CHAPTER lxxv.

An Act to amend the Liverpool Corporation Loans Act 1880; to confer further powers on the Corporation of Liverpool with respect to Markets and Public Libraries within the city; to make further Police and Building Regulations; and for other purposes relating to the Local Government of the city of Liverpool. A.D. 1889.

[9th July 1889.]

WHEREAS it is expedient to amend certain provisions of the Liverpool Corporation Loans Act 1880 and to enable the mayor aldermen and citizens of the city of Liverpool (hereinafter called "the Corporation") to make adjustments as between the several accounts under their control:

And whereas it is expedient to confer further powers on the Corporation with respect to the discontinuance of markets and also with respect to the establishment and maintenance of lending libraries and reading rooms:

And whereas it is expedient to make further provisions for the control of places of public entertainment and for the prevention of nuisances and maintenance of good order in the city:

And whereas it is expedient to make better provision for the prevention of waste of water supplied by the Corporation:

And whereas additional powers are required for the regulation of buildings within the city and it is expedient to amend the Acts in force within the city with reference thereto:

And whereas it is expedient that the heads of agreement between the Mersey Docks and Harbour Board and the Corporation of Liverpool as to the payment of sanitary rates and watch rate in respect of the dock estate of the said board set forth in the schedule to this Act should be confirmed:

And whereas it is expedient to make such other provisions as this Act contains:

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

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And whereas an absolute majority of the whole number of the council at a meeting held on the twenty-fourth day of October one thousand eight hundred and eighty-eight after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the "Liverpool Mercury" the "Liverpool Daily Post" and the "Liverpool Courier" three local newspapers published or circulating in the city of Liverpool such notice being in addition to the ordinary notices required for summoning such meeting resolved that the council should promote the Bill for this Act and that the expense of and in connection with such promotion should be defrayed out of the city fund or other public funds or rates under the control of the council:

And whereas such resolution was published in the said three newspapers and has received the approval of the Local Government Board and of one of Her Majesty's Principal Secretaries of State:

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 sixteenth day of January one thousand eight hundred and eighty-nine 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 in Schedule III. of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

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

Short title.

1. This Act may be cited as the Liverpool Corporation Act 1889.

Execution of Act.

2. This Act shall be carried into execution by the Corporation acting by the council.

PART I.

Finance.

Repeal of section thirty of Liverpool Loans Act 1880.

3. Section thirty of the Liverpool Corporation Loans Act 1880 is hereby repealed and in lieu thereof it is hereby enacted that all expenses incurred by the Corporation in the issue of Corporation stock and any payment of composition for stamp duty in respect of Corporation stock created and issued for any of the purposes of any of the Corporation Acts and otherwise in relation to such stock shall

in so far as the moneys arising from any issue of stock at a premium are insufficient to meet such expenses be defrayed out of the moneys raised by such issue.

Amendment of section thirty-two of Liverpool Loans Act 1880.

4. (1) Section thirty-two of the Liverpool Corporation Loans Act 1880 shall be read and have effect as if the expression "quarterly or half-yearly" were substituted for the expression "half-yearly" wherever it occurs in that section:

(2) Notwithstanding anything contained in the Liverpool Corporation Loans Act 1880 any sums of money arising from the issue of any Corporation stock at a premium shall be applied in the first instance in paying the expenses attending the issue of such stock and the balance only (if any) shall be carried to the credit of the Corporation Loans Fund and any premium which the Corporation may have already applied in that manner shall be deemed to have been legally and properly applied:

(3) Any moneys in the nature of capital arising from the sale of land acquired by the Corporation under any of the Corporation Acts and which have been or may hereafter be carried to the credit of the Corporation Loans Fund may notwithstanding any restrictions as to price contained in section thirty-four of the Liverpool Corporation Loans Act 1880 be applied from time to time by the Corporation in purchasing Corporation stock and the stock so purchased shall be thereupon cancelled or any stock standing in the name of the Corporation in the books of the Bank of England may to the extent of such moneys be cancelled.

Power of Corporation to make adjustments between accounts.

5. It shall be lawful for the Corporation in making up the different Corporation accounts from time to time to charge purchase-money rent or interest in respect of property or money belonging to one account which has been appropriated let or used for the purposes of any other account to such last-mentioned account:

Provided that nothing in this section shall alter or enlarge any power of the Corporation as to the appropriation letting or using of any property or money.

PART II.

Markets.

Power of Corporation to close markets.

6. (1) It shall be lawful for the Corporation from time to time by a resolution of the council to declare that it is desirable to close the whole or any portion of any public market within the city as being unnecessary for public accommodation and after the expiration of twenty-eight days from the date on which public notice of such resolution has been given by posting a copy of the same on the principal entrances to such market the whole or the portion

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of the market specified in the resolution (as the case may be) shall from that date cease to be open to the public as a market and the site thereof shall thereupon continue to be vested in the Corporation in fee simple but free and discharged from all market rights and privileges and from all other rights and privileges (if any) of the public in or over the same:

(2) No such resolution shall be passed unless notice of the intention to move such a resolution shall have been given in writing by the town clerk to each member of the council at least twenty-one days before the council meeting.

PART III.

Public Libraries.

Power to establish lending libraries and reading rooms.

7. It shall be lawful for the Corporation from time to time to establish and maintain lending libraries and reading rooms within the city and such establishment and maintenance shall be deemed to be within the powers conferred by the Liverpool Library and Museum Act 1852 for the establishment and maintenance of a public library and all the provisions of that Act shall so far as the same are applicable apply accordingly:

Provided that if any moneys are borrowed for the establishment of a lending library or reading room under this section all such moneys shall be repaid within thirty years from the date or respective dates of borrowing the same.

Amendment of section seventy-four of the Liverpool Improvement Act 1882.

8. Whereas by the Liverpool Improvement Act 1882 section seventy-four it is enacted that "It shall be lawful for the Corpora-
" tion to provide in the Gallery of Arts suitable rooms for art
" exhibitions and to permit art exhibitions in such rooms and to
" let such rooms or make such reasonable charges for admission to
" such exhibitions as to the Corporation may seem fit and also to let
" or make reasonable charges for admission to lecture rooms" but no provision is made for the application of the moneys received under that section Be it enacted that all moneys received by the Corporation under the powers of that section shall be applied either in the purchase of pictures and works of art or to any purpose for which the library and museum rate may be applied.

PART IV.

Prevention of Waste of Water.

Bye-laws for preventing waste of water.

9. (1) For preventing waste misuse undue consumption or contamination of the water of the Corporation it shall be lawful for the Corporation from time to time to make bye-laws directing the

use and prescribing the dimensions nature materials workmanship strength and mode of connection alteration and repair of all pipes and fittings to be used for the conveyance reception storage or delivery of water supplied by the Corporation and for the testing and stamping of fittings and for requiring any person employed in or about the erection alteration or repair of any such pipes or fittings as aforesaid to give notice thereof to the Corporation as soon as practicable specifying also the premises affected by such work No bye-laws made under this sub-section with reference to apparatus and fittings shall have any retrospective operation with regard to work done prior to such bye-laws coming into force:

(2) Provided that any such bye-laws shall apply only in the case of premises to which the Corporation are bound to afford and do in fact afford or are prepared to afford a constant supply of water:

(3) The provisions of this section shall be in addition to and not in derogation of any other powers relating to the matters aforesaid vested in the Corporation.

Forging stamps or marks.

10. If any person forges or counterfeits any stamp or mark used by the Corporation or by authority of the Corporation for any of the purposes of this Part of this Act or uses or supplies anything marked with any such stamp or mark which he knows to be forged or counterfeited or abets the commission of any offence against this section he shall be liable on summary conviction to a fine not exceeding twenty pounds.

PART V.

Police Regulations.

Places for dancing music and other entertainments to be licensed.

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

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

(2) Such justices may under the hands of a majority of them assembled at any annual licensing meeting or at any adjourn-

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ment thereof or at any special session convened with fourteen days' previous notice grant licenses to such persons as they think fit to keep or use houses rooms gardens or places for all or any of the purposes aforesaid upon such terms and conditions and subject to such restrictions as they by the respective licenses determine and every license shall be in force for one year or for such shorter period as the justices on the grant of the license shall determine unless the same shall have been previously revoked as hereinafter provided:

(3) Such justices may from time to time at any such special session aforesaid transfer any such license to such person as they think fit:

(4) Each person shall in each case give fourteen days' notice to the clerk of the justices and to the superintendent of police of the city of his intention to apply for any such license or for the transfer of any such license:

(5) Any house room garden or place kept or used for any of the purposes aforesaid without such license first obtained shall be deemed a disorderly house and the person occupying or rated as occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same is kept or used for any of the purposes last aforesaid:

(6) There shall be affixed and kept up in some conspicuous place on the door or entrance of every house room garden or place so kept or used and so licensed as aforesaid an inscription in large capital letters in the words following "Licensed for ..." with the addition of words showing the purpose or purposes for which the same is licensed:

(7) Any house room garden or place so kept or used although so licensed as aforesaid shall not be opened for any of the said purposes except on the days and between the hours stated in the license and the observance of the days and hours of opening and closing shall be inserted in and made a condition of every such license:

(8) The affixing and keeping up of such inscription as aforesaid and the limitation of the times of opening shall be inserted in and made conditions of every such license:

(9) In case of any breach or disregard of any of the terms or conditions upon or subject to which the license was granted the holder thereof shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds and such license shall be liable to be revoked by the order of any two justices:

(10) No notice need be given under sub-section four of this section when the application is for a renewal of any existing license held by the applicant for the same premises:

(11) The justices in any petty sessions may if and as they think fit grant to any person applying for the same a license to keep or use any house room garden or place for any purpose within the meaning of this section for any period less than one year which they shall specify in such license notwithstanding that no notices shall have been given under sub-section four of this section.

Restriction on advertising vehicles &c.

12. It shall not be lawful in any street in the city to use any vehicle exclusively or principally for the purpose of displaying advertisements without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may contain such terms and conditions as the Corporation think fit Any person acting in contravention of the provisions of this section or of the terms and conditions (if any) of such consent shall be liable to a penalty not exceeding five pounds.

PART VI.

Further Building Regulations.

Construction of Parts of Act and interpretation.

13. Parts VI and VII of this Act shall be construed together with the unrepealed provisions of the Liverpool Building Act 1842 as amended by this Act and the Liverpool Improvement Act 1882 as one Act and words and expressions to which meanings are assigned by the last-mentioned Act shall in and for the purposes of Parts VI and VII of this Act have the same respective meanings.

Width of culs de sac.

14. It shall not be lawful to form or lay out any new street without an opening from the ground upwards at each end thereof for the full width thereof communicating with another street unless such new street is formed or laid out at least thirty-six feet wide throughout its whole length.

Further provision as to laying out courts.

15. It shall not be lawful to lay out any land as a new court unless such court—

Shall at each end thereof abut upon and open at its full width from the ground upwards into a street at least thirty feet wide; and

Shall not exceed one hundred feet in length;

Nor exceed thirty feet in width.

Extension of existing courts.

16. It shall not be lawful for any person to erect any additional house or houses in any court within the city or to add to or extend the area of any such court by the erection of new houses or by adding old houses thereto unless all such houses are erected and

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the new portion of the court is made in accordance with the Liverpool Sanitary Act 1846 and any other Act Order or bye-law for the time being in force within the city.

Width of back streets laid out as carriage-ways.

17. Notwithstanding anything in section fifty of the Liverpool Sanitary Act 1846 the minimum width of any such back street as in that section mentioned which is laid out as a carriage-way shall be nine feet instead of fifteen feet.

Regulations as to furnaces flues &c.

18. The following regulations shall apply to every new chimney and flue for conveying smoke flame or other products of combustion and constructed of brick stone concrete or other similar materials:

(1) In the case of every flue used or intended to be used in connection with any oven furnace steam boiler close fire or other like apparatus used or intended to be used for any purpose of trade business or manufacture in any warehouse or building or for the purpose of heating any public building such flue shall be enclosed with brickwork or other incombustible material at least nine inches in thickness for a distance of at least ten feet from such oven furnace steam boiler close fire or other apparatus:

(2) Every such oven furnace steam boiler close fire and other like apparatus as aforesaid shall have a protecting wall at least nine inches in thickness between the fire of such oven furnace or other like apparatus and any adjoining wall of any building:

(3) No wood plug or similar woodwork shall be placed or fixed in any wall chimney breast or chimney jamb at a distance of less than six inches from the inside of any chimney flue or chimney opening:

(4) Whenever any part of any smoke flue is built at an angle of less than forty-five degrees with the horizon the upper side of such flue throughout such part shall have a thickness of at least six inches in solid brickwork well built and thoroughly flushed with good mortar.

Regulations as to stove-pipes &c.

19. No stove-pipe high pressure steam-pipe or pipe for conveying smoke flame or other products of combustion shall be hereafter placed or fixed at a distance of less than six inches from any timber or woodwork or other combustible substance.

Stoves and ovens used in trade.

20. Whenever any stove oven furnace steam boiler or other like apparatus is begun to be used or intended to be used for any purpose of trade or business there shall be a clear open space of at least three inches between every part of the setting of such stove or other like apparatus and any party wall or separate side wall of a domestic building.

Stoves and ovens on wooden floors.

21. Whenever any detached stove dog-grate oven copper steam boiler or other like apparatus is newly placed or fixed upon a wooden floor of any building for use therein such floor shall be protected by a sufficient slab or plate of incombustible material extending underneath every part of such stove or other like apparatus and to a distance of eighteen inches beyond the front thereof and six inches beyond the back and sides thereof.

Repeal of provisions of section eighty-four of Act of 1846 as to plans.

22. Section eighty-four of the Liverpool Sanitary Act 1846 is hereby repealed in part namely from the words "and every such person" to the words "the course of such drain" but such repeal shall not take effect until the first day of January one thousand eight hundred and ninety.

Regulation of hoardings

23. Before commencing the removal or taking down or the erection or repair of any building abutting on or near any street or any other operations whereby any part of any street may be obstructed or rendered inconvenient or dangerous the contractor or other person having control of the work shall cause to be put up a hoard or fence and also if required an overhead covering or hood and a convenient platform and hand-rail to serve as a footway for passengers in such position and of such dimensions and for such period and subject to such conditions as the city engineer may approve on application being made to him and shall maintain the same respectively in good condition to the satisfaction of the city engineer and such contractor or other person shall on receiving permission from the city engineer and before putting up such hoard or fence pay to the Corporation a sum equal to two pence per month for every superficial yard of land inclosed from the street during the period for which permission is granted:

The said erections shall be removed by such contractor or other person within the period limited by the city engineer and on the expiration of such period failure to remove such hoard fence hood or platform shall be deemed an obstruction to the street under section fifty-two of the Liverpool Sanitary Act 1846:

On the removal of such erection the pavement or flagging of the street shall be restored or made good by the Corporation and the cost thereof shall be paid by such contractor or other person.

Conditions as to reinstatement of roadways.

24. It shall be lawful for the Corporation to make regulations with regard to the reinstatement of carriageways and footways within the city which are required to be opened up for the purposes of connecting private drains with sewers.

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PART VII.

Open Space in connection with Dwelling-houses.

Provisions as to open spaces.

25. In this section the expression "the line of the opposite property" means the line to which the nearest wall parallel or nearly so with the front back or side of a dwelling-house and not belonging thereto has been built or can be built without encroaching on the required distance across the open space at the front back or side of such house or on the existing or required or intended width of any street or passage adjoining such open space:

Whenever any open space has been left in connection with any dwelling-house erected before the passing of this Act it shall not be lawful without the consent of the Corporation—

(A) To make any alteration in such house or in such open space or in any back street or passage or open space adjoining thereto or in the line of the opposite property: or

(B) To construct erect or raise any building or structure on such open space or such street or passage: or

(C) To roof over any portion thereof:

So as to diminish the area of such open space or the distance across the same to less than the area or the distance across prescribed in the following provisions:—

(1) Unless such dwelling-house shall be so situate that the whole of the front wall thereof shall either immediately front or abut on a street or a court it shall immediately front or abut on an open space exclusively belonging thereto of the dimensions hereinafter prescribed:

(2) Such open space shall extend throughout the length of the front wall of such house and the clear distance across such open space from every part of such front wall to the line of the opposite property at the front thereof shall be at least thirty feet:

(3) Such open space shall be free from any erection thereon above the level of the ground except any ordinary porch bay window or other like projection from such house being not higher than the ground storey thereof and except any gate fence or wall not exceeding eight feet in height and being at a distance from such house of not less than the height of such gate fence or wall:

(4) Every such dwelling-house shall have at the rear or at one of the sides thereof an open space immediately adjoining and exclusively belonging and appropriated thereto of the extent and dimensions and having the position and surroundings hereinafter prescribed:

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(5) The floor of such open space shall be at a level of at least six inches below the level of the ground floor of such house (unless the Corporation having regard to the conformation of the ground otherwise allow) and shall have an area of at least one hundred and fifty square feet free from any erection thereon above the level of such ground floor except—

(a) A water-closet;

(b) An ash-pit;

(c) The fence walls of such open space; and

(d) A storage cistern for water erected in accordance with the regulations of the Corporation and in such position as the Corporation shall require and approve:

(6) The highest part of any such water-closet and of the walls of any such ash-pit and of the fence walls of such open space shall not exceed eight feet in height above the level of the ground floor of such house and the superficial area occupied by such water-closet and ash-pit including the walls shall not exceed together fifty feet Provided that such height may be exceeded in any special case having regard to the conformation of the ground by written permission of the Corporation:

(7) Such open space shall extend throughout the rear or throughout one of the sides of such house:

(8) Such open space shall on each of two sides thereof adjoin another open space exclusively belonging to a dwelling-house and on the third side adjoin a back street or passage having direct communication at each end with a street not being a back street or shall on one side adjoin such other open space and on the two other sides adjoin such back street or passage or a street not being a back street:

(9) The distance across such open space or across such open space and any street or passage with which it directly communicates from every part of any external wall of such house to the line of the opposite property shall not be less than the height of such external wall above the ground floor of such house such height being measured to the highest part of such wall whether the same terminates at the eaves or at the ridge of the roof:

Provided that in no case shall the distance across herein prescribed include more than nine feet of the width of any street or passage across which it may be measured as aforesaid:

(10) With regard to such open space no addition or alteration to such dwelling-house except any open parapet and any chimney shall rise above a line drawn towards such house from any point in the line of the opposite property at the level of the

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ground floor of such house and making an angle of forty-five degrees with the horizon.

Foregoing provisions to apply to certain dwelling-houses.

26. All the foregoing provisions as to open spaces in connection with dwelling-houses shall apply to any dwelling-house commenced to be erected after the first day of June one thousand eight hundred and eighty-nine and before the first day of January one thousand eight hundred and ninety.

Saving as to existing houses.

27. Nothing in this Part of this Act shall require any alteration to be made in any dwelling-house erected prior to the passing of this Act.

Exemption of buildings vested in the Crown.

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

PART VIII.

Confirming Agreement with Mersey Docks and Harbour Board.

29. The heads of agreement between the Mersey Docks and Harbour Board and the Corporation dated the twelfth day of February one thousand eight hundred and eighty-nine set forth in the schedule to this Act are hereby confirmed and made binding upon the parties thereto and shall be read and construed as part of this Act.

PART IX.

Miscellaneous.

General provision as to bye-laws.

30. All the provisions with respect to bye-laws contained in sections one hundred and eighty-two to one hundred and eighty-six (both included) of the Public Health Act 1875 (except so much thereof as relates to bye-laws of a rural sanitary authority) shall apply to all bye-laws from time to time made by the Corporation under the powers of this Act and penalties under any such bye-laws shall be recoverable summarily Before the Corporation apply to the Local Government Board to confirm any bye-laws to be made under the provisions of this Act with reference to the prevention of the waste or misuse of water they shall send a copy of the proposed bye-laws to each local sanitary authority within their compulsory district of supply.

Prosecution and recovery of offences and fines.

31. All offences fines costs charges and expenses by this Act or any byelaw made under this Act authorized or directed to be prosecuted or recovered summarily or in a summary way or before any justices or justice or the prosecution or recovery of which is not otherwise expressly provided for may be prosecuted and recovered in manner provided by the Summary Jurisdiction Acts and all fines recovered summarily under this Act or any bye-law made under this Act shall be paid to the Corporation and carried to the city fund or water account as the case may be.

Appeal to quarter sessions.

32. Any person deeming himself aggrieved by any order conviction determination or adjudication of any justice or justices under the Liverpool Building Act 1842 or any Act amending the same or by any order or requirement or the withholding of any certificate consent or approval of or by the Corporation or of or by any officer of the Corporation under this Act may appeal to the next practicable court of quarter sessions subject and according to the conditions and regulations contained in the Summary Jurisdiction Acts 1879 and 1884:

Sections one hundred and eighteen to one hundred and twenty (both included) of the Liverpool Building Act 1842 are hereby repealed without prejudice to any proceeding pending at the passing of this Act and any such proceeding may be continued and completed in all respects as if this Act had not been passed.

Costs of Act.

33. The costs charges and expenses of and incidental to the preparing applying for and obtaining this Act as taxed and ascertained by the taxing officer of the House of Lords or the House of Commons shall be paid by the Corporation out of the city fund or other public funds or rates under the control of the council in such proportions as the Corporation may determine.

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The SCHEDULE referred to in the foregoing Act.

HEADS of AGREEMENT between THE MERSEY DOCKS AND HARBOUR BOARD and THE CORPORATION OF LIVERPOOL as to Sanitary Rate and Watch Rate on the Dock Estate.

WHEREAS by section two hundred and twenty-four of the Liverpool Sanitary Act 1846 it is enacted as follows:—

That notwithstanding anything in this Act contained the docks quays or estate of the trustees of the Liverpool Docks or any part thereof except the warehouses erected on the Albert Dock Quays shall not be rated to any rate whatever made in pursuance of this Act and that save as herein is expressly provided nothing in this Act shall be construed in anywise to injure prejudice or affect any rights powers or privileges now vested in the said trustees:

And whereas by section forty-one of the Liverpool Sanitary Amendment Act 1854 it is provided as follows:—

That notwithstanding anything in this Act contained the docks quays or estate of the trustees of the Liverpool Docks or any part thereof (except the warehouses erected on the Albert Dock quays or to be hereafter erected by the same trustees on their said estate under the provisions of the several Acts of Parliament relating to the Docks and Harbour of Liverpool) shall not be rated to any rate whatever made in pursuance of the Act ninth and tenth Victoria chapter one hundred and twenty-seven Liverpool Sanitary Act 1846 and that save as herein is expressly provided nothing in this Act shall be construed in anywise to injure prejudice or affect any rights powers or privileges now vested in the said trustees:

And whereas disputes have arisen as to whether the occupiers of certain parts of the estate of the dock board are liable to pay rates which have been claimed from them by the Corporation under the said Acts of 1846 and 1854:

And whereas the dock board have given notice to their tenants that the board will not allow any deductions from the rents of the said property in respect of any of the rates so claimed:

And whereas by the Mersey Dock Acts Consolidation Act 1858 it is enacted as follows:—

"Section 46. The watch committee of the borough shall at all times provide "so many constables for the protection of the Liverpool Docks together "with one or more superintendents of police or superior officers as shall "from time to time be required by the board and the board shall pay "and allow monthly to the treasurer of the borough such just and "reasonable sum of money for the salary of such superintendents and for "the employment of the said officers and constables as shall from time "to time be ordered by the watch committee and be approved of by the "council:"

And whereas under the provisions of the last-recited Act the dock board have required the watch committee of the Corporation to provide constables and officers for watching the dock estate and the watch committee have accordingly supplied such constables and officers at the expense of the dock board and such constables and officers watch the whole of the docks quays and estate of the board within the city of Liverpool except some outlying portions thereof :

And whereas under the provisions of the Municipal Corporations Act 1882 the whole of the dock estate has been assessed to the watch rate leviable within the city :

And whereas questions have arisen as to whether the whole cost of the said constables and officers ought to be paid by the board and as to the liability of the dock estate to be assessed to the watch rate :

And whereas the Corporation and the dock board are desirous of having the matters aforesaid fairly and equitably settled without recourse to legal proceedings Now it is hereby agreed between the Corporation and the dock board as follows :—

The docks quays and other estate of the dock board (except as hereinafter mentioned) for the time being in the actual possession and occupation of the board shall not be rated to any rate made under either of the said Acts of 1846 and 1854.

The board shall however be liable to be rated to the rates made under the said Acts in respect of the warehouses erected on the Albert Dock quays and any other warehouses already erected or to be hereafter erected by the board on the dock estate so long as they shall be in their actual possession and occupation and the board shall also be liable to be rated in respect of any storage ground not forming part of the dock quays or sheds which they may retain in their own possession but for the use of which or any part of which they may charge persons storing timber thereon a rent or toll in respect of such user.

For the purposes of this agreement the board shall be deemed to be in actual possession and occupation of all those portions only of their estate in respect of which they are for the time being assessed or liable to be assessed for the relief of the poor.

That so long as the board continue to pay the cost of the police employed in watching the dock estate under the before-recited Act of 1858 they shall not be liable to be rated in respect of their estate watched by such police to any watch rate leviable in the city nor to any rate or contribution to any rate which may hereafter be levied within the city so far as the same is levied or required for watching purposes or to make good any insufficiency of the city fund caused by any expenditure for watching purposes.

During the continuance of this agreement the dock board will not in any way object to any past or future rating under the said Acts of 1846 and 1854 of any parts of their estate which are not in their actual possession and occupation or to the allowance of any proper deductions in respect of such rating from the rents payable by the tenants of those parts of their estate and will withdraw all notices heretofore given to the contrary and give notice to the occupiers that the board will allow the deductions in respect of such rating to be made from the rents.

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This agreement shall if confirmed by Parliament take effect from the first day of January one thousand eight hundred and eighty-nine. Either the Corporation or the dock board may determine this agreement on the thirty-first day of December in any year by six months' notice in writing.

This agreement is to be without prejudice to the rights of either party in the event of its determination and also without prejudice to the right of either party to apply to Parliament or otherwise with reference to the matters herein dealt with.

The Corporation will apply to Parliament to have this agreement confirmed subject to such alterations as Parliament may think fit to make herein but if this agreement be not adopted as a whole and without material alteration or qualification by Parliament either party may give notice to the other to rescind the same and this agreement shall thereupon become wholly void.

In witness whereof the Corporation have hereunto affixed their common corporate seal and the Mersey Docks and Harbour Board have hereunto affixed their common seal the twelfth day of February one thousand eight hundred and eighty-nine.

Edward H. Cookson,
Mayor.

L.S.

Edw. Gittins,
Secretary.

L.S.

T.D.H.

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