ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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Cap. clxviii.

An Act for authorizing the making of new Streets, the widening of existing Streets, and the making of other Improvements in the Borough of *Liverpool*, and for other Purposes; and of which the Short Title is "*Liverpool* Improvement Act, 1867." [25th *July* 1867.]

Recital of Acts relating to Borough of Liverpool.

WHEREAS the Local Acts following, or Parts thereof respectively, are in force in the Borough of *Liverpool*, in this Act called "*Liverpool*;" (that is to say,)

(1.) The Act of the Twenty-sixth Year of *George* the Third, Chapter Twelve, intituled *An Act for opening, making, widening, and altering certain Streets, Passages, and Places within the Town of* Liverpool *in the County Palatine of* Lancaster, *for supplying the said Town with fresh and wholesome Water, for removing and preventing Nuisances and Annoyances therein, for appointing additional Market Places, and for extending so much of the Powers of an Act of the Second Year of His present Majesty as relates to Hackney Coachmen, Chairmen, Carters, and Porters to a certain Distance beyond the Liberties of the said Town,* and in this Act called "the Act of *George* the Third:"

(2.) The

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[*Local.*]

(2.) The Act of the First Year of *George* the Fourth, Chapter Thirteen, intituled *An Act for reviving, extending, and varying the Powers of an Act passed in the Twenty-sixth Year of His late Majesty King* George *the Third, for making and widening certain Streets, Passages, and Places in the Town of* Liverpool *in the County Palatine of* Lancaster, *and for several other Purposes in the said Act mentioned, and also for further improving the said Town*, and in this Act called "the Act of *George* the Fourth:"

(3.) An Act of the Session of the Fifth and Sixth Years of Her present Majesty, Chapter One hundred and six, intituled *An Act for the Improvement, good Government, and Police Regulation of the Borough of* Liverpool, and in this Act called "the Improvement Act of 1842;"

(4.) An Act of the Session of the Sixth and Seventh Years of Her present Majesty, Chapter One hundred and nine, intituled *An Act for the better Protection of Property in the Borough of* Liverpool *from Fire*, and in this Act called "the Fire Prevention Act:"

(5.) An Act of the Session of the Eighth and Ninth Years of Her present Majesty, Chapter One hundred and twenty-seven, intituled *An Act for the Improvement of the Sewerage and Drainage of the Borough of* Liverpool, *and for making further Provisions for the sanitary Regulations of the said Borough*, and in this Act called "the Sanitary Act of 1846:"

(6.) "The *Liverpool* Library and Museum Act, 1852," in this Act called "the Library Act of 1852:"

(7.) "The *Liverpool* Sanitary Amendment Act, 1854," in this Act called "the Sanitary Act of 1854:"

(8.) "The *Liverpool* Improvement Act, 1855," in this Act called "the Improvement Act of 1855:"

(9.) "The *Liverpool* Improvement Act, 1858," in this Act called "the Improvement Act of 1858:"

(10.) "The *Liverpool* Improvement Act, 1864," in this Act called "the Improvement Act of 1864:"

(11.) "The *Liverpool* Sanitary Amendment Act, 1864," in this Act called "the Sanitary Act of 1864:"

(12.) "The *Liverpool* Improvement Act, 1865," in this Act called "the Improvement Act of 1865:"

And whereas it is expedient that the recited Acts be in some respects amended: And whereas it is expedient that the Mayor, Aldermen, and Burgesses of *Liverpool*, in this Act called "the Corporation," be authorized to make the new Streets and widen the now existing Streets in *Liverpool* which are by this Act authorized to be widened and made

made respectively: And whereas it is expedient that the Corporation be authorized to purchase Land upon which to erect additional Buildings adjoining to and by way of Extension of the Buildings already erected for their Public Library and Museum and Gallery of Art: And whereas it is expedient that the Corporation be authorized to make Byelaws for the better Regulation of their Public Library, Museum, and Gallery of Art, and of the Persons resorting thereto: And whereas it is expedient that the Corporation be authorized to purchase by Agreement Gardens, Forecourts, and Areas abutting on Streets and Lands, or Easements over or Rights in or affecting Lands, for the Purpose of Street Improvements: And whereas it is expedient that the Corporation be authorized to prescribe the Line in which any House or Building fronting on or towards any Street shall be erected: And whereas it is expedient that the Corporation be authorized to regulate, and where necessary for the public Health or Convenience to prohibit, the Passage of Cattle in or through *Liverpool*, and the keeping of Cattle in *Liverpool*: And whereas it is expedient that further Provision be made for lessening the Risk of Fire in Warehouses in *Liverpool*: And whereas it is expedient that retail Dealers in raw Cotton Wool and in damaged raw Cotton Wool in *Liverpool* be placed under the like Regulations as Marine Store Dealers, and further Provision be made with respect to the licensing of Marine Store Dealers and retail Dealers in raw Cotton Wool and in damaged raw Cotton Wool: And whereas it is expedient that further Provision be made with respect to Property in *Liverpool* suspected of being stolen: And whereas it is expedient that the Corporation be authorized to raise further Monies by Rates and by borrowing, and further Provision be made with respect to Compositions for Rates: And whereas the Corporation have from Time to Time advanced and applied for the Purposes of divers Street Improvements in *Liverpool* Monies standing to divers Accounts other than the Street Improvements Account, and not immediately wanted for any other Purpose, and it is expedient that the Monies so advanced and applied be replaced out of Monies raised under this Act for Street Improvements to the Accounts from which they were advanced: And whereas it is expedient that the Corporation be authorized to acquire and appropriate Lands for Purposes of this Act: And whereas Plans showing the Lines of the proposed new Streets and the Extent to which it is proposed to widen now existing Streets, and also showing the Lands which the Corporation are by this Act authorized to acquire compulsorily, and Sections showing the Levels of the proposed new Streets and widened Streets, with Books of Reference to the Plans, have been deposited with the Clerk of the Peace for the County Palatine of *Lancaster*, and those Plans and Sections and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas the Objects of this Act cannot be attained without the Authority of Parliament:

Parliament; 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 for all Purposes be cited as "*Liverpool* Improvement Act, 1867."

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Interpretation of Terms.

3. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context; and the Words and Expressions following in this Act, and the Acts incorporated with this Act, have for the Purposes of this Act the Meanings following, unless so excluded; (that is to say,)

(A.) "Court of Chancery" includes the Court of Chancery of the County Palatine of *Lancaster*:

(B.) "The Corporation" means the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*:

(C.) "*Liverpool*" means the Borough of *Liverpool*:

(D.) "Street" means and includes Streets, Highways, Roads, Lanes, Alleys, Passages, Squares, Courts, Thoroughfares, and other public Places:

(E.) "Premises" means and includes Houses, Buildings, and Erections, and Parts thereof respectively, and Land with or without Houses, Buildings, or Erections thereon:

(F.) "Cattle" means and includes Bull, Cow, Heifer, Ox, Calf, Ram, Wether, Ewe, Lamb, and Swine:

(G.) "Horse" means and includes Horse, Gelding, Mare, Colt, Filly, Foal, Mule, and Ass:

(H.) "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act incorporated with this Act, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute:

(I.) "Net annual Value" has the Meaning assigned to it by the Act to regulate Parochial Assessments.

Act to be carried into execution by Corporation.

4. This Act shall be carried into execution by the Corporation acting by their Council, and in accordance with the Public General Statutes

Statutes and Local Acts and Laws from Time to Time in force and relating to the Corporation and their Council, and their Committees, Agents, Officers, and Servants, and applicable for the Purposes of this Act, and as nearly as may be as if the Purposes of this Act were Purposes of the Act for the Regulation of Municipal Corporations in *England* and *Wales*, so far as that Act is in force in *Liverpool*.

Power to Corporation to execute Works and take Lands.

5. Subject to the Provisions of this Act, the Corporation, if they think fit, may make and maintain the several Works and Things for the Improvement of *Liverpool* by this Act authorized, and so far as the same are shown on the deposited Plans and Sections may make and maintain the same in the Lines and in accordance with the Levels shown on the deposited Plans and Sections, and in the Lands shown on the deposited Plans and specified in the deposited Books of Reference, and may enter upon, take, and use all or any of the Lands shown on the said Plans and specified in the said Books of Reference.

Corporation required to take the whole of the Lands of Mr. W. R. Copeland and the Trustees of the Theatre Royal.

6. If the Corporation shall take any Part of the Land adjoining *Roe Street*, of which *William Robert Copeland*, lately deceased, was Lessee, they shall, if required by the Executors, Administrators, or Assigns of the said *William Robert Copeland*, take the whole of the Land comprised in the Lease, and the Royal Amphitheatre and Buildings thereon, and if the Corporation shall take any Part of the Lands adjoining *Brythen Street* vested in the Trustees for the Proprietors of the Theatre Royal, they shall, if required by or on behalf of the Trustees, take the whole of the adjoining Lands vested in the Trustees between *Charles Street* and *Williamson Square*, with the Theatre Royal and Buildings thereon, and the Powers of this Act with respect to the Purchase and taking of Lands shall extend and apply thereto respectively.

Errors and Omissions in Plans or Books of Reference may be corrected by Justices who shall certify the same.

7. If any Omission, Mis-statement, or wrong Description be made of any Lands or the Buildings thereon, or of the Owners, Lessees, or Occupiers thereof, shown on the deposited Plans or specified in the deposited Books of Reference, the Corporation, after giving Ten Days Notice to the Owners, Lessees, or Occupiers affected by the Proposed Correction, may apply to any Two Justices for the Correction thereof, and if it appear to the Justices that the Omission, Mis-statement, or wrong Description arose from Accident or Mistake, they shall certify the same accordingly, and they shall in the Certificate state the Particulars of such Omission, Mis-statement, or wrong Description, and the Certificate with the other Documents to which it relates shall be deposited with and kept by the Clerk of the Peace for the County Palatine of *Lancaster*, and thereupon the Plans or Books of Reference shall be deemed to be corrected in accordance with the Certificate, and the Corporation may purchase, take, and use

Certificate to be deposited.

use for the Purposes of this Act any Lands or Buildings in accordance with the Certificate as if the Omission, Mis-statement, or wrong Description had not been made.

Works authorized by Act.

8. The several Works by this Act authorized for the Improvement of *Liverpool* comprise the Works following; (that is to say,)

IN THE PARISH AND BOROUGH OF LIVERPOOL.

1. The widening of *Dale Street* on the Southern Side thereof from a Point opposite to the Southern End of *Moorfields* to the Western Side of *Sir Thomas's Buildings*:
2. The widening of *Stanley Street* on the Eastern Side thereof from *Dale Street* to *Derby Place*:
3. The making of a new Street in continuation of *Stanley Street* from the Southern End thereof to *Whitechapel*:
4. In connexion with the Improvements 2. and 3. the stopping up, discontinuing, and appropriating of the Streets following; (that is to say,)

   Poplar Lane and *Bakehouse Lane* from *Stanley Street* to *Cumberland Street*, and *Brokers Alley* from *Stanley Street* to its Eastern Extremity, and *Derby Street* from *Brokers Alley* to *Whitechapel*, and *Derby Place* from *Stanley Street* to *Derby Street*:
5. The widening of *Whitechapel* on the North-western Side thereof from *Button Street* to *Sir Thomas's Buildings*, and on the South-eastern Side thereof from *Leigh Street*, for a Distance of Thirty Yards or thereabouts Southwardly:
6. The widening of *Richmond Street* on the Northern Side thereof from *Whitechapel* to *Williamson Square*:
7. The widening of *Paradise Street* on the Western Side thereof from *Lord Street* to *Cooper's Row*:
8. The making of a new Street in continuation of *Paradise Street* from *Hanover Street* to *Park Lane*:
9. The widening of Portions of *Frederick Street* and *Upper Frederick Street* on the Eastern Side thereof respectively from a Point Thirty-four Yards or thereabouts Northwardly from *Saint Thomas's* Church to a Point Thirty-four Yards or thereabouts Southwardly from that Church:
10. The widening of *Park Lane* on the Eastern Side thereof from the South-western Corner of *Saint Thomas's* Churchyard to a Point Fifty-five Yards or thereabouts Southward of *Forrest Street* to join the Line of existing Improvements, and on the Western Side thereof from *Sparling Street* South-eastwardly to a Point Sixty Yards or thereabouts to meet the Continuation of *Grafton Street* authorized by the Improvement Act of 1865:

11. The

11. The widening of *Great George Street* on the Eastern Side thereof from *Rathbone Place* to *Washington Street*, and on the Western Side thereof from *Sankey Street* to *Upper Frederick Street*.

IN THE TOWNSHIP AND EXTRA-PAROCHIAL PLACE OF TOXTETH PARK IN LIVERPOOL.

12. The widening of *Blair Street* on the Eastern Side thereof from *Upper Parliament Street* to *Upper Stanhope Street*:
13. The making of a new Street in continuation of *Blair Street* from *Upper Stanhope Street* to the Junction of *Park Place* and *Upper Hill Street*:
14. In connexion with the Improvements 12. and 13. the stopping up, discontinuing, and appropriating of the Portion of *Head Street* between the proposed Continuation of *Blair Street* and *Upper Hill Street*, and the whole of *Back Chester Street* between *Dexter Street* and *Head Street*.

IN THE PARISH AND BOROUGH OF LIVERPOOL.

15. The widening of *Church Street* on the Northern Side thereof from *Basnett Street* to *Parker Street*:
16. The widening of *Basnett Street* on the Western Side thereof from *Leigh Street* to *Williamson Square*:
17. The widening of *Brythen Street* on the Western Side thereof from *Williamson Square* to *Hood Street*, and on the Eastern Side thereof from *Williamson Square* to *Market Street*:
18. The widening of *Roe Street* on the Eastern Side thereof from *Market Street* to *Rose Street*:
19. The widening of *Byrom Street* on the Eastern Side thereof from *Richmond Row* to *William Brown Street*:
20. In connexion with the Improvement (19.) the stopping up, discontinuing, and appropriating of *Livesly Place*:
21. The widening of *William Brown Street* on the Northern Side thereof from the Eastern Side of the Free Public Library to *Mill Lane*:
22. The widening of *Islington Flags* and *Islington* on the Northern Side thereof respectively from *Mill Lane* to *Saint Anne Street*:
23. The widening of *Saint Anne Street* on the Western Side thereof from *Islington* to *Great Richmond Street*:
24. The widening of *Cazneau Street* on the Western Side thereof from *Rose Place* to *Juvenal Street*:
25. The widening of *Belle Street* on the Western Side thereof from *Juvenal Street* to *Horatio Street*:
26. The making of a new Street in continuation of *Belle Street* from *Horatio Street* to *Scotland Road*:

27. In

27. In connexion with the Improvements (24.), (25.), and (26.) the stopping up, discontinuing, and appropriating of the Streets and Portions of Streets following; (that is to say,)

McKee Street from *Grosvenor Street* to *Belle Street*, and *Seacombe Lane* from *Belle Street* to its Eastern Extremity, and *Elgin Street* from *Seacombe Lane* to *Horatio Street*, and *Horatio Street* from *Belle Street* to the *North Haymarket*, and *Boardman Place* from the proposed new Street (26.) to the *North Haymarket* and thence to *Great Nelson Street North*:

28. The widening of *Great Nelson Street North* on the Southern Side thereof from the *North Haymarket* to *Scotland Road*:

29. The making of a new Street in continuation of *Juvenal Street* from *Cazneau Street* to *Scotland Road*:

30. The altering and widening of *Grosvenor Street* from a Point thereon Thirty-five Yards or thereabouts Northwards of *Chaucer Street* to the proposed new Street (29.):

31. In connexion with the Improvements (29.) and (30.) the stopping up, discontinuing, and appropriating of the Portions of Streets following; (that is to say,)

So much of *Nash Grove* lying to the Southward of the proposed new Street (29.) as extends from that proposed new Street to *McKee Street*; and

So much of *McKee Street* lying to the Southward of that proposed new Street as extends from that proposed new Street to *Nash Grove*; and

So much of *McKee Street* lying to the Northward of that proposed new Street as extends from *Nash Grove* to *Grosvenor Street*:

32. The widening of *Chadwick Street* on the Southern Side thereof from *Thorton Street* to *Love Lane*:

33. The widening of *Chisenhale Street* and the Bridge which carries it over the *Leeds and Liverpool* Canal on the Southern Side thereof from *Love Lane* to *Vauxhall Road*:

34. The widening of *Arley Street* on the Southern Side thereof from *Vauxhall Road* to *Marshall Place*:

35. The widening of *Summerseat* on the Northern Side thereof from the Eastern End of *Arley Street* for Fifty Yards or thereabouts Eastwardly, and on the Southern Side thereof from *Marshall Place* to *Limekiln Lane*.

IN THE TOWNSHIP OF KIRKDALE AND PARISH OF WALTON-ON-THE-HILL IN LIVERPOOL.

36. The diverting, altering, and widening of *Bootle Lane* from *Barlow Lane* to *Claremont Place*:

37. In

37. In connexion with the Improvement (36.) the stopping up, discontinuing, and appropriating of *Welsby's Lane* and so much of *Bootle Lane* as extends from a Point thereon Forty Yards or thereabouts Northward from *Claremont Grove* to *Eliza Street*:
38. The widening of *Claremont Place* on the Western Side thereof:
39. The making of a new Street in continuation of *Claremont Place* from *Seller Street* to *Castle Street*:
40. The widening of *Claremont Grove* on both Sides thereof from *Sessions Road* to *Claremont Place*.

IN THE TOWNSHIP OF EVERTON AND PARISH OF WALTON-ON-THE-HILL IN LIVERPOOL.

41. The widening of *Saint Domingo Road* on the Eastern Side thereof from *Everton Valley* to *Mere Lane* and on the Western Side thereof from *York Terrace* for One hundred and thirty Yards or thereabouts Southwardly:
42. The widening of *Heyworth Street* from *Mere Lane* to *Hamilton Road* on the Eastern Side thereof and from *Hamilton Road* to *Cochrane Street* on the Western Side thereof:
43. The making of a new Street extending from the Western End of *Hamilton Road* to the Western End of *Breck Road*;
44. The widening of *Beacon Lane* on both Sides thereof from *Walton Breck Road* to *Breckfield Road North*:
45. The widening of *Breckfield Road North* on the Eastern Side thereof from *Beacon Lane* to *Breck Road*:
46. The making of a new Street from the Junction of *Beacon Lane* and *Walton Breck Road* to *Breckfield Road North* at the Junction of *Mere Lane* with *Breckfield Road North*:
47. The making of a new Road in continuation of *Queen's Road* from *Breckfield Road North* to *Breck Road*:
48. The making of a new Road in continuation of *Oakfield Road* on the Line of and within the Boundary of *Liverpool* from *Walton Breck Road* to *Oakfield Road*:
49. The widening of so much of *Whitefield Lane* and *Boundary Lane* at their Junction as extends from *Whitefield Terrace* to *Dawber Street*;
50. The making of a new Street in continuation of *Margaret Street* from *Whitefield Lane* to *Aubrey Street*:
51. The widening of *Netherfield Road South* on the Eastern Side thereof from *Browside* to *Shaw Street*:
52. The widening of *Everton Road* on the Western Side thereof from *Bright Street* to *West Derby Road*, and on the Eastern Side thereof from *Deacon Street* to the Lodge of the Necropolis.

IN THE TOWNSHIP OF EVERTON AND IN THE TOWNSHIP AND PARISH OF WEST DERBY IN LIVERPOOL.

53. The widening of *Brunswick Road* on the Northern Side thereof from *Cobden Street* to *Gregson Street*.

IN THE TOWNSHIP AND PARISH OF WEST DERBY IN LIVERPOOL.

54. The making of a new Street to form a Junction between the existing Portion of *Farnworth Street* between *Phythian Street* and *West Derby Road* and the Portion of *Farnworth Street* now making between *Phythian Street* and *Kensington*.

IN THE PARISH OF LIVERPOOL.

55. The Purchase of Lands adjoining to and on the Eastern Side of the Public Library and Museum for the Purpose of erecting additional Buildings thereon for Purposes of the Library Act of 1852 and the Improvement Act of 1855 respectively:

56. In connexion with the Improvement (55.) the stopping up and appropriating of *Mill Lane* and *Mill Place* and *Clayton Street*, or Parts thereof, and all other Streets on the Lands acquired by the Corporation under those Acts and this Act respectively for the Purposes of the Public Library, Museum, and Gallery of Art.

GENERALLY IN LIVERPOOL.

57. For the widening, extending, or otherwise improving of any Street, the appropriating and using of any Land from Time to Time acquired by the Corporation by Agreement for the Purpose:

58. The altering of or otherwise interfering with, temporarily or permanently, the Levels of the Streets and Portions of Streets with which the proposed new Streets and widened Streets communicate:

59. The stopping up and appropriating of the whole or any Parts of any Streets which for the Purposes of this Act it is necessary to stop up.

Corporation not to stop up certain Streets without Consent.

9. The Corporation shall not stop up or appropriate any Part of *Thornton Street*, *Emma Ann Street*, or of the Portion of *Love Lane* on the South Side of *Chadwick Street*, without the Consent in Writing of the *Lancashire and Yorkshire* Railway Company.

As to Construction of Works across the Land of the Marquess of Salisbury, K.G.

10. If the Corporation shall at any Time after the passing of this Act commence or proceed with the new Streets referred to by the Nos. 46. and 48. respectively in the Eighth Section of this Act, or the Works referred to by Nos. 41. and 45. respectively in the same Section, they

they shall construct, make, and complete the same Streets or Works, or such of them as shall be commenced or proceeded with, (together with all necessary Sewers,) over and across the Land of the Marquess of *Salisbury* on a Level, and according to the Line laid down on the deposited Plan, and shall (unless the said Marquess, his Heirs or Assigns, shall by Writing under his or their Hand or Hands consent to an Extension of Time in that Behalf,) in all respects complete the same several Streets, Works, and Sewers within Two Years from the passing of this Act.

The Marquess to acquire Frontage to new Streets and to have Rights of Sewage into Corporation Sewers.

11. The said Marquess, his Heirs and Assigns, shall forthwith after the Completion of the Streets and Works aforesaid be held to have acquired Frontages to the same respectively to the Extent to which his remaining Land may abut upon that Portion of his Land which may be taken for the Purposes of the same Streets and Works respectively, or either of them, and shall also be entitled to make, free of all Charges or Costs whatsoever (except the Frontage Charge mentioned in Section Nine of the Sanitary Act of 1854, if and when it shall accrue due), all such Openings into and Junctions or Communications with any Main or other Sewer which may be constructed by the Corporation under or across either of the Streets or Works aforesaid as may be necessary or convenient for the Purpose of carrying off the Sewage of and from any Houses erected or to be erected on the said Land of the said Marquess, or any Part thereof, into such Main or other Sewer so constructed as aforesaid.

The Powers contained in Section 8 WorkNo. 59. and in Section 30 not to apply to the Lands of the Marquess.

12. The Powers of the Corporation under this Act shall not, as regards the stopping up and appropriating of the whole or any Part of any Street, be held to apply to nor be capable of being put in force to stop up or appropriate any Street in which the Marquess of *Salisbury* is interested as Owner of any Lands abutting upon or having Frontage to the same, nor shall the Provisions contained in Section Thirty of this Act extend or be held in any Manner to apply to the Lands of the said Marquess or to any Buildings which may be erected thereon.

Corporation to determine in Two Months whether they will execute Powers of Act with reference to Work 19. in Section 8.

13. The Corporation shall, within Two Calendar Months after the passing of this Act, determine by Resolution whether they will execute the Powers in this Act contained with reference to Work 19. in Section Eight.

If Corporation undertake Work 19. a Site to be provided for a new Church in

14. If the Corporation undertake the Work 19. in Section Eight they shall before taking the Lands numbered 946, and *Saint Stephen's* Church erected thereon, or any Part thereof respectively, convey to the Rector of *Liverpool* for the Time being, or as he may direct, a Site for the Erection of a new Church in lieu of *Saint Stephen's* Church,

lieu of Saint Stephen's Church, and a Sum of Money to be paid towards Cost of Erection.

Church, containing by Admeasurement Six hundred Square Yards, and bounded by the proposed improved Line of *Byrom Street* on the West, by other Land proposed to be taken by the Corporation under this Act on the East, by *Byrom Terrace* on the North, and by *Cartwright Place* on the South; and shall also pay to the Rector of *Liverpool* and the Incumbent of the said Church for the Time being the Sum of Two thousand Pounds, to be applied by them towards the Funds for erecting such new Church; and the Conveyance of such Site with vacant Possession, and the Payment of the said Sum as aforesaid shall be made within Twelve Months from the passing of this Act, and shall be deemed and taken to be in full Payment and Satisfaction of all Compensation claimable in respect of *Saint Stephen's* Church and the said Lands numbered 946: Provided always, that the Receipt of the said Rector and Incumbent shall be a sufficient Discharge to the Corporation for the said Sum of Two thousand Pounds, and the Corporation shall not be bound to see to the Application thereof.

Provision as to Sites of Churches in Ecclesiastical District.

15. Upon Conveyance of the said Site the same shall for all Purposes become and be Part of the Ecclesiastical District of *Saint Stephen* in the Parish of *Liverpool*, and the Site of the present *Saint Stephen's* Church shall thereupon become Part of the Ecclesiastical District of *Christ* Church in the said Parish.

Corporation to give Notice before taking Dwellings of Labouring Classes.

16. The Corporation shall, not less than Eight Weeks before they take in any Parish Fifteen Houses or more occupied either in whole or in part by Persons belonging to the Labouring Classes as Tenants or Lodgers, make known their Intention to take the same by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from the Houses, and the Corporation shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Corporation have in manner required by this Section made known their Intention to take the same.

Powers for compulsory Purchases limited.

17. The Powers of the Corporation under this Act for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years after the passing of this Act.

Extinction of Rights of Way over Streets stopped up, &c.

18. Where under this Act the Corporation stop up any Street permanently all Rights of Way over the Street shall thereupon be absolutely extinguished, and where under this Act they stop up any Street temporarily all Rights of Way over the Street shall be suspended until they re-open the Street.

Extinction of Rights to place Fences

19. When the Corporation commence the Improvement (11.) all Rights of placing or continuing any Post, Chain, or other Fence or Inclosure

Inclosure beyond the present Line of Frontage of the Houses in *Great George Street* shall thereupon be absolutely extinguished. in Great George Street.

Owners, &c. may be required to sell Part of Premises.

20. Notwithstanding Section Ninety-two of "The Lands Clauses Consolidation Act, 1845," the Owners, Lessees, and Occupiers of the Premises comprised in the Improvements (11.), (22.), and (23.) may be required to sell and convey to the Corporation the Part only of the Premises required for those Improvements, where for the Purposes of the Improvements the Corporation take Land lying in front of a House without taking or interfering with any Part of the Walls of the House, the Corporation paying for the Part so required and Compensation for any Damage sustained by the Owners, Lessees, and Occupiers by reason of the Execution of the Works.

Corporation by Agreement may purchase Areas, &c.

21. The Corporation from Time to Time within Seven Years after the passing of this Act, by Agreement, may purchase all or any Part of the Garden, Forecourt, or Area of any House or Building, or any Land, for the Purpose of widening, extending, or otherwise improving any present or future Street.

Corporation by Agreement may purchase Lands and Easements.

22. The Corporation from Time to Time within Seven Years after the passing of this Act, by Agreement, may purchase or acquire any Lands, or any Easements over or Rights in or affecting any Lands, which they require for any of the Purposes of this Act, and the Provisions of "The Lands Clauses Consolidation Act, 1845," with respect to the Sale and Conveyance or Release of Lands by Agreement, extend and apply to the Sale, Conveyance, or Grant of any such Easements or Rights.

Corporation may use their own Lands for Purposes of Act.

23. The Corporation from Time to Time may appropriate and use for any of the Purposes of this Act any Lands from Time to Time vested in them and being Part of their Corporate Estates.

Lands acquired by Corporation to be Part of Corporate Estates.

24. All Lands from Time to Time acquired by the Corporation under this Act shall, while vested in them, be vested in them as Part of their Corporate Estates.

Corporation may sell or lease Lands not required for Purposes of Act.

25. The Corporation from Time to Time, if and when they think fit, may sell or exchange and absolutely dispose of, or otherwise, at their Option, demise or grant upon Building or other Leases for such Estate, Term, or Interest, and to such Persons, and on such Terms and Conditions, as the Corporation think fit, all or any Part of the Lands acquired by them under this Act, and not required for the Purposes of this Act, and the Corporation shall apply to the Purposes of this Act, or towards the Repayment of any Money which they borrow under this Act, the net Proceeds of every such Sale, and the net Rents or Sums arising from every such Lease or Grant.

Period for Completion of Works.

26. The Corporation shall complete the several Works shown on the deposited Plans and Sections which they undertake within Seven Years next after the passing of this Act, and on the Expiration of that Period their Powers under this Act for making the same shall cease, except as to so much thereof as is then completed; provided that the Cesser of those Powers shall not prevent the Corporation from executing from Time to Time thereafter any Work in connexion with so much of those Works as is then completed.

Power to alter, &c. Sewers, &c.

27. The Corporation from Time to Time may alter and divert, either temporarily or permanently, all Sewers, Mains, and Pipes in the Borough which they find it necessary or convenient for any of the Purposes of this Act so to interfere with, making to all Persons who sustain any Damage thereby Compensation in that Behalf, the Compensation to be ascertained, apportioned, and recovered under the Lands Clauses Consolidation Act, 1845, as in Cases of disputed Compensation for Lands.

Alterations consequent on changing Levels of Streets to be made at Expense of Corporation.

28. Where, by reason of the Execution of any of the Works by this Act authorized, the Level of any Street is raised or otherwise changed, or any Alteration of any Step, Door, or Entrance into any House or Building, or of any Pavement, Sewer, Drain, or Culvert adjoining or belonging to any Premises in the Street, is rendered necessary, the Alteration shall be made by and at the Expense of the Corporation out of the Monies applicable under this Act to Street Improvements.

Damage to Buildings to be compensated for by Corporation.

29. Where, by reason of the Alteration of the Level of any Street or the Execution of any other Work by this Act authorized, any House, Building, or Premises be damaged or otherwise prejudicially affected, the Corporation shall, out of the Monies applicable under this Act to Street Improvements, make good the Damage, and pay to the Owner and Occupier of the House, Building, or Premises such Compensation as is agreed on between the Owner and Occupier and the Corporation, or, failing their Agreement, such Compensation as is ascertained, apportioned, and recovered under "The Lands Clauses Consolidation Act, 1845," as in Cases of disputed Compensation for Lands.

Expense of removing Water Pipes to be paid out of Monies applicable to Street Improvements.

30. All Expenses incurred under this Act by the Corporation in or about the removing, displacing, and relaying of any Water Mains, Pipes, or Apparatus shall be defrayed out of Monies applicable under this Act to Street Improvements, and shall not be charged to the Water Account.

Corporation to reinstate

31. Before removing or displacing any Main, Pipe, Plug, or other Work of the *Liverpool United* Gaslight Company (except such Mains,

Mains, Pipes, or Plugs as from Time to Time become unnecessary by reason of the Execution of this Act, and which may from Time to Time be removed by the Company at their Expense as the Corporation direct,) the Corporation shall at their own Expense lay a good and sufficient Main, Pipe, Plug, or other Work (other than private Service Pipes the Property of the Company) proper and sufficient for continuing the Supply of Gas to all the Customers of the Company who are entitled thereto, but the Mains, Pipes, Plugs, and Works shall be provided at the Expense of the Company, and all such Works shall be done to the Satisfaction of the Company's Engineer, and in accordance with the Acts relating to the Company.

Pipes of Liverpool United Gaslight Company.

32. The Corporation shall make good all Damage done to any Property of the Gaslight Company by the Disturbance thereof, and shall make full Compensation to all Parties for any Loss or Damage which they may sustain by reason of any Interference with the Mains, Pipes, or Works of such Gaslight Company, except the same arise from the wilful Neglect or Default of the Company or the Party claiming Compensation.

Corporation to make good Damage to Property of Gaslight Company, and to compensate Parties for Loss by Interference with Mains, &c.

33. All Buildings from Time to Time erected or altered to or towards the Front of any Street made, widened, or improved under this Act shall be erected or altered in such Line to the Street, and in accordance with such Elevation fronting to or towards the Street as the Corporation appoint or approve, and if the Owner, Lessee, or Occupier of any Building which, on the making of any new Street or on the widening or improving of any existing Street, acquires a Frontage to the Street, make any Door or Entrance opening upon or communicating with the Street, or any Wall or Fence by the Side of the Street, every such Owner, Lessee, or Occupier shall make the Building, Wall, or Fence in a Line and the Elevation thereof fronting to or towards the Street in accordance with a Plan approved by the Corporation.

Elevation of Buildings fronting Streets to be as Corporation approve.

34. The Corporation from Time to Time may prescribe the Line in which any House, Building, or Erection, or any Addition thereto respectively to be hereafter erected, fronting on or towards any Street shall be erected, and the same shall be erected only in accordance with the Line so prescribed, and where the Corporation so require all or any Part of the Land between the Line so prescribed and the Street shall be added to the Street, and if the Owner or any other Person interested in the House, Building, Erection, or Addition sustain any Loss or Damage by reason of the House, Building, or Erection being erected in accordance with the Line so prescribed, or by any of his Land being so added to the Street, the Corporation shall make Compensation in that Behalf, and, failing Agreement, the Compensation shall

Corporation may prescribe Line of Building.

shall be ascertained, apportioned, and recovered under "The Lands Clauses Consolidation Act, 1845," as in Cases of disputed Compensation for Lands.

Order for Demolition of Building erected without requisite Consent of Corporation, &c.

35. In case any House, Building, Erection, or Addition be made or begun without or not in accordance with the Consent of the Corporation, where their Consent is by this Act required, or contrary to any Requirement by the Corporation made in accordance with the Provisions of this Act, the Corporation may make Complaint thereof before a Justice who shall thereupon issue a Summons requiring the Owner or Occupier of the Premises, or the Builder or Person engaged on the Work, to appear at a Place and Time stated in the Summons to answer the Complaint, and if at the Time and Place appointed in the Summons, and whether the Persons summoned appear or not, the Complaint be proved to the Satisfaction of the Justice before whom it is heard, the Justice shall make an Order in Writing on the Person summoned directing the Demolition, within such Time as the Justice deems reasonable, of the House, Building, Erection, or Addition, or so much thereof as is made not in accordance with the Consent or contrary to the Requirement of the Corporation, and also directing Payment of the Costs up to and including the Costs of the Order.

Precautions during Demolition.

36. During the Demolition of any House, Building, Erection, Addition, or Part thereof, directed by a Justice to be demolished, the Owner or Occupier of the Premises, or the Builder or Person engaged on the Work, shall take all such Precautions as the Corporation or their Borough Engineer shall think requisite and direct for preventing all avoidable Injury or Damage being by or in consequence of the Demolition occasioned to any adjoining Premises, and where any such Owner, Occupier, Builder, or Person fails to comply with the Requirements in that Behalf of the Corporation or their Borough Engineer, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds, and an additional Penalty not exceeding Forty Shillings for every Day the Offence continues after Notice thereof from the Corporation, and shall in addition be liable to make full Compensation for all Damage or Injury so occasioned.

Demolition by Corporation of the Building.

37. If any House, Building, Erection, or Addition, or Part thereof, so ordered to be demolished be not demolished within the Time limited by the Order, the Corporation may forthwith enter the Premises to which the Order relates, and demolish the House, Building, Erection, or Addition, or Part thereof, so ordered to be demolished, and do whatever is necessary for obeying the Order, and may remove the Materials to a convenient Place, and afterwards sell the same as they think fit, and all Expenses incurred by the Corporation in obeying the Order, and in removing, depositing, and selling the Materials, may be recovered

recovered in a summary Way before a Justice from the Person against whom the Order is made; provided that the Corporation shall apply the Proceeds of the Sale in or towards Payment of their Expenses, and if there be any Surplus shall on Demand pay it to the Person against whom the Order is made.

Building on Sites from which Buildings removed under "Sanitary Act, 1864," to be with Consent of Corporation.

38. After the passing of this Act no Building or Erection shall be made on any Part of any Site from which under "the Sanitary Act of 1864" any Building or Erection is already or hereafter removed, except with the previous Consent of the Corporation and in accordance with Plans and Elevations previously approved by them, and they may at any Time at the Expense of the Owner thereof, the Expense to be recovered in a summary Manner before Two Justices, abate any Building or Erection at any Time after the passing of this Act in whole or in part made contrary to this Section, and the Compensation to be made to the Owner under Section Twenty-three of "the Sanitary Act of 1864" shall include Compensation for all Damage, if any, occasioned to the Owner by reason of the re-building on the Site being subject to the Consent of the Corporation.

Compensation by Corporation under Act may be in Land or in Works.

39. Where the Corporation are required by this Act to make any Compensation to Owners or Occupiers of or Persons interested in any Premises, the Corporation by Agreement may, if they think fit, make the Compensation in whole or in part in Land or in Works.

Acts of 1852 and 1855 and this Act apply to Public Library, &c.

40. The Buildings from Time to Time erected by the Corporation for the Purposes of their Public Library, Museum, and Gallery of Art, and whether erected under the Library Act of 1852, or the Improvement Act of 1855, or this Act, shall be deemed One Block of Buildings erected for those Purposes, and the several Provisions of those Acts and this Act respectively which from Time to Time are so applicable shall apply to the same and every Part thereof accordingly.

Power to regulate the leading and driving of Cattle through Liverpool.

41. The Corporation may from Time to Time, by Notice to be published in Three successive Weeks in Three or more *Liverpool* Newspapers, direct and prescribe the Streets in *Liverpool* in or through which the leading or driving of Cattle shall be permitted, and no Persons shall thereafter lead or drive, or cause to be led or driven, any Cattle through any other Street than the Streets specified in the Notice, and every Person so offending shall for every such Offence forfeit not exceeding Five Pounds; provided that the Streets which it shall be lawful for the Corporation so to prescribe shall not be such as would prevent the Passage of Cattle between any Steamboat or other Vessel in any Dock, Basin, Quay, Wharf, or other Landing Place and the *Stanley* Cattle Market or any Railway Station in

Liverpool, or any Place beyond the Boundary of *Liverpool*, when such Cattle are merely passing between such Dock, Basin, Quay, Wharf, or other Landing Place and such Cattle Market, Railway Station, or other Place as aforesaid, and that the Corporation shall be bound to keep open at all Times a reasonably short and efficient Route or Routes for the Passage of such Cattle; provided also, that such Directions shall only operate between the Hours of Eight in the Morning and Nine in the Evening; and provided also, that nothing herein contained shall authorize the Corporation to interfere with the driving of Cattle to or from any Slaughter-house so long as the slaughtering of Cattle therein shall be lawful.

Penalty for keeping Cattle, &c. on unlicensed Premises, &c.

42. From and after the Thirty-first Day of *December* One thousand eight hundred and sixty-seven, if any Person, not having a Licence for the Purpose under this Act from the Corporation, keep on any Premises in *Liverpool* not so licensed for the Purpose any Cattle, every Person so offending shall for every such Offence forfeit not exceeding Twenty Shillings with respect to every Animal so kept: Provided that nothing herein contained shall apply to Sheds, Lairs, or Pens attached to Slaughter-houses so long as the slaughtering of Cattle therein shall be lawful.

Licences of Places for keeping Cattle, &c.

43. When any Person is desirous of keeping on any Premises in *Liverpool* any Cattle, an Officer from Time to Time appointed for the Purpose by the Corporation shall, on being thereunto requested by the Person, inspect and examine the Premises with respect to the Fitness of their being used for the Purpose, and on the Premises being found or made fit for the Purpose the Corporation shall grant to the Person a Licence to use the Premises (to be specified in the Licence) for the keeping therein of such Cattle as are specified in the Licence, and every such Licence, unless forfeited, shall be in force until the then next Thirty-first Day of *December* only.

Register of Licences.

44. The Corporation shall keep a Register of the Licences so granted, and of the Particulars of the Premises and Cattle in respect of which they are granted, and shall not charge any Sum exceeding One Shilling for a Licence, and the Register shall at all reasonable Times be opened at the Town Clerk's Office gratis for the Inspection of all Persons interested.

Notice on licensed Premises.

45. Every Person having any such Licence shall at all Times, while the Premises specified in the Licence are used for the keeping of any Cattle, have placed and kept over or near to the principal Entrance thereto, or some other conspicuous Part thereof approved by the Corporation, a conspicuous Notice in large and legible Letters, "Licensed for keeping (Two Cows or Three Swine, or otherwise, as

the Case happens,)" and where, except during necessary Repairs or unavoidable Accident, the Notice is not so placed and kept, the Licence shall thereupon become forfeited and absolutely void.

Inspection of licensed Premises.

46. All Premises so licensed shall at all Times be open to the Inspection and Examination of the Officers appointed by the Corporation for the Purpose, and who from Time to Time shall ascertain whether the Provisions of the Licence with respect to the Premises are duly complied with.

Licensed Premises to be kept in good Order, &c.

47. All Premises so licensed shall at all Times be kept in cleanly and wholesome Order and Condition, and properly drained, ventilated, and supplied with Water, and no Animal shall at any One Time be kept in any licensed Premises other than the Animals of the Kind specified in the Licence, or greater in Number than the Number specified in the Licence.

Forfeiture of Licence if Premises not properly kept.

48. If at any Time any Premises so licensed be kept or used contrary to the Requirements of the Licence, or so as in any way to be prejudicial to the Health or to occasion any Annoyance to any of the Inhabitants of *Liverpool*, an Officer of the Corporation appointed for the Purpose may give Notice in Writing to the Person licensed, or his Agent, or to any Occupier of or Person in charge of or employed at the Premises, requiring the Premises to be forthwith put in proper Order and Condition, and if the same be not done within Forty-eight Hours next after the Service of the Notice the Licence shall thereupon be forfeited and absolutely void.

Forfeiture not to free from Penalties.

49. The Forfeiture of the Licence shall not free any Person to whom the Licence is given from Liability to any Penalty for any Offence incurred before the Time of the Forfeiture.

Notice to Occupiers of adjoining Premises before Licence granted.

50. Where the Corporation so think fit they may, before they grant or renew any Licence for keeping any Cattle, require the Applicant for the Licence to give to the Occupiers of such of the Premises adjoining or near to the Premises proposed to be licensed, as the Corporation think fit, Notice of the Application, and all Objections with respect to the granting of any such Licence made to the Corporation, whether any such Notice be given or not, shall be heard and considered by them.

Licensing Committee of Council.

51. The Corporation from Time to Time, if and when they think fit, may delegate to any Committee of the Council all or any of the Powers, Authorities, and Discretions of the Corporation with respect to Licences for keeping Cattle and Premises licensed for the Purpose, and may prescribe the Quorum, Duties, and Procedure of any such Committee,

Committee, and in what Cases and how far their Proceedings shall be final, or shall be subject to Review by the Corporation.

Retail Dealers in Cotton Wool to be deemed Marine Store Dealers.

52. For the Purposes of such of the Provisions of the recited Acts and this Act and any Public General Act respectively as from Time to Time are in force in *Liverpool* with respect to Dealers in Marine Stores, all Persons who from Time to Time after the Thirty-first Day of *December* One thousand eight hundred and sixty-seven in any way deal by Retail in raw Cotton Wool or in damaged raw Cotton Wool in a less Quantity upon any One Transaction than One hundred and twelve Pounds in Weight shall be deemed Marine Store Dealers, and those Provisions shall be read and have Effect accordingly.

Prohibition against having Combustibles in Warehouses.

53. Section 73 of the Fire Prevention Act is by this Act repealed, and instead thereof if any Warehouseman, Porter, Lumper, or Stevedore when in or going into or coming out from any Warehouse or Warehouse Room conceal or secrete, or have in his Custody or Possession whilst in any Warehouse or Warehouse Room, any Tobacco, Tobacco Pipe, Match, or combustible Article or Thing, or any Matter capable of being used in producing Combustion, every Person so offending shall for every such Offence forfeit not exceeding Five Pounds.

Penalty on Persons having Property suspected to have been stolen.

54. Any Person brought before any Justice charged with having in his Possession, Custody, or Control, in any Premises or otherwise, any Money or Thing which there is reasonable Ground to believe has been stolen or unlawfully acquired or detained, and who does not account to the Satisfaction of the Justice for his Possession, Custody, or Control of the same, shall for every such Offence be deemed guilty of a Misdemeanor, and either forfeit not exceeding Five Pounds, or, in the Discretion of the Justice, be imprisoned, with or without Hard Labour, in the Common Gaol for not exceeding Two Months.

Extension of Meaning of "Owner" in Sanitary Act, 1864.

55. The Word "Owner" in the Sanitary Act of 1864 includes for the Purposes of any Notice, Presentment, or other Document relating to the Premises to be dealt with under that Act the Person receiving, whether on his own Account or as Trustee or Agent for any other Person, the Rents from the Occupier of the Premises.

Power for Corporation to appoint Officers or employ existing Officers for the Purposes of Act.

56. The Corporation from Time to Time may appoint and employ such Officers and Servants as they think requisite for the Purposes of this Act, and may direct any of their Officers and Servants otherwise employed to perform any Duties of Officers or Servants under this Act, and in any such Case may pay out of Monies received under this Act such Salaries and Allowances as the Corporation think fit.

57. The

Power for Corporation to make Byelaws.

57. The Corporation from Time to Time may make, alter, and repeal, and may enforce, Byelaws for all or any of the Purposes following, and all Matters incidental or accessory thereto; (that is to say,)

(A.) For the Management and Regulation of their Public Library, Museum, and Gallery of Art from Time to Time erected under the Library Act of 1852, and the Improvement Act of 1855, and this Act respectively:

(B.) For the Regulation of the Persons from Time to Time resorting to the Public Library, Museum, and Gallery of Art:

(C.) For the Regulation of the Transit and Mode of Conveyance of Cattle in or through any Part of *Liverpool:*

(D.) For the Regulation of Places for the keeping of Cattle and of the Persons using the same.

Making, &c. Byelaws.

58. All Byelaws made under this Act shall be made, confirmed, and published in like Manner as Byelaws are by the Improvement Act of 1842 directed to be made, confirmed, and published.

Penalty for Breach of Byelaws.

59. Every Person who offends against any Byelaw made under this Act shall for every such Offence forfeit not exceeding Forty Shillings.

Time for Payment of Penalties for Breach of Byelaws.

60. The Justice by whom any Person is convicted and adjudged to pay any Sum of Money for any Offence against any Byelaw under this Act may adjudge that the Person shall pay the same either immediately or within such Period as the Justice thinks fit.

Power for Corporation to levy 1867 Improvement Rate.

61. The Corporation once in every Year may make a Rate to be called "the 1867 Improvement Rate," and which shall be made and levied on every Person who holds, uses, or occupies any House, Shop, Warehouse, Counting-house, Coach-house, Stable, Cellar, Vault, Building, Workshop, Manufactory, Garden, Land, or Tenement whatsoever, or any Yard or other Place where any Goods or other Property are deposited or any Business is carried on, situate within *Liverpool,* which for the Time being shall be actually and lawfully included in any Rate or Assessment made for the Relief of the Poor in the said Borough, or any Part thereof, and the Rate shall be made according to the full net annual Value thereof respectively, and the Rate shall from Time to Time be collected and paid by yearly Payments or at shorter Periods, as the Corporation from Time to Time think proper and appoint, and every Rate shall commence from such Time as the Corporation appoint; provided that the Rate shall not exceed in any One Year Sevenpence in the Pound on the Value of the Premises rated.

Churches, Chapels, Schools, &c. not liable to be rated.

62. Provided that no Person shall be rated to the 1867 Improvement Rate in respect of any Church, Chapel, or other Building exclusively used for Public Worship, or in respect of any Rentcharge in lieu of any Rectorial or Vicarial Tithes, or in respect of any Building used for the Education of the Poor exclusively: Provided also, that no Person occupying Land used as Arable, Meadow, or Pasture Ground only, or as Woodland, Market Garden, or Nursery Ground, or any Land covered with Water and used only as a Dock or a Canal, or the Towing-path thereof, or as a Railway made under the Powers of any Act of Parliament for public Conveyance, shall be rated in respect of the same in any greater Proportion than One Fourth Part of the net yearly Value thereof.

Provisions of Improvement Act 1858 extended to 1867 Improvement Rate.

63. Except only as is by this Act otherwise expressly provided, Sections Seventeen to Twenty-two and Twenty-four to Thirty-two, both inclusive, of the Improvement Act of 1858 extend and apply, *mutatis mutandis*, to the 1867 Improvement Rate, and are accordingly incorporated with this Act.

Cesser of 1867 Improvement Rate.

64. When and so soon as the several Purposes of this Act to which by this Act Monies raised by the 1867 Improvement Rate are made applicable are effected, and the Principal Monies secured under this Act by Mortgages of that Rate, and all Interest thereon, and all Expenses incurred by the Corporation in carrying those Purposes into effect, are repaid, Monies raised by the Improvement Rate shall no longer be applicable for any Purposes of this Act, and the 1867 Improvement Rate shall no longer be levied.

Power for Corporation to raise Money for Purposes of Act by increased General Rate.

65. The Corporation from Time to Time may raise by and as Part of the General Rate authorized by the Sanitary Act of 1846 the Monies which they require for the Purposes of the Sanitary Act of 1864: Provided that the Corporation shall not for the Purposes of the Sanitary Act of 1864 increase the General Rate in any One Year by a greater Amount than Twopence in the Pound on the rateable Value of the Property liable thereto under the Provisions of that Act, and the Increase shall be of One uniform Amount throughout *Liverpool*,

Reduction of General Rate to original Amount.

66. When and so soon as the several Purposes to which by this Act Monies raised by the General Rate are made applicable are effected, and the Principal Monies secured under this Act by Mortgages of that Rate, and all Interest thereon, and all Expenses incurred by the Corporation in carrying those Purposes into effect, are repaid, the Increase of that Rate by this Act authorized shall cease, and thenceforth that Rate shall not be of a greater Amount than is authorized by the Sanitary Act of 1846, the Sanitary Act of 1854, and the Sanitary Act of 1864.

67. Section

Repeal of Provisions as to Composition for Rates.

67. Section Twenty-nine of the Sanitary Act of 1854, and Section Twenty-three of the Improvement Act of 1858, are by this Act repealed, but the Repeal thereof shall not have any retroactive Operation, and shall be without Prejudice to any Composition in force at the Time of the passing of this Act.

Composition for Rates for Premises not rated above Thirteen Pounds.

68. Where the net yearly rateable Value of any Premises does not exceed Thirteen Pounds, the Owner shall from Time to Time, by way of Composition for Payment of the several Rates under the recited Acts and this Act respectively, be rated upon a reduced Estimate of One Half of the net yearly rateable Value of the Premises, whether the same be occupied or not.

Payment of Composition by Occupier.

69. The Occupiers of any Premises in respect whereof the Owner is liable to pay Rates or Composition for Rates shall be liable to pay the Composition or Rates which during his Occupancy become due in respect of the Premises, but shall never be liable to pay any greater Sum than the Amount of the Rent actually due from him for the Premises, and he may deduct any Amount paid by or recovered from him in respect of the Composition or Rates from the Rent due or from Time to Time becoming due from him, unless there be an Agreement to the contrary, and the Receipt for the Amount so paid by or recovered from him shall to that Extent be as against the Owner in default a sufficient Discharge of Rent.

Recovery of Compensation or Rates.

70. The Amount of the Composition or Rates so payable by any Owner if in default may be recovered by Action or Distress in the Manner provided by the Sanitary Acts of 1846 and 1854, and all the Provisions of those Acts with respect to the Recovery by Action or Distress of Composition or Rates under those Acts shall apply to the Recovery by Action or Distress of Composition or Rates under this Act.

Borrowing Power of Corporation under Improvement Act of 1864 increased.

71. The Amount which, under the Authority of the Improvement Act of 1864, the Corporation from Time to Time may borrow and reborrow, and may apply for the Purposes of that Act, is by this Act increased from Three hundred thousand Pounds to Four hundred and fifty thousand Pounds, and all the Provisions of that Act with respect to the Three hundred thousand Pounds thereby authorized to be borrowed, and the Interest thereon, and the Securities for the same, and all incidental Matters, shall from and after the passing of this Act, and except only as is by this Act otherwise expressly provided, be read and have Effect as if the Sum by that Act authorized to be borrowed, instead of being Three

hundred thousand Pounds, were Four hundred and fifty thousand Pounds.

Power to Corporation to borrow 700,000*l.* on Mortgage of 1867 Improvement Rate.

72. The Corporation from Time to Time, under the Authority of this Act, may borrow and reborrow on Mortgage of the 1867 Improvement Rate any Sums not exceeding in the whole Seven hundred thousand Pounds, and, except only as is by this Act otherwise provided, all the Provisions of Sections Thirty-four to Forty-seven, both inclusive, of the Improvement Act of 1858, extend and apply, *mutatis mutandis*, to the Monies borrowed under this Act on Mortgage of the 1867 Improvement Rate and all incidental Matters, and are accordingly incorporated with this Act.

Power to Corporation to borrow 100,000*l.* on Mortgage of General Rate.

73. The Corporation from Time to Time, under the Authority of this Act, may borrow and reborrow on Mortgage of the General Rate any Sums not exceeding the further Sum of One hundred thousand Pounds for the Purposes of the Sanitary Act of 1864, and all the Provisions of the Sanitary Acts of 1846, 1854, and 1864 respectively with respect to Money thereby authorized to be borrowed on Mortgage of that Rate, and the Interest thereon, and the Securities for the same, and all incidental Matters, shall from and after the passing of this Act, and except only as is by this Act otherwise expressly provided, be read and have Effect as if the Monies so borrowed and reborrowed were by those Acts respectively authorized to be borrowed and reborrowed on Mortgage of that Rate; provided that the Mortgages under this Act of the General Rate shall extend to the General Rate to be raised throughout *Liverpool*, and not in any District thereof only.

Collateral Security for Monies borrowed under Act.

74. By way of additional Security for any of the Monies from Time to Time borrowed by the Corporation under the Authority of this Act on Mortgage of the 1867 Improvement Rate and the General Rate respectively, the Corporation, if and when they so think fit, may comprise in all or any of the Mortgages the Borough Fund of *Liverpool*, and any of the Corporate Estates and Property of the Corporation; provided that the respective Rate comprised in any such Mortgage shall be the primary Fund for satisfying the Mortgage.

Priority of existing Mortgages.

75. Provided that all Mortgages of the Improvement Rate under the Improvement Act of 1864 and the General Rate respectively granted by the Corporation before the Time of the passing of this Act, and then in force, shall while in force have Priority over all Mortgages of the respective Rate granted by the Corporation in accordance with this Act.

76. The

Repayment out of Money borrowed under Improvement Act, 1864, of Monies advanced for Street Improvements.

76. The Corporation may, out of the Monies borrowed in accordance with this Act on Mortgage of the Improvement Rate under the Improvement Act of 1864, pay to the Credit of the Accounts following the Sums following; (that is to say,)

(A.) To the Borough Fund Account Thirty-one thousand eight hundred and ninety-three Pounds Seven Shillings and Elevenpence, being the Amount advanced by the Corporation out of their surplus Income, and applied for Purposes of permanent Street Improvements:

(B.) To the District Paving Rates Account Nine thousand three hundred and fifty Pounds, being the Amount advanced by the Corporation out of Monies raised by District Paving Rates, and applied for Purposes of permanent Street Improvements.

Application of Monies received under Act for Sales, &c. of Lands acquired at Expense of 1867 Improvement Rate.

77. The Principal Monies from Time to Time received under this Act by the Corporation as net Proceeds of any Sales or other Dispositions, Leases, or Grants of any Lands acquired by them at the Expense of the 1867 Improvement Rate, or of Money borrowed on Mortgage of that Rate, shall from Time to Time be applied in paying off Monies secured under this Act by Mortgages of that Rate, or so far as the same extend, instead of so borrowing, and the Borrowing Powers shall be reduced accordingly.

Application of Monies borrowed under Act on Mortgage of 1867 Improvement Rate, &c.

78. All Monies from Time to Time borrowed under this Act on Mortgage of the 1867 Improvement Rate, and all Monies from Time to Time received by the Corporation under this Act from the yearly and other Rents and Profits of any Lands acquired by them at the Expense of that Rate, or of Money borrowed on Mortgages of that Rate, shall from Time to Time be applied as follows; (that is to say,)

First, in Payment of One Half of the Costs, Charges, and Expenses of and incident to the preparing, applying for, and the obtaining and passing of this Act; and, subject thereto,

Secondly, in Payment (but not out of Money borrowed) of the Interest from Time to Time due and owing upon all Monies secured under this Act by Mortgages of the 1867 Improvement Rate; and, subject thereto,

Thirdly, in carrying into execution the Purposes of this Act with respect to Street Improvements; and, subject thereto,

Fourthly, in providing (but not out of Monies borrowed) the Sinking Fund by this Act required with respect to Monies secured under this Act by Mortgages of the 1867 Improvement Rate, and in Repayment of the Principal Monies secured by those Mortgages; and, subject thereto,

Fifthly, the eventual Surplus shall be carried to the Borough Fund of *Liverpool*, and be applicable accordingly.

Application of Monies received under Act for Sales of Lands acquired at Expense of General Rate.

79. All Principal Monies from Time to Time received under this Act by the Corporation as net Proceeds of any Sales or other Dispositions, Leases, or Grants of any Lands acquired by them under this Act at the Expense of the General Rate, or of Money borrowed under this Act on Mortgage of that Rate, shall from Time to Time be applied in paying off Money borrowed as by this Act provided on Mortgage of that Rate, or so far as the same extend, instead of so borrowing.

Application of Monies borrowed under Act on Mortgage of General Rate, &c.

80. All Monies from Time to Time borrowed under this Act on Mortgage of the General Rate, and all Monies from Time to Time raised by the General Rate for Purposes of this Act, and all Monies received by the Corporation under this Act from the yearly or other Rents arising from Lands acquired under this Act by them at the Expense of the General Rate, or of Monies borrowed under this Act on Mortgage thereof, and all other Monies from Time to Time received by the Corporation under this Act, and the Application whereof is not by this Act otherwise prescribed, shall from Time to Time be applied as follows; (that is to say,)

First, in Payment of One Half of the Costs, Charges, and Expenses of and incident to the Preparation and applying for and the obtaining and passing of this Act; and, subject thereto,

Secondly, in Payment (but not out of Money borrowed) of the Interest from Time to Time due and owing upon any Monies secured under this Act by Mortgages of the General Rate; and, subject thereto,

Thirdly, in carrying into execution the Purposes of this Act with respect to the Sanitary Act of 1864; and, subject thereto,

Fourthly, in carrying into execution the several Purposes of this Act other than the Purposes thereof with respect to Street Improvements, and the Sanitary Act of 1864; and, subject thereto,

Fifthly, in providing (but not out of Money borrowed) the Sinking Fund by this Act required with respect to Monies secured under this Act by Mortgages of the General Rate, and in Repayment of the Principal Monies secured by those Mortgages; and, subject thereto,

Sixthly, the eventual Surplus shall be carried to the Borough Fund of *Liverpool*, and be applicable accordingly.

Corporate Funds may be applied to Purposes of Act.

81. The Corporation from Time to Time, if and when they think fit, may apply to all or any of the Purposes of this Act any Money, Part of their Corporate Funds, which is not then required for any special Purpose to which the same is by any Act made applicable.

Monies received for Corporation

82. All Monies from Time to Time received under this Act, or for any of the Purposes thereof, by or for the Use of the Corporation,

or

or in carrying this Act into execution, shall forthwith after Receipt thereof be paid to the Treasurer of *Liverpool*, and be carried by him to the proper Accounts.

under Act to be paid to Treasurer and carried to proper Accounts.

83. The Corporation shall enter into proper and sufficient Books kept for the Purpose true Accounts of all their Receipts, Payments, Credits, and Liabilities under this Act, and the several Matters for which under this Act they receive or pay, or are entitled to receive or are liable to pay, any Monies, and the Books shall at all reasonable Times be open to the Inspection of any of the Aldermen and Councillors of *Liverpool*, and all the Accounts so kept, with all Vouchers and Papers relating thereto, shall be submitted to the Auditors of the Corporation Accounts, and the Accounts shall be audited with the other Accounts of the Corporation.

Accounts to be kept and audited.

84. The Corporation shall keep the Accounts as separate and distinct Accounts, to be called respectively "the 1867 Streets Improvement Account," and "the Sanitary Account."

Separate Accounts.

85. Provided that where any Expenditure under this Act is incurred for Purposes common to both Accounts, the Corporation, as they think fit, may apportion the same between such Accounts.

Apportionment between Accounts of Expenditure for common Purposes.

86. All Penalties and Forfeitures imposed by or under this Act shall be recoverable and applied in like Manner as Penalties and Forfeitures are by the Improvement Act of 1842 made recoverable, and Sections Three hundred and thirty to Three hundred and forty-nine, both inclusive, of that Act are accordingly, *mutatis mutandis*, extended to and incorporated with this Act.

Recovery of Penalties and Forfeitures.

87. Any Notice, Demand, or other Document served by the Corporation for any of the Purposes of this Act shall be sufficiently authenticated if it be signed by the Town Clerk or his Deputy from Time to Time appointed by the Corporation or the Town Clerk, and need not have the Seal of the Corporation affixed thereto.

Authentication of Notices served by Corporation.

88. Any Summons, Notice, Writ, or other Proceeding at Law or in Equity or otherwise in relation to any of the Purposes of this Act required to be served upon the Corporation may be served by delivering the same to the Town Clerk, or leaving the same at his Office on any Week Day between the Hours of Nine o'Clock in the Forenoon and Five o'Clock in the Afternoon, except on *Saturday*, and then between Nine o'Clock in the Forenoon and One o'Clock in the Afternoon, with some Person employed there by him.

Service of Notices, &c. on Corporation.

89. Before

Yearly Abstract of Accounts to be published.

89. Before or in the Month of *May* in every Year a full Abstract of the Accounts kept under this Act for the Year ended with the then last Thirty-first Day of *August* shall be made in Writing by some Officer appointed for the Purpose by the Corporation, and a Copy thereof shall be deposited with the Town Clerk, and shall be open at his Office gratis to all Persons interested.

Saving Rights of Duchy of Lancaster.

90. Nothing in this Act shall authorize the Corporation to take, use, or in any Manner interfere with any Land, Soil, Tenement, or Hereditament, or any Right of whatsoever Nature, belonging to or enjoyed, or exerciseable by the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster*, without the previous Consent in Writing of the Chancellor of the Duchy on behalf of Her Majesty first had and obtained for that Purpose, and nothing in this Act shall divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors, in right of Her Duchy of *Lancaster*.

Saving Rights of Corporation.

91. Except only as is by this Act expressly provided, nothing in this Act shall take away, lessen, prejudice, or alter any of the Jurisdictions, Franchises, Estates, Rights, Interests, Powers, Privileges, or Authorities of the Corporation.

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