

Transfer of  
powers &c.  
of Liverpool  
New Cattle  
Market  
Company  
confirmed.

**45.** The Corporation shall have and may exercise and enjoy all the rights powers and privileges of the Liverpool New Cattle Market Company which were or purport to have been conveyed to the Corporation by an indenture dated the second day of January one thousand nine hundred and one and made between the said company of the one part and the Corporation of the other part.

Tolls &c.  
receivable in  
respect of  
Stanley  
Cattle  
Market.

**46.** The schedule of tolls or sums of money annexed to the Stanley Cattle Market Act and so much of section 55 of that Act as relates thereto are hereby repealed and in lieu thereof the Corporation may demand receive and recover in respect of cattle and live stock sold or exposed or offered for sale and in respect of stalls or pens in Stanley Cattle Market such tolls and sums of

money as the Corporation may from time to time prescribe not exceeding those set forth in the Third Schedule to this Act. A.D. 1902.

**47.** Notwithstanding anything contained in the Public Health Act 1875 all capital moneys expended or to be expended by the Corporation upon or in connexion with the purchase improvement and extension of the Stanley Cattle Market shall be charged to the city fund (capital account) and on the city fund and city rate and all moneys expended on revenue account in connexion with the said market which are not met out of the market revenue shall be paid out of the city rate and the accounts of the annual expenditure and receipts in respect of the Stanley Cattle Market shall be kept in like manner and be subject to the same regulations as to audit and otherwise as the other market accounts of the Corporation. Accounts in respect of Stanley Market.

**48.** The powers of the Corporation in relation to markets under the Act 59 George III. chapter ix. shall extend to the Stanley Cattle Market. Extending powers under Act 59 Geo. III. c. ix. to Stanley Cattle Market.

**49.—(1)** The Corporation may grant to any person carrying on or desiring to carry on within the city the business or calling of a drover a licence on such terms and revocable in such cases and events as the Corporation may prescribe. Corporation may license drovers.

(2) The Corporation may demand and take for every such licence any sum not exceeding four shillings for twelve months and in the like proportion for any shorter period not being less than three months and may attach to such licence the terms and conditions of revocation or suspension of any such licence.

(3) If any person while unlicensed represents himself to be licensed or wears any badge for the purpose of holding himself out as a licensed drover he shall be liable to a penalty not exceeding twenty shillings.

## PART VII.

### STREET TRADING.

**50.** Section 31 of the Liverpool Corporation Act 1898 is hereby repealed and the following section is hereby enacted in place thereof:— Provision as to children trading in streets.

(1) “Child” shall mean a boy or girl under the age of sixteen years;

“Trading in streets” shall mean vending papers small wares and other articles in any street in the city;

“Place of safety” shall have the same meaning as in the Prevention of Cruelty to Children Act 1894:

A.D. 1902.

- (2) The Corporation may make regulations as to the conditions upon which licences authorising children to trade in the streets shall be granted continued suspended and revoked including conditions as to age and sex of children to whom licences may be granted conditions for the issue and wearing of badges and for the regulation of the conduct of children holding licences and of the hours during which the places where and the conditions under which they may trade in the streets The regulations shall be subject to the approval of the Secretary of State and shall both before and after such approval is given be published in such manner as the Secretary of State may direct Provided that such regulations shall not impose any restriction on the grant of licences on the grounds of the poverty or the previous bad character either of the child or of its parents or guardians :
- (3) Subject to such regulations the Corporation may grant a licence to any child authorising him to trade in the streets and after such day as may be fixed in the regulations or such latter day (herein-after referred to as "the appointed day") as may be fixed by the Secretary of State no child shall trade in the streets unless provided with a licence under this section :
- (4) Unless and until the Corporation otherwise direct all regulations made and all licences granted by them under section 31 of the Liverpool Corporation Act 1898 shall be deemed to have been made and granted in pursuance of this part of this Act and for the purpose of such regulations and licences the appointed day shall be deemed to be the day fixed under the provisions of the said section :
- (5) Any constable may take into custody without warrant any child found after the appointed day trading in the streets without a licence or in contravention of the conditions of his licence and may convey him to a place of safety and he may be there detained until he can be brought before a court of summary jurisdiction and that court may make such order as is mentioned in the next following subsection :
- (6) Where it appears to a court of summary jurisdiction that a child has been found trading in the streets without a licence or in contravention of the conditions of his licence the court may if satisfied on inquiry that it is expedient so to deal with him—
- (A) Order that the child be taken out of the custody of the person purporting to have the custody charge or care of

him and be committed to the custody of a relative of the child or some other fit person named by the court (such relative or other person being willing to undertake such custody) until he reaches the age of sixteen years or for any shorter period and the provisions of sections 7 and 8 of the Prevention of Cruelty to Children Act 1894 shall so far as applicable and with the necessary modifications apply as if the order had been made under that Act and the court may of its own motion or on the application of any person by order renew vary and revoke any such order;

(B) Order that the child if he be under the age of fourteen years be sent to an industrial school and thereupon all the provisions of the Industrial Schools Acts shall apply as if the child had been so sent under those Acts; or

(c) In the case of a child found trading without a licence the court may in lieu of making such order impose on summary conviction a penalty not exceeding ten shillings:

(7) The Corporation may contribute the whole or part of the expense of the education and maintenance of any child dealt with under the preceding subsection:

(8) Any person who having the custody charge or care of a child allows him after the appointed day to contravene the provisions of this section or any of the regulations made hereunder shall on summary conviction be liable to a fine not exceeding twenty shillings for each offence:

(9) The Corporation in their discretion may contribute to the expenses of any lodgings for children licensed by them under this section and may pay wholly or in part for the boarding of such children and may also contribute to the provision of clothing for children licensed under this section:

(10) The Corporation shall appoint such inspectors and other officers as they may deem necessary for the purpose of administering or assisting in the administration of the foregoing provisions and for the purpose of periodically visiting the houses of persons to whose custody any children have been committed under this section and lodgings mentioned in the preceding subsection with the object of securing the proper treatment of such children:

(11) Any expense incurred by the Corporation in the execution of this section shall be defrayed out of the city fund.

A.D. 1902.

## PART VIII.

## FINANCIAL.

Power to  
borrow.

**51.** The Corporation may borrow for the purposes of the execution of street improvement works by this Act authorised and the acquisition of lands any sums not exceeding four hundred and eighty-five thousand pounds and for the purpose of the capital payments to be made and of the works to be executed under the scheduled agreement with the dock board any sums nor exceeding seventy-one thousand pounds.

The Corporation shall pay off all moneys borrowed by them under this Act within the respective periods following (that is to say):—

As to moneys borrowed for the execution of street improvement works by this Act authorised and for the capital payments to be made and for the execution of works under the scheduled agreement with the dock board within thirty years;

As to moneys borrowed for the acquisition of lands within fifty years.

Mode of rais-  
ing money  
and of repay-  
ment.

**52.** Any sum which the Corporation may borrow under the powers of this Act may be raised by mortgage in manner provided by the Liverpool Corporation Act 1893 or by the issue of stock under the provisions of the Liverpool Corporation Loans Act 1894 and any Act amending the same or by the issue of Liverpool Corporation bills under the provisions of the Liverpool Corporation Act 1900 and any Act amending the same.

The repayment of the money so borrowed shall be provided for by means of an accumulative sinking fund or by the repayment of an equal portion of the principal every year such provision to be made as regards moneys borrowed for waterworks purposes out of the waterworks revenue and as regards moneys borrowed for other purposes out of the general rate.

Power to  
contribute to  
a university.

**53.** If and when a university is founded for the city the Corporation may from time to time contribute to such university such annual or other sums as they may deem expedient and such contribution may be made out of the city fund and general rate or either of them. Provided that the amount of contribution in any one year shall not exceed the amount which would be produced by a rate of one penny in the pound on the property assessable to the city rate or general rate or either of them.

**54.** If any person assessed to the general rate leviable under the Liverpool Corporation Act 1893 fails to pay the same when due and for the space of fourteen days after the same has been lawfully demanded in writing the Corporation may recover the same with costs in any court of competent jurisdiction and their remedy under this section shall be in addition and without prejudice to their other remedies for the recovery thereof.

A.D. 1902.  
Recovery of  
general rate.

**55.** Subsection (5) of section 38 of the Liverpool Corporation Tramways Act 1897 is hereby repealed as from the first day of January one thousand nine hundred and one and the following subsections are hereby enacted in place thereof and shall take effect from the same date:—

Repeal of  
subsection  
(5) of sec-  
tion 38 of  
Liverpool  
Corporation  
Tramways  
Act 1897.

(1) If in any year previous to the year one thousand nine hundred and twelve the surplus after providing for the payments mentioned in subsections (1) (2) (3) and (4) of section 38 of the Liverpool Corporation Tramways Act 1897 shall not have exceeded the sum of thirty thousand pounds then the whole of such surplus shall be paid by the Corporation into a reserve fund or renewal fund for the purposes of the undertaking or into a suspense account or shall be applied in extending and developing the undertaking or in increasing the amount required to be paid into any sinking fund or redemption fund in respect of money borrowed by the Corporation for tramway purposes as the Corporation may see fit and resolve:

(2) If in any such year the said surplus shall have exceeded the sum of thirty thousand pounds then the Corporation shall pay the sum in excess of the sum of thirty thousand pounds to the credit of the general rate as defined by the Liverpool Corporation Act 1893 Provided nevertheless that the amount to be so paid shall not in any year prior to the first day of January one thousand nine hundred and twelve exceed one-third of the total amount of such surplus and any balance which may remain after the payment or application of the before-mentioned sum of thirty thousand pounds and the payment of one-third of the surplus to the credit of the general rate shall be paid or applied by the Corporation into or to any one or more of the funds or purposes to which the surplus when not exceeding thirty thousand pounds is applicable under the preceding subsection but except as herein-before mentioned no part of the surplus shall until after the first day of January one thousand nine hundred and twelve be paid to the credit of any rate.

A.D. 1902.

PART IX.

AMENDMENT OF LOCAL ACTS.

Repeal of part of section 149 of 5 & 6 Vict. c. cvi.

**56.** The following words in section 149 of the Liverpool Improvement Act 1842 are hereby repealed as from the first day of January one thousand nine hundred and three (namely) :—

“and shall extend over the whole of such footway Provided that any such blind shade covering or awning which shall extend over the whole breadth of the footway may be supported by any pillars that may rest in or on the kerbstone of the footway.”

Extension of provisions of section 24 of Liverpool Sanitary Amendment Act 1854.

**57.** The provisions of section 24 of the Liverpool Sanitary Amendment Act 1854 shall after the first day of January one thousand nine hundred and three extend in addition to the furnaces therein named to all furnaces employed in working the engines of any steamboat on the River Mersey within the port of Liverpool and plying for hire between any place in the county of Chester or the county of Lancaster and any other place in the United Kingdom and all the powers of the Corporation in relation thereto and the penalties for breaches of the said section shall apply to such furnaces as if such furnaces were included in the said section.

Amendment of section 23 of Liverpool Sanitary Amendment Act 1864.

**58.** The following proviso shall be added to section 23 of the Liverpool Sanitary Amendment Act 1864 :—

“Provided also that the owner shall not be entitled to retain the site of the said premises unless he shall have given written notice to the Corporation of his desire or intention to retain the same within three months after notice of the presentment and the Corporation shall give notice to the owner of the terms of this proviso together with notice of the presentment.”

Extinction of rights of way &c. in case of premises acquired by Corporation under Sanitary Amendment Act 1864.

**59.** Where the Corporation have acquired any premises under the powers of the Liverpool Sanitary Amendment Act 1864 all rights of way rights of laying down or of continuing any pipes sewers or drains on through or under such lands or any part thereof and all other rights or easements in or relating to such lands or any part thereof shall be extinguished and all the soil of such ways and the property in the pipes sewers or drains shall vest in the Corporation subject to this provision that compensation shall be paid by the Corporation to any persons or bodies of persons proved to have sustained loss by this section and such compensation shall be determined in the manner in which compensation for lands is determinable under the Liverpool (Sanitary Amendment) Order 1879.

**60.** In any case of a block of labourers dwellings the Corporation may with the consent of the Local Government Board notwithstanding anything contained in any Act order or byelaw for the time being in force in the city relax or modify in such manner and to such extent as they may deem expedient all or any of the provisions as to streets or buildings contained in any such Act order or byelaw provided that the medical officer of health of the city the city engineer and the city building surveyor jointly certify that in such relaxing or modifying sufficient provision is made for the proper circulation of air and for ventilation and for other sanitary requirements.

A.D. 1902.  
Power to  
modify  
building  
provisions in  
respect of  
labourers  
dwellings.

In this section "labourers dwellings" means any dwellings to be occupied by persons of the labouring class as defined by the section of this Act of which the marginal note is "Restriction as to houses of labouring class."

**61.** Subsection (3) of section 27 of the Liverpool Improvement Act 1882 is hereby repealed and the following subsection is hereby enacted in place thereof:—

Amendment  
of section 27  
of Liverpool  
Improvement  
Act 1882.

"(3) No such wall-plate bond-timber lintel door-frame or window-frame shall except with the consent in writing of the Corporation (which consent may be given subject to such conditions if any as the Corporation see fit) be situate placed or fixed at a distance of less than four-and-half inches from the external face of such wall or pier."

## PART X.

### MISCELLANEOUS.

**62.** The Corporation may make byelaws for regulating the admission to and discharge of patients from any hospitals temporarily or otherwise provided by them for infectious diseases and the conduct of patients therein and for preventing persons from entering such hospitals or the grounds thereof except with the consent of and subject to such conditions as may be imposed by the Corporation.

Byelaws  
regulating  
hospitals.

**63.** Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 a person shall not be entitled to demand or to continue to receive from the Corporation a supply of electrical energy to premises having a separate supply (that is to say a supply from an installation other than that of the Corporation) unless such person shall have previously agreed to pay to the Corporation such minimum annual sum as will give to the Corporation a reasonable return on the capital expenditure and other

As to supply  
of electricity  
where con-  
sumer has  
separate  
supply.

A.D. 1902. ——— standing charges incurred by the Corporation to meet the possible maximum demand of such person.

In case the Corporation and the person demanding such supply of electrical energy shall fail to agree on the amount of the minimum annual sum to be paid by such person the amount of such minimum annual sum shall be fixed by an electrical engineer to be appointed as arbitrator by the President of the Institution of Civil Engineers.

For protection of Mersey Docks and Harbour Board.

**64.** Notwithstanding anything in this Act contained the provisions of Part IV. of this Act (except the section thereof the marginal note of which is "Separate sewers for sewage and surface water") and the provisions of the section of this Act the marginal note of which is "Amendment of section 27 of Liverpool Improvement Act 1882" shall not apply to any street or building (not being a dwelling-house) or bridge or wall or other structure or work in the possession or control of and situate on the estate of the Mersey Docks and Harbour Board.

General provisions as to byelaws.

**65.** All byelaws from time to time made by the Corporation under the powers of this Act (other than byelaws which require the approval of or confirmation by a Secretary of State) shall be made under and according to the provisions contained in sections 182 to 185 of the Public Health Act 1875 so far as they relate to byelaws made by an urban sanitary authority.

Recovery of penalties.

**66.** Save as otherwise by this Act expressly provided all offences against this Act and all 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 Provided that costs and expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

As to appeal.

**67.** Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence or consent or approval of or by the Corporation or of or by any officer of the Corporation or by any conviction or order made by a petty sessional court under any provision of this Act may if no other mode of appeal is provided by this Act or by any other Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a petty sessional court the Corporation may in like manner appeal.

Inquiries by Local Government Board.

**68.**—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem

necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875. A.D. 1902.

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

**69.** The accounts of the Corporation of their receipts and expenses under this Act shall be audited in the same manner and with the like incidents and consequences as the accounts of the Corporation under the Municipal Corporations Act 1882. Audit of accounts.

**70.** The costs charges and expenses preliminary and of and incidental to preparing obtaining and passing this Act as taxed by the taxing officer of the House of Lords or House of Commons shall be paid by the Corporation out of the city fund and general rate or out of such other funds or rates and in such proportions as the Corporation shall determine. Costs of Act.

A.D. 1902. The SCHEDULES referred to in the foregoing Act.

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FIRST SCHEDULE.

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DESCRIPTION OF PROPERTIES WHEREOF PARTS ONLY ARE PROPOSED TO BE  
TAKEN FOR PURPOSES OF ACT.

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PARISH OF LIVERPOOL. COUNTY OF LANCASTER.

*The widening of Boundary Place.*

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
92	Workshop and office (part of).	The lord mayor aldermen and citizens of the city of Liverpool.	Edmund Gabbutt	Unoccupied.
<i>The widening of Duke Street.</i>				
160	House workshop yard and office (part of).	The lord mayor aldermen and citizens of the city of Liverpool.	Charles Taylor trustee under the will of the late Hannah Stott Taylor.	William Ford and Co. William Ford Manager.

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SECOND SCHEDULE.

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AGREEMENT made this seventeenth day of December 1901 between the MERSEY DOCKS AND HARBOUR BOARD (herein-after called "the Board") of the one part and the MAYOR ALDERMEN AND CITIZENS of the CITY of LIVERPOOL (herein-after called "the Corporation") of the other part.

WHEREAS the Liverpool Corporation Act 1898 (inter alia) confirmed an agreement dated the sixteenth day of March one thousand eight hundred and ninety-eight made between the Board of the one part and the Corporation of the other part by which the Board agreed to sell and the Corporation to purchase the site of the George's Dock or parts thereof as might be

thereafter determined and as therein provided and in the event of such sale provision was made to carry out alterations to the approaches to the pier head : A.D. 1902.

And whereas by an indenture dated the thirty-first December one thousand nine hundred made between the Board and the Corporation the parts of the site of the George's Dock as therein described were pursuant to the said agreement conveyed to the Corporation and provision was therein made for the carrying out of alterations to the pier head approaches by the construction of streets and in other ways as therein set forth :

And whereas the Corporation and the Board have been in further negotiation for the exchange of certain pieces of land for the purpose of straightening the continuation of James Street and Brunswick Street in the said city leading to the pier head and for otherwise rectifying the boundaries of their respective properties at the George's Dock and for carrying out alterations at the pier head subject to the Corporation obtaining the necessary parliamentary powers enabling the Board and the Corporation to carry the same into effect :

And whereas the Corporation have introduced a Bill into Parliament containing clauses to carry out the before-mentioned arrangements :

Now it is hereby agreed between the Board and the Corporation as follows :—

1. The Board will convey to the Corporation at the times hereafter mentioned the pieces of land marked A and B coloured pink and the piece of land marked C coloured brown on the plan hereto annexed containing respectively 2110 square yards 2187 square yards and 480 square yards of land or thereabouts.

2. The Corporation will convey to the Board the pieces of land marked D and E and coloured green on the said plan containing respectively 2043 square yards and 33 square yards or thereabouts.

3. The Corporation shall pay to the Board the sum of 17256*l.* 10*s.* for equality of exchange.

4. The Corporation may at any time hereafter at their own expense arrange with the Mersey Railway Company to vacate and quit that part of the pumping station near the George's Dock passage as is coloured brown on the said plan When the Corporation have obtained possession of such part thereof they shall take it down and rebuild the northern end of the pumping station to the line of the street in a position and according to plans approved by the Board.

5. If the Corporation are unable to arrange with the Mersey Railway Company as mentioned in paragraph 4 the Board will (upon being required by the Corporation so to do and upon the Corporation satisfying the Board that the said pumping station can be set back to the new line of street without materially interfering with the efficiency thereof and that the Corporation will pay the expense of so doing) give to the Mersey Railway Company notice pursuant to that company's agreement of tenancy to quit

A.D. 1902. the said pumping station for the purpose of allowing the Corporation to execute the necessary alterations and arranging a new tenancy of the remainder thereof with the Mersey Railway Company.

6. The Corporation shall give to the Board possession of the land marked D and E on a date within one month of this agreement being confirmed by Act of Parliament and the Board shall give to the Corporation possession of the land marked A and B on the same date and possession of the land marked C on the completion of the purchase thereof as herein-after mentioned.

7. The sale and purchase of the pieces of land marked A B D and E shall be completed and the purchase money for the same amounting to 11772*l.* 10*s.* shall be paid at the dock offices within three calendar months after the Bill promoted by the Corporation herein referred to shall become law and the purchase of the land marked C shall be completed and the purchase money for the same amounting to 5484*l.* shall be paid at the same place within one calendar month from the Board demolishing the buildings standing thereon. In the event of either of the said sales not being completed as aforesaid from any cause other than the default or neglect of the Board then the Corporation shall from the expiration of each or either of the periods herein-before mentioned pay to the Board interest at the rate of 4*l.* per cent. per annum until the completion of such purchase or purchases respectively.

8. Upon the completion of the sale of the pieces of land marked A and B such pieces and also the pieces of land on the west side of the George's Dock and coloured blue marked F on the plan shall be added to the streets and in like manner on the completion of the sale of the piece of land marked C such piece shall be added to the street and the line of the continuation of Brunswick Street (sixty-five feet wide) and James Street (one hundred feet wide) shall be varied accordingly as shown on the plan hereto annexed.

9. The Corporation shall make and maintain at their own cost the continuations as hereby varied of James Street and Brunswick Street and the additions to the streets which will be made by adding thereto the lands marked A B C and F on the plans as if they were streets provided for by and named in the conveyance from the Board to the Corporation dated the thirty-first day of December one thousand nine hundred. The Corporation shall forthwith to the satisfaction of the Dock Board construct and for ever hereafter maintain a retaining wall across the George's Dock passage between the Board's and the Corporation's lands between the points X and Y and thereupon the Corporation may fill up and level to the street the piece of land between such wall and the present line of street and shall add the same to the street.

10. The building line for buildings fronting the river shall be the red line marked "building line" on the plan and no building or erection shall be erected on the land between such building line and the new line of street except that the Board and the Corporation may enclose the portions of the

said land belonging to them respectively with a balustrade wall or fence and may each on their own portion erect monuments statues and other objects of a decorative or commemorative character without affecting the above restriction Provided that before either the Board or the Corporation erect a balustrade wall or fence as aforesaid they shall send to the other a plan showing the design and character thereof for inspection and shall consider any suggestions made thereon. A.D. 1902.

11. The land marked D and E on the plan shall be subject to the same restrictions and reservations as if the same were included in and formed part of the Dock Board reserve which is coloured yellow on the plan endorsed on the said conveyance of the thirty-first day of December one thousand nine hundred.

12. No tram lines nor any erection whatever (except lamp posts or electric light standards) are to be placed upon that part of the land marked A which lies to the southward of the south side of the continuation of Brunswick Street nor is any accommodation to be provided or laid thereunder for any purposes other than electric gas or water mains or pipes or sewers and the Corporation will relay the tramway lines in the street in continuation of James Street and at the pier head fronting the Board's reserve in such positions as may hereafter be agreed upon between the Board and the Corporation.

13. The Corporation shall within six calendar months after the Bill promoted by the Corporation as herein mentioned shall become law at their own cost take down and remove the George's Baths and will dedicate to the public as part of the George's Pier Head the site of the said baths together with (if the same is not already so dedicated) the land between the said baths and the River Mersey And will clear and level such site and do and maintain such paving laying out and other work as they may deem necessary for rendering such site and land fit for use by the public Provided always that the Corporation may make such provision when dedicating the said site to the public as they may deem expedient to enable them to obtain access (by manholes or other similar means flush with the surface of the ground) to the filter beds culverts pipes drains or sewers and other works now existing or to be hereafter constructed under such site And also that the Corporation may construct culverts or pipes from the River Mersey to any part of their George's Dock property But no such culvert or pipe shall be constructed under the part of the George's Dock property retained by the Board and marked "Board's reserve" on the plan annexed hereto.

14. The Board will within six calendar months as aforesaid fill up and level to the street that part of the Chester Basin which is coloured pink on the said plan and will construct and for ever hereafter maintain a proper and sufficient retaining wall across the Chester Basin and will also within the six months as aforesaid at their own cost with suitable material fill up the George's Ferry Basin at the back of the George's landing stage (shown on the plan annexed hereto) and will make the same level with the surrounding land And will also within the same period construct and for ever after

A.D. 1902. — maintain a proper river wall across the entrance of the said basin. And will dedicate the site of the basin and the quay or land surrounding the same to the public as part of George's Pier Head and will do such paving and other work as may be necessary for rendering the site fit for use by the public. The site being thereafter maintained and repaired by and at the expense of the Corporation for public purposes.

15. The Corporation shall be at liberty at any time hereafter so far as the interests of the Board are concerned to erect in accordance with plans and in a position to be approved by the Board any buildings (not exceeding except as herein-after mentioned twenty-five feet in height to the ridge of the roof or to the top of any ornamentation thereon) necessary for the use of the public on that part of George's Pier Head adjoining the river wall to the northward of the southernmost bridge known as Bridge No. 1 leading from the George's Pier Head to the landing stage. Provided that no part of such buildings shall be used for the purpose of refreshment rooms and restaurants without the consent of the Board so long as the Board continue to let or use any buildings on the landing stage for that purpose. Provided nevertheless that the Corporation shall be at liberty (notwithstanding the aforesaid limitation of twenty-five feet in the height of such buildings) to erect a clock tower exceeding that height on the site in accordance with plans and in a position to be approved by the Board.

16. The Corporation over the western end of the floating roadway shall at their own cost in accordance with plans and in a position to be approved by the Board construct and maintain a bridge for foot passengers and if the Board so agree (but not otherwise) the Corporation shall likewise at their own cost and subject to the like approval as aforesaid construct and maintain such bridge or a separate bridge for vehicular traffic.

17. If the Corporation shall at any time hereafter give to the Board notice in writing under the hand of their town clerk that they desire to acquire the interest of the Board (subject to the rights of the public) in the piece of land at the north end of the George's Dock now forming part of the public approach to the pier head coloured yellow and marked G on the plan hereto annexed the Board will convey the same to the Corporation for an estate of inheritance and as between the Corporation and the Board free from incumbrances. Provided that the roadway measured from the base of the south balustrade to the floating roadway to the north boundary of the land to be conveyed as hereby agreed shall be one hundred and twenty feet in width as shown on the plan hereto annexed.

18. If the Corporation give notice as aforesaid of their desire to acquire the said piece of land coloured yellow on the plan hereto annexed then the restrictions existing under an agreement dated the eighteenth day of July one thousand eight hundred and seventy-one as to the buildings to be erected on the Board's land at the south end of the Prince's Dock coloured green and marked H on the plan hereto annexed shall be thereby cancelled and the Corporation shall at the request and cost of the Board join in and execute such release or other deed as may be necessary for the purpose of giving

effect to this condition but such cancellation and release shall be subject to a proviso or condition (and the Board do hereby covenant with the Corporation to that effect) that the Board shall not erect or build or suffer to be erected or built on such land at the south end of the Prince's Dock any warehouse (but such term shall not include dock quay sheds) nor use or permit to be used as a warehouse any buildings at any time standing on such land.

A.D. 1902.

19. This agreement shall be scheduled to and confirmed by the Bill promoted by the Corporation as above mentioned.

In witness whereof the Mersey Docks and Harbour Board have to one part hereof affixed their common seal and to another part hereof the Corporation have affixed their common corporate seal the day and year first before written.

Passed under the common seal of the Mersey Docks and Harbour Board (the words "or pipes" in clause 12 having been first interpolated) in the presence of—

MILES KIRK BURTON  
General Manager and Secretary.



R.G.

C. PETRIE  
Lord Mayor.




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### THIRD SCHEDULE.

#### TOLLS IN STANLEY CATTLE MARKET.

	Not exceeding	
	s.	d.
For horses and mules	- 0	6 each
For bulls cows oxen and heifers	- 0	4 each
For calves and pigs	- 0	2 each
For sheep and lambs	- 1	8 per score.

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