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THE MUNICIPAL CORPORATIONS (NEW CHARTERS) ACT, 1877.

THE following scheme for the adjustment of the powers, rights, privileges, duties, property, and liabilities of the Birkenhead Improvement Commissioners and other Local Authorities, and for other purposes, as settled by a Committee of the Lords of Her Majesty's Privy Council, is published in pursuance of Section 6 of the Municipal Corporations (New Charters) Act, 1877:—

WHEREAS by and under the Acts enumerated in the first schedule hereto (hereinafter called "The Improvement Acts"), the Birkenhead Improvement Commissioners (hereinafter called "The Commissioners") were incorporated, and became invested with various powers and duties, and possessed of property for purposes of public health and local government, the same as or similar to those of the Public Health Act, 1875; and they also acquired a certain ferry and a cemetery and other property, and became invested with powers and duties in relation thereto which do not relate to the purposes of the Public Health Act, 1875.

And whereas the limits of the Improvement Acts comprise the townships of Birkenhead and Cloughton-cum-Grange.

And whereas, by Royal Charter, dated the 13th day of August, 1877, the inhabitants of the town of Birkenhead (embracing the said townships of Birkenhead and Cloughton-cum-Grange and the local government districts of Oxtou and Tranmere, and part of the local government district of Higher Bebington) were incorporated by the name of the mayor, aldermen, and burgesses of the borough of Birkenhead, under the Municipal Corporation Acts, and it was declared that the council of the borough (hereinafter called "The Council") should consist of a mayor, fourteen aldermen, and forty-two councillors.

And whereas on such incorporation all the powers, rights, duties, capacities, liabilities, obligations, and property exercisable by, attaching to, or vested in the Commissioners under the Improvement Acts for purposes the same as or similar to those of the Public Health Act, 1875, or under any General Act of Parliament, were by the provisions of the said Public Health Act, transferred to and became exercisable by and vested in the council of the said borough; but the Commissioners continued to exist as a corporate body, and to exercise and perform such powers and duties, and to hold such property, and to be subject to

such liabilities as have not been transferred to the council by virtue of the said provisions.

And whereas the Council and the Commissioners have presented a joint petition to Her Majesty under the Municipal Corporations (New Charters) Act, 1877, praying that a scheme may be settled for the transfer to and vesting in the mayor, aldermen, and burgesses of the borough of Birkenhead of the ferry and other property aforesaid, and of all the rights, powers, privileges, duties, and liabilities of the Commissioners with respect thereto, and of all other powers, rights, duties, capacities, obligations, and property of the said Commissioners which may not have passed to and became vested in the Council of the said borough under the Public Health Act, 1875.

And whereas it is expedient that a scheme be settled for effecting such transfer, and for making further provisions with respect to the powers, rights, duties, properties and liabilities transferred to the Council from the Commissioners, and from the Oxtou Local Board, and from the Tranmere Local Board, by the Public Health Act, 1875, or by this scheme.

It is hereby ordered and declared as follows:—

1. This scheme may be cited for all purposes as the borough of Birkenhead Scheme, 1879.

2. This scheme shall come into operation on the day of 1879, which date is hereinafter referred to as the commencement of this scheme.

3. On the commencement of this scheme the Commissioners shall cease to exist as a corporate body, and all the powers, rights, privileges, duties, property, debts, and liabilities exercisable by or vested in or attaching to the Commissioners under any Act of Parliament, Order confirmed by Parliament, Order in Council, or otherwise, immediately before the commencement of this scheme, shall be transferred to and be exercised by vested in and attached to the mayor, aldermen, and burgesses of the borough of Birkenhead acting by the Council, but subject and according to the provisions of this scheme.

4. The ferry property of the Commissioners (which expression in this scheme includes the ferry, ferry rights, lands, and property described in the second schedule hereto) and the revenue thereof shall be held and administered, and the powers, rights, and duties of the Commissioners relating to that property and revenue under the Improvement Acts or any other Act of Parliament or Order confirmed by Parliament, shall be exercised and performed by the Council for the