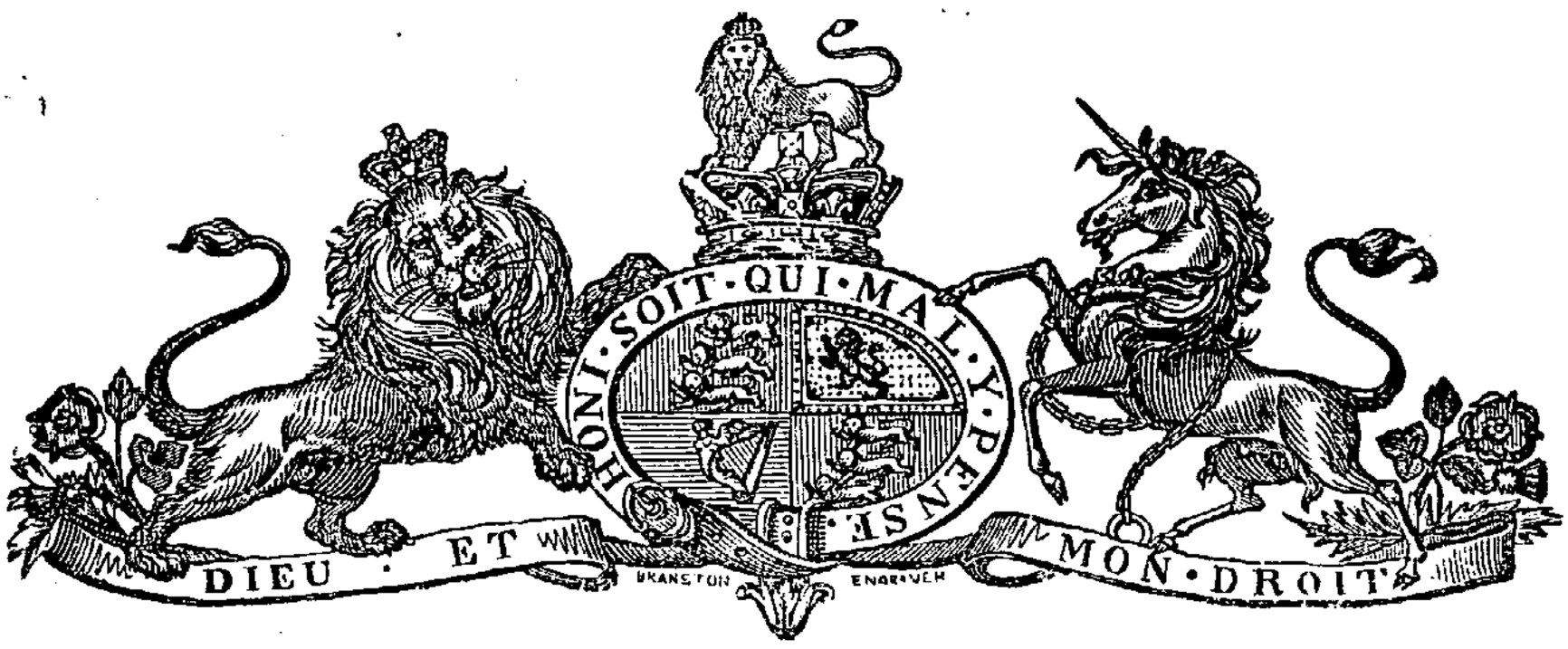


ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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carrying the Purposes of the said recited Acts and this Act into execution, and that some of the Provisions of the said Acts should be altered, amended, extended, and enlarged; but the Purposes aforesaid cannot be effected without the Authority of 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, That all the Provisions, Matters, and Things contained in the said recited Acts, so far as the same are now unrepealed and in force, and except such of them or such Parts thereof as are by this Act repealed, altered, or otherwise provided for, shall extend to this Act, and to the several Purposes and Things hereby authorized to be done as fully and effectually as if the same Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to such Purposes and Things.

Powers of recited Acts extended to this Act.

Appointment of Chairman of Commissioners.

II. And be it enacted, That at the first Annual Meeting of the said Commissioners held next after the passing of this Act, and at every succeeding Annual Meeting of the Commissioners, the Commissioners present at such Meeting shall choose One of the Commissioners to act as Chairman of the Commissioners for the Year following such Choice, and shall also, if they think fit, choose another Commissioner to act as Deputy Chairman for the same Period; and if the Chairman or Deputy Chairman die, or resign, or cease to be a Commissioner, or be removed by the Commissioners from the Office of Chairman or Deputy Chairman, or otherwise become disqualified to act, the Commissioners present at the Meeting next after the Occurrence of such Vacancy, shall choose some other of the Commissioners to fill such Vacancy, and every such Chairman or Deputy Chairman so elected as last aforesaid shall continue in Office so long only as the Person in whose Place he may be so elected would have been entitled to continue, if such Death, Resignation, Removal, or Disqualification had not happened.

Occasional Chairman of Commissioners.

III. And be it enacted, That if at any Meeting of the Commissioners neither the Chairman nor Deputy Chairman be present, the Commissioners present shall choose some one of their Number to be Chairman of such Meeting.

Power to appoint Committees.

IV. And be it enacted, That for the more conveniently carrying this Act and the said recited Acts and the several Powers thereof into execution, it shall be lawful for the Commissioners and they are hereby empowered to appoint out of their Body, from Time to Time, One or more Committee or Committees, consisting of such Number of Persons as they may think fit to manage and transact all or any of the Measures or Purposes which they the Commissioners are hereby or by the said recited Acts directed or authorized expressly or by reference to do, execute, or perform, which Committee or Committees shall have such and so many of the Powers and Authorities and Discretion by this Act and the said recited Acts given to and reposed in the Commissioners as the Commissioners shall think proper to delegate to such Committee or Committees.

V. And

Power to borrow additional Money on the Credit of the Rates.

V. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to borrow at Interest, on the Credit of the several Rates and Tolls by the said recited Acts granted, and of any Property by this and the recited Acts vested in such Commissioners in addition to the Sum which the Commissioners are by the said recited Acts authorized to borrow, any Sum of Money not exceeding the Sum of Four hundred thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the Commissioners, to reborrow the same, and so *toties quoties;* but so nevertheless that there shall not be owing on the Security aforesaid, in addition to the Sum so authorized to be raised, any more than the Sum of Four hundred thousand Pounds in the whole at any One Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Five of them, may assign over the said Rates, Tolls, and Property, or any Part thereof, to any Person who shall advance or lend such Money, or his Trustee, as a Security for the Money so to be borrowed, together with Interest for the same, in like Manner as the Sum authorized to be raised by Mortgage under the said first-recited Act.

Mortgages and Transfers to be by Deed duly stamped.

VI. Provided always, and be it enacted, That every Mortgage or other Security to be granted under the Authority aforesaid, and every Assignment or Transfer of any such Mortgage or other Security, shall be made by Deed duly stamped, wherein the Consideration for the same shall be truly stated.

Former Mortgages to have Priority.

VII. And be it enacted, That all Mortgages of Tolls, Rates, and Property already made under the Powers of the said recited Acts shall have Priority over any Mortgages of the same Rates, Tolls, or Property which may hereafter be made under the said secondly-recited Act or this Act; and that all Mortgages of the same Rates, Tolls, or Property to be hereafter made under the Powers of this Act shall have Priority over any Mortgages of the same Rates, Tolls, or Property which may hereafter be made under the Powers of the said secondly-recited Act.

So much of first-recited Act as relates to keeping Register of Mortgages by the Clerk repealed.

VIII. And whereas by the said first-recited Act it is enacted, that a Register of the Mortgages or Assignments to be granted under the Authority of the said Act shall be kept by the Clerk to the Commissioners, and that within Thirty Days after the Date of the Transfer of any such Mortgage or Assignment it shall be produced to the Clerk to the Commissioners for the Purpose of being registered: And whereas it is expedient that the Treasurer to the Commissioners should be substituted for the Clerk as the Person to keep such Registers of Mortgages or Assignments and Transfers; be it therefore enacted, That so much of the said first-recited Act as provides that such Registers of Mortgages or Assignments and Transfers respectively shall be kept by the Clerk to the said Commissioners shall be and the same is hereby repealed, and in lieu thereof that a Register of all Mortgages or Assignments to be hereafter granted under the Authority of the said recited Acts and this Act shall be kept by the Treasurer to the said Commissioners, and within Thirty Days after the Date of the Transfer of any Mortgage or Assignment it shall be produced to the Treasurer to the said Commissioners for the

Register of Mortgages to be kept by the Treasurer.

the Purpose of being registered, and all the Provisions of the said recited Acts with respect to the Registers of Mortgages or Assignments and Transfers thereby directed to be kept by the Clerk to the Commissioners shall extend and be applicable to the Registers of Mortgages or Assignments and Transfers hereby directed to be kept by the Treasurer to the said Commissioners.

Power to construct Works according to Plan.

IX. And be it enacted, That, subject to the Provisions of this and the said recited Acts, it shall be lawful for the Commissioners, out of the Monies which they are by this and the said recited Acts authorized to raise, to construct upon the Land reclaimed by the Construction of the Sea or Wharf Wall erected under the Authority of the said first-recited Act a Dock and Four Graving Docks, and such other Works as are described in the Plan herein-after mentioned, and also all such Gates, Entrances, Quays, Wharfs, Embankments, Cranes, Huts, Sheds, Adjuncts, and Conveniences connected therewith as the said Commissioners shall from Time to Time deem necessary for the convenient working of the said Dock and Graving Docks, and the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall previously assent to by Writing under the Hands of any Two of them, and no Deviation from the Sites marked on the said Plan nor any Alteration in the Works shown thereby shall be allowed to be made without such Consent in Writing being previously obtained, and for such Purposes to enter upon, take, and use such of the Lands delineated and described upon the Plan and in the Book of Reference herein-after mentioned as may be necessary for such Purposes; and the said Commissioners shall have, exercise, and enjoy all the same Rights, Powers, and Privileges in respect of the Works by this Act authorized to be made as are by the said recited Acts vested in them with respect to the Works authorized thereby: Provided always, that the said Commissioners may make such Alterations in the Plan and Mode of forming the said Dock and Graving Docks as Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings may in Writing under the Hands of any Two of them assent to.

Not to deviate from Plan without Consent of Commissioners of Woods, &c.

As to the Application of Monies raised under former Acts and this Act.

X. And whereas it is an Object of primary Importance and essential to the Use of the said Docks and other Works authorized by the said Acts that the several Works by the said first-recited Act and this Act authorized to be made should be completed without Delay; be it enacted, That all Monies raised and to be raised under the Authority of the said first-recited Act and this Act, and not yet expended, shall be applicable in the first instance to the Construction and Completion of the Sea Wall adjoining the River *Mersey* and the great Tidal Basin or Harbour at the Entrance of *Wallasey Pool*, and the smaller Tidal Basin called *Woodside Basin* and Beaching Ground attached thereto, and the several other Works by the said first-recited Act and this Act authorized to be made, which it is hereby declared shall, so far as relates to the Application of the Monies aforesaid, be deemed and taken to be Part of the Works by the said first-recited Act authorized to be made.

If Commissioners have

XI. Provided also, and be it enacted, That when and so soon as the said last-mentioned Works shall be completed, or whenever the Commis-

Commissioners shall prove to the Satisfaction of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings that they the said Commissioners have sufficient Funds in Hand, or have the Means of obtaining sufficient Funds when and as the same shall be required for the Completion of such last-mentioned Works within a reasonable Time to be approved of by Her Majesty's said Commissioners, then and in either such Case it shall be lawful for the Commissioners and they are hereby required forthwith to apply the Residue or Surplus of the Monies raised or to be raised under the Authority aforesaid, which shall remain or be available for such Purposes after duly providing for the efficient carrying on of such last-mentioned Works, in or towards the Prosecution and Completion of the several Works by the said secondly-recited Act authorized to be made, so that in such Case the Works authorized to be undertaken by the said secondly-recited Act, or any Part thereof, may be carried on simultaneously with the Works authorized by the said first-recited Act and this Act.

sufficient Funds for Completion of Works authorized by first-recited Act and this Act, Surplus to be applied to Completion of Works authorized by second-recited Act.

XII. And be it enacted, That the said Commissioners shall and they are hereby required to proceed in the carrying on and Completion of the said Sea Wall, Tidal Basins, and other Works by the said first-recited Act and this Act authorized with the utmost possible Despatch, so that the same may be entirely finished and ready for public Use at or before the Expiration of Three Years after the passing of this Act; and in order to ensure the diligent Prosecution of the said Works, the Chief Engineer for the Time being of the said Commissioners shall and he is hereby required to make, and send once in every Two Months to the said Commissioners, a true and faithful Report in Writing of the Progress and actual State of the said several Works, which Report shall be accompanied with such explanatory Drawings or Plans as shall be necessary for the due Understanding thereof; and the said Commissioners shall, if required, transmit a true Copy of every such Report to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

Commissioners to complete Works authorized by first-recited Act and this Act, and report to Commissioners of Woods, &c. from Time to Time.

XIII. And whereas, pending the Completion of the great Tidal Basin and other Works authorized by the said first-recited Act, the only practicable Entrance for Vessels from the River *Mersey* to the said new Dock by this Act authorized to be made and to *Wallasey Pool* will be through the smaller Tidal or Coaster's Basin at *Woodside* aforesaid; be it therefore enacted, That nothing in the said recited Acts contained shall be construed to extend to prevent Vessels, though of greater Burden than Two hundred Tons, from resorting to or using the said Tidal or Coaster's Basin at *Woodside* for the Purpose only of passing into or out of the said Pool, and the Docks communicating therewith, for the Term of Three Years from the passing of this Act, or for such shorter Term as shall elapse before the Completion of the said great Tidal Basin and the opening of the Entrance thereto from the River *Mersey*.

Certain Vessels to be allowed to use Woodside Basin as a Passage into Docks for Three Years, or until the sooner Completion of the great Tidal Basin.

XIV. And be it enacted, That from and immediately after the Expiration of the said Term of Three Years, or such earlier Completion of the said great Tidal Basin and the Entrance thereto as aforesaid,

Upon Expiration of Three Years or Completion of great

Tidal Basin Commissioners to close such temporary Passage, if required by Commissioners of Woods, &c.

aforesaid, whichever shall first happen, it shall be imperative on the Commissioners, whenever they shall be required by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to close such temporary Passage from the said *Woodside Basin* into the said new Dock, by constructing and finishing, to the Satisfaction of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or their Engineer, good and substantial River Walls of Brick or Stone across such temporary Entrance, and by laying down and completing upon the said Walls a convenient Wharf or Quay, with a Cart and Carriage-way thereon, in continuation of the Wharfs or Quays abutting on or adjoining each Side of such temporary Passage; and if the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall not require such temporary Passage to be permanently closed in manner aforesaid, and in the meantime, until they require the same to be so permanently closed, it shall not be lawful for any Vessels (other than Coasting Vessels) exceeding Two hundred Tons Burden to use or enter such temporary Passage.

Power to Conservators to discontinue Use of temporary Entrance.

XV. Provided always, and be it enacted, That in case Complaint shall at any Time be made to the Commissioners for the Conservancy of the River *Mersey* by the Lords Commissioners of the Admiralty, or by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, that the said great Tidal Basin and other Works authorized by the said first-recited Act and this Act shall not be prosecuted with all practicable Despatch, it shall be lawful for the said Commissioners for the Conservancy of the River *Mersey* forthwith, by Notice in Writing under the Hand of the acting Conservator of the said River, to declare that the Permission by this Act granted for the Use of the said Tidal Basin at *Woodside*, in manner herein-before mentioned, shall cease and determine upon a Day to be named by them in such Notice for such Purpose, and thereupon, notwithstanding the Term of Three Years herein-before mentioned shall not have expired, it shall be incumbent on the said Dock Commissioners to close the said temporary Passage in the same Manner, in all respects as is herein-before provided to be done upon the Expiration of the said Term of Three Years, or other sooner Completion of the said Works by the said first-recited Act and this Act authorized to be made, and thenceforth it shall no longer be lawful for any Vessels (other than Coasting Vessels) above the Burden of Two hundred Tons to resort to or use the said Tidal or Coaster's Basin at *Woodside* for any Purpose whatsoever.

Commissioners to construct and maintain Two Bridges as public Thoroughfares across Entrances to the new Dock.

XVI. And be it enacted, That it shall be lawful for the Dock Commissioners and they are hereby required, as soon as conveniently may be after the passing of this Act, to construct and maintain to the Satisfaction of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and according to Designs and Elevations to be approved of by them, upon the Sites marked out upon the Plans herein-before referred to, Two good and sufficient Bridges of Communication to be constructed of Timber and Iron for the free Transit of all Foot Passengers, Horses, Carts, Carriages, and other Traffic, one of such Bridges to cross the Western Entrance of the said new Dock by this Act authorized to be made,

and to be maintained as a permanent Thoroughfare, and the other of such Bridges to cross the Eastern Entrance into the said new Dock, and to be maintained as a public Thoroughfare only until the permanent closing of such temporary Passage, and also to form and from Time to Time to maintain and repair a direct and convenient Carriage Road from each of such Bridges to the reserved Land belonging to the Crown on the North Side of the said Dock, so as to afford at all Times free and uninterrupted Communication between such reserved Crown Lands and the Houses and Buildings on the South Side of the said Dock.

Power to abandon Part of Cut and Culvert and to make new Cut or Culvert.

XVII. And be it enacted, That it shall be lawful for the Commissioners to abandon the Construction of so much of the Cut, Drain, or Culvert authorized by the said first-recited Act as lies between the Corporation Road near *Bridge End* in *Birkenhead* aforesaid and the South End of the great Tidal Basin at *Bridge End* aforesaid, and in lieu thereof to make and construct, in the Manner defined on the Plans and Sections hereafter mentioned, a Cut, Drain, or Culvert in continuation of the Cut, Drain, or Culvert authorized by the said first-recited Act commencing at *Bridge End* aforesaid and terminating by Two several Outfalls into the *Woodside Basin*, one of such Outfalls being at or near the North-west Corner of the said *Woodside Basin*, and the other of such Outfalls being at or near the North Side of the Slip of the *Woodside Ferry*, all in *Birkenhead* aforesaid, and also from Time to Time to lay down, make, and construct such Mains, Pipes, and other Works from and out of such new Cut, Drain, or Culvert, upon or through the Land of the Commissioners as they may deem necessary, for the Purpose of more effectually and beneficially carrying off the Water flowing through the same, and for applying such Water to the Purpose of sluicing the *Woodside Basin* aforesaid.

No Sewage Water to be allowed to pass through Culvert into Woodside Basin until after a certain Time without Consent.

XVIII. Provided nevertheless and be it enacted, That it shall not be lawful for the said Commissioners without the Consent in Writing of the acting Conservator of the River *Mersey*, and then for such Length of Time only as shall be specified in such Consent, to allow any Sewage Water to flow down the said Cut or Culvert into the said *Woodside Basin* until the Expiration of Half an Hour after the receding Tide shall have permitted the sluicing from the Culvert to commence; and the Commissioners shall also, when required by the said acting Conservator, extend the Culvert to the South Side of the said *Woodside Ferry* Pier, and shall during such Period as last aforesaid cause the Sewage Water flowing down the same to be discharged into the River *Mersey* to the Southward of the said Pier; and the Commissioners shall cause all Sluices communicating between the said Culvert and the said *Woodside Basin* to be kept closed for the Period aforesaid, or for such further Time as may be necessary for allowing all offensive Matter to pass through the same and clear of the said *Woodside Basin*.

Restriction as to penning up Waters in Wallasey Pool con-

XIX. And whereas it was by the said first-recited Act enacted, that it should not be lawful for the Commissioners permanently to pen up or impound the Waters of the said Pool between *Warrington's Bridge* aforesaid and the Western Side of the said intended Embankment

tained in first-recited Act repealed.

Embankment across the said Pool to a greater Level than Fifteen Feet above the Sill of the Old Dock at *Liverpool*, nor shall it be lawful for the Commissioners to shut up or discontinue the said Sluice at *Warrington's Bridge* aforesaid, nor to obstruct the existing Drainage through *Wallasey Pool* aforesaid, until they shall have completed the said intended new Cut, Drain, or Culvert: And whereas it is expedient that the said Provision shall be repealed; be it therefore enacted, That the same shall be and the same is hereby declared to be repealed.

Restriction as to penning up Water in Wallasey Pool.

XX. And be it enacted, That it shall not be lawful for the Commissioners until the Completion of the great Tidal Basin and other Works authorized by the said first-recited Act and this Act to pen up or impound the Waters of the said Pool between *Warrington's Bridge* aforesaid and the Western Side of the said intended Embankment across the said Pool to a greater Level than Nineteen Feet above the Sill of the Old Dock at *Liverpool*, nor shall it be lawful for the Commissioners to shut or discontinue the said Sluice at *Warrington's Bridge* aforesaid, nor to obstruct the existing Drainage through *Wallasey Pool* aforesaid, until they shall have completed the said intended new Cut, Drain, or Culvert.

For altering Mode of constructing Cut, Drain, or Culvert.

XXI. And whereas by the said first-recited Act the said Commissioners are required to construct the Cut, Drain, or Culvert thereby authorized to be made in the Manner, Size, and Form therein particularly specified, but the said Cut, Drain, or Culvert would more beneficially answer the Purposes for which the same is intended if it were constructed of the Size and in the Form herein-after specified; be it therefore enacted, That, notwithstanding any thing in the said Act contained, it shall be lawful for the Commissioners to construct the said Cut, Drain, or Culvert, (except such Part thereof as they are by this Act authorized to abandon,) and also the Cut, Drain, or Culvert in continuation thereof by this Act authorized to be made of the Size and Form following; (that is to say,) from *Wallasey Bridge* Road to the said Outfall at the North-west Corner of the *Woodside Basin* of the Size of Ten Feet Six Inches internal Diameter, and in a circular Form, with a gradual Inclination along the whole Course thereof, so that the Level of the same at such Outfall shall be at least Five Inches under the Level of the Old Dock Sill at *Liverpool*.

Nuisances arising from Alteration of Culvert to be removed.

XXII. And be it enacted, That if any Accumulation or Nuisance shall at any Time hereafter arise from the Alteration of the said Culvert the same shall be removed by and at the Expence of the said Dock Commissioners.

Deposited Plan and Book of Reference to be open to Inspection.

XXIII. And whereas Plans of the said intended Docks, and Plans and Sections of the said intended Cut, Drain, or Culvert, and also Books of Reference to such Plans, containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands through or upon which the same are intended to be made, have been deposited with the Clerk of the Peace of the County of *Chester*; be it enacted, That all Persons interested may, at all reasonable Times, inspect such Plans, Sections, and Books of Reference, and may require to be furnished by such Clerk of the Peace

Peace with Extracts therefrom or Copies thereof; and such Clerk of the Peace shall give access to such Documents, and, if required, furnish Copies thereof or Extracts therefrom, and certify the same to be true Copies or Extracts, and in respect thereof he shall be entitled to One Shilling for every such Inspection, and to an additional Shilling for every Hour such Inspection shall continue beyond the first Hour, and Sixpence for every One hundred Words copied or extracted therefrom; and if such Clerk of the Peace shall fail to comply with any of the Provisions aforesaid he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Errors and Omissions may be corrected by Justices, who shall certify the same.

XXIV. And for the Purpose of making Provision for correcting any Omission, Mis-statement, or erroneous Description of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plans or in the said Books of Reference, be it enacted, That the Correction of any such Matter may be referred by the Commissioners to the Determination of Two Justices; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly; and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter has been mis-stated or erroneously described; and such Certificate shall be deposited with the said Clerk of the Peace, and such Certificate shall be kept by such Clerk of the Peace along with the Documents to which they relate, and thereupon such Documents shall be deemed to be corrected according to such Certificate; and it shall be lawful for the Commissioners to make and execute the said Works herein-before authorized in accordance with such Certificate.

Certificate to be deposited.

Copies of Plans, &c. to be Evidence.

XXV. And be it enacted, That true Copies of such Plans, Sections, and Books of Reference, or of any Correction thereof or Extracts therefrom, certified by such Clerk of the Peace, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Copy of Plan to be deposited with Commissioners of Woods, &c.

XXVI. And be it enacted, That within One Month after the passing of this Act a Copy of the said Plan and Sections shall be deposited with Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings by the Commissioners for carrying this Act into execution.

Commissioners may construct Culvert with Sluices.

XXVII. And whereas by the said first-recited Act the said Dock Commissioners are required at their own Expence, by means of a Culvert or other sufficient Means, from Time to Time to receive and carry off from all the Land above the Line of High-water Mark on the *Cheshire* Shore of the River *Mersey*, within certain Boundaries therein referred to, all the Surface and Drainage Water issuing therefrom, in such Manner that the same may be delivered on the Shore of the said River *Mersey* on the South Side of *Seacombe* Pier or Slip; be it therefore enacted, That, notwithstanding any thing in the said Act contained, it shall be lawful for the said Commissioners to construct the said Culvert or Drain with proper Sluices and other Works in connexion therewith, and to connect the same with the great Float, so as to discharge the said Water, and any Water they may think

think proper, on the Shore of the said River *Mersey* on the South Side of *Seacombe* Pier or Slip at Low Water.

Rates for Use of Graving Docks.

XXVIII. And be it enacted, That it shall be lawful for the Commissioners to demand and take such reasonable Charges for the Use of the Graving Docks and Works and Conveniences connected therewith as the Commissioners shall from Time to Time think fit.

One Set of Porters to receive, &c. the Cargo of each Vessel subject to Rules, &c.

XXIX. And be it enacted, That, after the Expiration of Three Months from the passing of this Act, the Cargo of each Vessel from any Foreign Port entering and using any of the Docks or Basins of the Commissioners shall be received, weighed, and loaded off by One Set of Porters only, who shall be in the Employ and under the Direction and Orders of One of the Master Porters acting in pursuance of and under the Power and Provisions of this Act, subject nevertheless to such Rules, Orders, Regulations, and Bye Laws as the Commissioners may from Time to Time make, ordain, and appoint.

Master Porter to give Bond for paying Amount of Damage, &c.

XXX. And be it enacted, That every Master Porter, before he shall be capable of undertaking or receiving, weighing and loading off the Cargo of any Vessel entering or using the Docks, Basins, or Quays of the Commissioners, shall execute to the Commissioners a Bond, with Two sufficient Sureties to be approved of by the Commissioners, in the penal Sum of Two hundred Pounds to be conditioned for paying or satisfying the Owners and Consignees of all Goods, Wares, and Merchandize which may at any Time be received, weighed, or loaded off by such Master Porter or by the Porters in his Employ or under his Direction the Amount of any Loss, Damage, and Injury which may happen and be occasioned to such Goods, Wares, or Merchandize during the receiving, weighing, or loading off the same; and

Owners, &c. may sue on the Bond.

the Owner or Consignee of any Goods, Wares, or Merchandize which may at any Time be received, weighed, or loaded off by any such Master Porter, or by the Porters in his Employ or under his Direction, shall and may, in case any Loss, Damage, or Injury happen or be occasioned to such Goods, Wares, or Merchandize during the receiving, weighing, or loading off the same, sue in his own Name such Master Porter and his Sureties, or any or either of them, upon the Bond given by such Master Porter and his Sureties to the Commissioners, and shall recover in such Action Damages in the same Manner as he might have done in case the said Bond had been executed to him and not to the Commissioners, any Rule of Law to the contrary thereof in anywise notwithstanding.

Owners, &c. of Goods may bring other Actions on the same Bond.

XXXI. Provided always, and be it enacted, That the bringing of any Action upon any such Bond by any such Owner or Consignee, or the Pendency of such Action, or the Recovery of any Judgment in any such Action, shall not prevent such Owner or Consignee, or any other Owner or Consignee, from bringing any other Action upon such Bond for any Loss or Injury which may be sustained by him, so that no more than the Sum of Two hundred Pounds in the whole shall be recovered from any such Master Porter or his Sureties upon any one and the same Bond.

XXXII. And

When certain Penalties have been recovered on Bonds the Master Porter to give new Bond and Securities.

XXXII. And be it enacted, That whenever a Sum or Sums equal to Three Fourths of the Amount of the Penalty of such Bond shall have been recovered in any Action or Actions brought on such Bond as aforesaid, then the Master Porter against whom or against whose Sureties, or any of them, such Action or Actions shall have been brought shall, before he shall be capable of undertaking the receiving, weighing, or loading of the Cargo, or any Part of the Cargo of any Vessel, enter into a fresh Bond to the Commissioners with Two sufficient Sureties to be approved of by them in the penal Sum of Two hundred Pounds, with a like Condition to that herein-before directed.

A certified Copy of the Bond of Master Porter, &c. to be Evidence.

XXXIII. And be it enacted, That in case it shall be necessary at any Time to bring an Action against any Master Porter and his Sureties, or against any One or more of them, upon any Bond which may have been given by such Master Porter and his Sureties to the Commissioners, a Copy of such Bond, certified by the Treasurer for the Commissioners to be a Copy, which Copy and Certificate such Treasurer shall, on Payment of the Sum of Ten Shillings, give to any Party interested, when required, shall be received in all Courts of Justice, and at any Trial or Hearing, as sufficient Evidence of such Bond, and of the due Execution thereof without further Proof, and declaring on any such Bond, it shall be sufficient for the Plaintiff to make profert of such Copy of such Bond; and it shall not be necessary to prove the Appointment of the Treasurer by whom the same was signed, nor his Signature thereto.

Penalty on Persons acting as Master Porters without having given Bond.

XXXIV. And be it enacted, That if any registered or licensed Porter or other Person shall act as Master Porter in receiving, weighing, and loading off, or in employing or directing any Porter to receive, weigh, or load off any Goods, Wares, or Merchandize without having given to the Commissioners such Bond with Two sufficient Sureties as herein-before directed, or without having given fresh Bond to the Commissioners as herein-before directed, every Person so offending shall forfeit and pay a Sum not exceeding Fifty Pounds for every such Offence.

Commissioners may prohibit Master Porters from acting.

XXXV. And be it enacted, That it shall be lawful for the Commissioners, if they shall in their Discretion think it expedient so to do, to prohibit any Person from acting or continuing to act as a Master Porter for such Period as they may think proper, and for any Cause for which in their Judgment shall render such Proceeding necessary.

If Owner, &c. neglect to remove Goods after having been weighed, &c. Commissioners may warehouse them and charge Expences.

XXXVI. And be it enacted, That in case the Owner or Consignee of any Goods, Wares, or Merchandize, after the same shall have been so received, weighed, or loaded off as herein-before provided, shall neglect to remove such Goods, Wares, or Merchandize, or any Part thereof, within the Time and according to the Rules, Orders, Regulations, and Bye Laws to be prescribed and made by the Commissioners in relation thereto, it shall be lawful for the Commissioners to warehouse the same Goods, Wares, or Merchandize, or any Part thereof, in any Warehouse; and the Person having the Care or Control of any Warehouse in which any of such Goods, Wares, or Merchandize may be deposited shall and they are hereby authorized to detain the same Goods, Wares, and Merchandize respectively,

respectively, as Security for the Payment of any Costs, Charges, and Expences payable to such Master Porter, and for the Payment of all Costs, Charges, and Expences, Rents, Rates, and Sums of Money, payable to the Commissioners or to the Owner of such Warehouse, as the Case may be, in respect of such Goods, Wares, or Merchandize, and also for the Payment of the Freight of such Goods, Wares, or Merchandize, or any Part thereof, upon Notice to detain the same for such Freight: Provided always, that nothing herein contained shall in any Manner interfere with or prejudice or affect, or be deemed, construed, or held in any Manner to interfere with, prejudice, or affect, any Claim for or in respect of Freight for such Goods, Wares, or Merchandize, or any Part thereof, or to interfere with, prejudice, or affect any Right of any Person in respect of such Goods, Wares, or Merchandize, on any Account whatsoever.

Owner of the entire Cargo may employ any Master Porter.

XXXVII. Provided always, and be it enacted, That nothing herein-before contained shall prevent the Owner or Consignee of the entire Cargo of any Vessel from employing such Master Porter as he may think proper for the Purpose of receiving, weighing, and loading off the Cargo of such Vessel.

Quays of Commissioners, when approved by Treasury, to be legal.

XXXVIII. And be it enacted, That all the Quays or Wharfs of the Docks and Basins which the said Commissioners are by this Act and the recited Acts authorized to construct shall, when the same shall have been approved of by the Lords of the Treasury for that Purpose, be and they are hereby declared to be to all Intents and Purposes whatsoever, legal Quays and Wharfs for the landing, re-landing, and discharging, and lading and shipping, any Goods, Wares, and Merchandize whatsoever.

Commissioners to pass Entries and warehouse Goods in case of Delay and Default of Consignee.

XXXIX. And whereas the Despatch of Business may be impeded by the Owners or Consignees of Goods, Wares, and Merchandize imported and being on board of Vessels lying in the Docks and Basins of the said Commissioners, neglecting or delaying to make or pass due Entries with the proper Officers of Her Majesty's Customs to authorize the landing thereof, or neglecting or delaying to cause the same to be weighed or measured, and passed by the proper Officer: Now be it enacted, That if the Owner or Consignee of any Goods, Wares, and Merchandize imported and being on board of Vessels lying in the Docks or Basins of the said Commissioners shall not, within Forty-eight Hours (exclusive of *Sunday*, *Christmas Day*, or *Good Friday*, or any other Holiday observed by the Officers of Customs) after the said Vessel shall have been reported at the Custom House, make and pass proper Entries with the Customs to authorize the landing of the said Goods, Wares, and Merchandize, and lodge the Order for landing the same with the proper Officer of the Customs for that Purpose, and forthwith cause the said Goods, Wares, and Merchandize to be weighed or measured, so that the same may be passed by the Landing Waiter, then it shall be lawful for the said Commissioners on the next ensuing Day (not being *Sunday*, *Christmas Day*, or *Good Friday*, or any Holiday observed by the Officers of Customs) to cause such Goods, Wares, and Merchandize to be entered at the Custom House, and to obtain a Custom House Order for the Delivery thereof, and to cause the same to be forthwith

weighed or measured, or take any One or more of such Proceedings as the Case may be, so that the same Goods, Wares, and Merchandize may be passed by the Landing Waiter on Duty, who is hereby authorized to pass the same; and the said Entry shall be made according to the Marks, Numbers, Packages, Qualities, Quantities, or Contents of such Goods, Wares, and Merchandize by which they shall be described in the Report of the Cargo of such Vessel; and it shall be lawful for the said Commissioners to warehouse such Goods, Wares, and Merchandize in any Warehouse which may be duly approved by the Commissioners of Her Majesty's Customs as sufficiently secured for the warehousing of bonded Goods; and for such Purposes it shall be lawful for the said Dock Commissioners to remove, unpile, or repile the same, and to cooper or repair the Casks, Bales, or other Packages containing the said Goods, Wares, and Merchandize, and to perform other Work requisite or necessary in reference thereto, and to make reasonable Charges for the same; and the Persons having the Care or Control of the Warehouse in which the said Goods, Wares, and Merchandize shall be stored shall and they are hereby required to retain the same Goods, Wares, and Merchandize as Security for Payment of the Duties to which the same may be subject, and of the Costs, Charges, and Expences of entering, landing, weighing, or measuring the same, and the Porterage and Cartage thereof, and of the Rents, Rates, Charges, and Sums of Money payable thereon to the said Commissioners or the Owners of such Warehouse, and also to detain the same for Freight, upon a Notice from the Master or Owner of such Vessel requiring the Detention, to secure Payment of the Freight due thereon.

Goods not to be liable to Seizure if entered inaccurately.

XL. Provided always, and be it enacted, That no Goods, Wares, or Merchandize entered by the Commissioners as aforesaid shall be liable to Seizure or Forfeiture by reason of any unintentional Inaccuracy in the Entry thereof.

Penalties on opening or shutting Dock Gates;

XLI. And be it enacted, That any Person who shall, without the Authority of the Dock Master or the Commissioners, open or shut any Dock Gate, Sluice, or Clew of any such Docks or Basins, shall for every such Offence forfeit a Sum not exceeding One hundred Pounds.

or opening or shutting Drawbridge, without Authority.

XLII. And be it enacted, That any Person who shall, without the Authority of the said Dock Master, open or shut any Drawbridge of any such Docks or Basins, shall forfeit for every such Offence a Sum not exceeding Twenty Pounds.

Goods of a dangerous Nature sent to the Docks shall be marked, &c.

XLIII. And for the better preventing Accidents which might arise in any of the present or future Docks or Basins of the said Commissioners from the unsafe or improper Shipment, depositing, or keeping of Goods and Merchandize within the same, be it enacted, That every Person who shall send or cause to be sent to the said Docks or Premises for Shipment, or deposit, any Aquafortis, Oil of Vitriol, or other Goods, Wares, or Merchandize of dangerous Quality, shall distinctly mark or state the Nature of such Goods, Wares, or Merchandize on the Outside of the Box, Case, Cask, Bale, or Package containing the same, or shall otherwise give Notice thereof to the Dock Master of the said Commissioners at the Time of so sending the said

said Goods, Wares, or Merchandize to the said Docks or Premises, on pain of forfeiting for every Default therein the Sum of Twenty Pounds.

Penalty on bringing Vessels into Docks contrary to the Direction of the Dock Master, or not obeying his Directions.

XLIV. And be it enacted, That if any Master or any other Person having the Command of any Ship or Vessel shall bring any such Ship or Vessel into or take the same out of any of the Docks or Basins by the said Acts or this Act or either of them authorized to be made, at any Time or in any Manner which shall be contrary to the Directions of the Dock Master appointed by the said Commissioners or his Assistants for that Purpose, or who shall refuse or neglect to obey the Directions of such Dock Master or his Assistants in respect of the mooring, unmooring, placing, or removing of any Ship or Vessel entering into, lying in, or going out of the said Docks and Basins, or any of them, or in respect of the Position of any such Ship or Vessel while loading or discharging Cargo therein, every such Master or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Power to Dock Master to direct Time for opening and shutting Gates.

XLV. And be it enacted, That the said Dock Master shall have Power to direct the Time or Times for opening or shutting all the Gates belonging to the said Docks and Basins or any of them, and any Person who shall obstruct or hinder such Dock Master or his Assistants, or any of them, in opening or shutting any such Dock Gates as aforesaid, shall for every such Offence forfeit a Sum not exceeding Twenty Pounds.

Penalty on giving a false Draught of Water.

XLVI. And be it enacted, That if any Master or other Person having Command or Charge of any Ship or Vessel entering or intending to enter any of the said Docks should give false Information of the Draught of Water of any such Ship or Vessel to the Dock Master as aforesaid, or to any of his Assistants, every Person so offending shall for every such Offence forfeit a Sum not exceeding Twenty Pounds.

Penalty for Non-removal of Goods from the Dock Quays.

XLVII. And be it enacted, That every Master or other Person whomsoever having the Charge or Command of any Vessel in any of the said Docks or Basins landing or causing to be landed and laid any Goods or Merchandize, Timber, Wood of any Kind, Masts, Yards, Pumps, Boats, Anchors, Cables, Casks, Guns, or other Stores, Paving Stones, Lime Stones, Soapers Waste, Dung or Manure, or other thing whatsoever, other than Materials for the necessary Repairs of the Docks and Piers and other Works belonging thereto, upon any of the Quays of the present or future Docks, Basins, or such other Works as aforesaid, and who shall not, if thereunto required by such Dock Master as aforesaid, within Twenty-four Hours next after the Time on which the same shall have been so landed or laid, wholly remove the same from off such Quays, shall for every such Offence forfeit any Sum not exceeding Five Shillings for each and every Hour that such Goods, Merchandize, and other Things, or any Part thereof, shall remain upon any of such Quays beyond the said Times before specified.

Penalty on Persons lay-

XLVIII. And be it enacted, That no Person shall at any Time discharge or lay any Timber in any Dock or Basin belonging to the said

said Commissioners without having previously obtained the Consent in Writing of the Dock Master of the said Commissioners for the Time being upon pain of forfeiting a Sum not exceeding Ten Pounds; and every Person discharging such Timber into such Dock or Basin with such Consent as aforesaid who shall not remove the same therefrom when thereunto required by such Dock Master shall for any such Offence forfeit and pay any Sum not exceeding Ten Pounds.

ing Timber in any Dock, &c. without Consent.

XLIX. And be it enacted, That if any Person shall at any Time smoke Tobacco, or any Herb, or any Substance whatever, the same being within the Limits of any of the said Docks, Basins, or other Works of the said Commissioners, or on board any Vessel in any of such Docks or Basins, the Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty for smoking within the Sheds or Docks.

L. And whereas the Breach of the Laws for the Regulation of the Docks by the inferior Officers or Men employed in Ships or Vessels is for the most Part owing to the Inattention of the Masters of such Ships or Vessels; be it therefore enacted, That in every Case where any Offence shall be committed against this Act or the said recited Acts, in relation to any of the Docks, Basins, Entrances, Piers, and other Works of the said Commissioners, or whereby any Fine or Penalty is imposed or forfeited, and the immediate Offender cannot be discovered, then and in every such Case the Master or other Person having the Command of such Ship or Vessel in the Employment about which such Offence shall have been committed shall be liable to such pecuniary Fine or Penalty in like Manner as if he had been the immediate Offender, such Master or other Person having such Command always having nevertheless previous Notice to appear before the Justice or Justices who shall hear and determine the Offence, in order that such Master or other Person having such Command as aforesaid may make his Defence if he shall seem meet.

Masters of Ships answerable for the Acts of their Servants.

LI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to make such Bye Laws as they shall think fit for the governing and licensing, regulating and registering, all Boats, Wherries, Lighters, and other small Craft plying for Hire in or coming to the said Docks, Quays, or Wharfs, or other Works of the said Commissioners, and all Boatmen and other Persons employed thereon; and also to fix, regulate, and ascertain the Number of Persons and the total Weight to be taken or carried in such Boats, Wherries, Lighters, and other Craft, and Rates and Fares to be taken by such Boatmen and other Persons as aforesaid within the said Docks, Quays, or Wharfs, or from the same or any Part thereof to any Part of the River *Mersey;* and also to dismiss or discharge, or prohibit from plying or seeking Employment on the said Docks, Quays, or Wharfs, for any Period or Periods not exceeding Six Calendar Months at any One Time, any such Boatmen whom they shall consider guilty of Misbehaviour, and to renew from Time to Time any such Prohibition; and also to regulate the landing and embarking of Passengers, Goods, Cattle, and Carriages from and into Steam and other Vessels coming into, lying in, or departing from any of the said Docks, Quays, Wharfs, or Basins of the said Commissioners.

Bye Laws as to Boatmen plying for Hire.

LII. And

Power to repeal and make other Bye Laws, Penalties not to exceed 5*l.*

LII. And be it enacted, That the said Commissioners are hereby authorized, from Time to Time as they shall think fit, to repeal any of such Bye Laws and to make others in lieu thereof, and to impose such reasonable Penalties as they shall think fit, not exceeding Five Pounds for any Offence; provided that such Bye Laws be not repugnant to the Laws of *England*, or the Provisions of this Act or of the said recited Acts or either of them, and that the same be reduced into Writing, and signed, confirmed, and published in such Manner as is directed by the said first-recited Act with respect to the Bye Laws thereby authorized.

Bye Laws binding on all Parties.

LIII. And be it enacted, That the Bye Laws by this Act authorized to be made shall, when so confirmed, be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Not to affect Rights of the Improvement Commissioners.

LIV. And be it enacted, That neither the Power and Authority hereby conferred on the said Commissioners for making Bye Laws, nor any other Power or Enactment in this Act contained, shall extend or be construed to extend to confer on the said Commissioners any Right of Ferry, or to prejudice or affect the Rights, Franchises, Privileges, Powers, or Authorities of the Commissioners for the Improvement and better Regulation of the Townships of *Birkenhead*, *Claughton-cum-Grange*, and Part of *Oxton* in the County of *Chester*, as Owners of a certain Ferry between *Birkenhead* and *Liverpool*, or otherwise as to such Commissioners, or to authorize the said Commissioners of the *Birkenhead* Docks to regulate or in any way interfere with the Steam Boats or other Vessels belonging to or plying at and for the said Ferry, or in the said Tidal Basins, or the Persons employed by the said Improvement Commissioners or being on board such Steam Boats and Vessels.

Power to agree with Commissioners of Woods, &c. for Exchange of Lands.

LV. And whereas Her Majesty in right of Her Crown is or claims to be entitled to Part of the Land upon which it is proposed to construct the said intended new Dock: And whereas the Right and Title of Her Majesty to certain Lands to be reclaimed from the River *Mersey* under the Powers of the said first-mentioned Act are by Grant under the Hands of Her Majesty's Commissioners of Woods, Forests, Land Revenues, Works, and Buildings vested in the Commissioners for carrying the same into execution for the Purposes of the first-recited Act: And whereas it is expedient that the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings should be empowered, with such Consent as herein-after mentioned, to grant to the Commissioners acting in the Execution of the said recited Acts all the Estate, Right, Title, and Interest of Her Majesty, Her Heirs and Successors, of and in so much of the Land so belonging to or claimed by Her Majesty as aforesaid as is described in the said Plan lodged as aforesaid, and coloured Red; and that the Commissioners acting in the Execution of the said recited Acts should be empowered, in lieu thereof or exchange therefor, to convey, transfer, and assign to Her Majesty, Her Heirs and Successors, so much and such Part of the reclaimed Lands so granted to them by Her Majesty's said Commissioners as aforesaid as is described in the said Plan and coloured Blue; be it therefore enacted, That it shall

be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and they are hereby authorized and empowered, with the Consent in Writing of the Lord High Treasurer or Commissioners for executing the Office of Lord High Treasurer of the United Kingdom, or any Three of them, to give and grant to the said Commissioners acting in the Execution of the said recited Acts all the Estate, Right, Title, and Interest of Her Majesty, Her Heirs and Successors, of and in so much of the Land belonging to or claimed by Her Majesty aforesaid as is described in the said Plan and coloured Red; and upon such Grant being made there shall thereupon vest in Her Majesty, Her Heirs and Successors, all the Estate, Right, Title, and Interest of the said Commissioners to so much of the reclaimed Land granted to the Commissioners for carrying the said recited Acts into execution as is described in the said Plan and coloured Blue.

Powers granted to Commissioners of Woods, &c. by the recited Acts extended to this Act.

LVI. And be it enacted, That all and singular the Powers and Authorities by the said recited Acts conferred upon or vested in the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for giving, granting, selling, conveying, and leasing the Estate, Right, Title, and Interest of Her Majesty, Her Heirs and Successors, of and in all or any Part of the Soil and Shores and reclaimed Land of *Wallasey Pool*, and the Creeks running into the same for the Purposes of the said recited Acts, or any Purposes consequent on the passing of the said recited Act, shall be extended to and vested in the said last-mentioned Commissioners for the Purposes of this Act, or any Purposes consequent on the passing of this Act; and the said last-mentioned Commissioners are hereby empowered to make and enforce in a Court of Equity all such Stipulations, Restrictions, and Provisions as to the Appropriation and Enjoyment of any Land or Rights of Her Majesty to be granted, conveyed, or leased by them under the Authority of this Act as they are empowered to make and enforce with respect to any Land or Rights of Her Majesty granted, conveyed, or leased by them under the Authority of the said recited Acts.

Grants, &c. by Commissioners of Woods, &c. to be subject to the Regulations of the Land Revenue Acts.

LVII. And be it enacted, That all Grants, Contracts, Conveyances, Deeds, Leases, Counterparts of Leases, Receipts, or other Instruments to be made or executed or entered into by or with the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings under the Powers and Provisions of this Act and of the said recited Acts, or either of them, shall be subject to the same Provisions and Regulations as to Enrolment and otherwise, and have the same Exemption from *ad valorem* and other Stamp Duties, as if the same had been made or executed or entered into by or with the said Commissioners under the Powers and Provisions of the Acts now in force for the Management and Improvement of the Land Revenues of the Crown of *England*.

Power for Commissioners of Woods, &c. to borrow Money upon Mortgage of Crown

LVIII. And in order more effectually to secure the carrying on and Completion of the several Works by the said recited Acts and this Act authorized to be undertaken according to the original Designs sanctioned by the said Acts of Parliament, whereby the public Convenience will be greatly promoted and the Rights and Interests of Her Majesty in the Ground or Soil to be reclaimed by means of such Works will

Lands adadjoining Works for the Purpose of assisting their Completion.

will be materially improved in Value, be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, with the Consent in Writing of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, notwithstanding any Restrictions contained in any Act of Parliament relating to the Land Revenues of the Crown, from Time to Time to borrow and take up at Interest, not exceeding Five Pounds *per Centum per Annum*, such Sums of Money as they the said Commissioners shall judge necessary for the Purpose of carrying into effect or assisting the Completion of the several Works by the said recited Acts or this Act authorized to be made, or any of such Works, on Mortgage of all or any Part of the Estate, Right, Title, and Interest of Her Majesty, Her Heirs and Successors, in the Lands abutting upon the said *Wallasey Pool*, or adjoining any of the Works by the said recited Acts or this Act authorized to be constructed, or which shall or may be reclaimed or increased in Value by virtue of or under the Powers in the said Acts contained, or any of them; and for the securing the Repayment of the Sums so to be borrowed, with Interest for the same, with such Consent as aforesaid, to grant or demise by way of Mortgage in Fee, or for any Term of Years, all or any Part of the same Estate, Right, Title, and Interest of and in the same Lands to any Person or Body Corporate who shall lend such Money, so that in every such Mortgage Security be made with a Proviso for Redemption on Payment or Satisfaction of the Sum of Money thereby to be secured, with such Interest thereon as aforesaid.

Commissioners of Woods, &c. may lend Money to Dock Commissioners, with Consent of Treasury.

LIX. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, with such Consent as herein-before mentioned, to advance and lend to the said Dock Commissioners all or any Part of the Monies so to be raised as last aforesaid, and also all or any Part of the Monies which have been or shall be received by them for or in respect of the Rights of Her Majesty in the Land and Soil or Shore of the said River *Mersey*, and any Pool or Creek communicating with or running into the same, which have been or shall be sold or demised under any Powers enabling them in that Behalf, for the Purpose of enabling the said Dock Commissioners to carry out and complete the several Works by the said recited Acts, or either of them, or this Act authorized to be made, or such of them as Her Majesty's said Commissioners shall deem of most Importance; or in case Her Majesty's said Commissioners shall think fit themselves to apply all or any of the Monies aforesaid in or towards the carrying on or Completion of the said Works in such Manner as they with such Consent as aforesaid shall think most advantageous; and it shall be lawful for the said Dock Commissioners to secure the Repayment of Money so to be advanced or expended as aforesaid, with Interest for the same not exceeding the Rate of Five Pounds *per Centum per Annum*, in such and the same Manner in all respects as in and by the said recited Acts provided or directed with respect to the Monies thereby authorized to be raised.

Powers of Act to be partially suspended until Monies

LX. And whereas a large Part of the Monies raised by the Commissioners under the Powers and for the Purposes of the said first-recited Act has not yet been expended on the Works authorized by the said Act, but some Part of such Monies has been expended upon

Works intended to be authorized by this Act, and the Remainder has been invested by the said Commissioners upon Securities which are not immediately available, in consequence whereof the Prosecution of the Works authorized by the said first-recited Act has been temporarily suspended; be it therefore enacted, in order to ensure the speedy Reinstatement in the Hands of the Commissioners of all such Monies as aforesaid, and the immediate Resumption and Continuance of the Works authorized by the first-recited Act, That, notwithstanding any thing herein-before contained, the Powers intended to be hereby conferred on the Commissioners of constructing such new Dock and Graving Docks, and other additional Works as are herein-before respectively mentioned, and the Permission herein-before contained for Vessels of greater Burden than Two hundred Tons to resort to and use the Coaster's Basin at *Woodside*, for the Purpose of passing into and out of *Wallasey Pool* and the Docks communicating therewith, for the Term herein-before mentioned, shall not nor shall any of them come into operation or take effect until all such Monies as have been raised under the Powers and for the Purposes of the said first-recited Act, but have been expended on Works intended to be authorized by this Act, or have been lent on such Securities as aforesaid shall have been replaced and made available for the Objects for which the same were originally raised, or until the Commissioners shall give or procure to be given to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings such good and sufficient Security as shall be approved of by the said last-named Commissioners, that all such Monies as aforesaid will be repaid and reinstated at such Times and in such Portions as shall be fixed by Her Majesty's said Commissioners, and that the same shall be actually laid out and expended in the immediate Resumption and continuous Prosecution with the utmost possible Despatch of the Sea Walls and Tidal Basin, and the permanent Embankment across *Wallasey Pool*, and the Coaster's Basin and Beaching Ground, and the several other Works in the said first-recited Act specified or referred to; and immediately after such Repayment and Reinstatement shall have been made, or such Security shall have been duly provided as aforesaid, Her Majesty's said Commissioners shall cause Notice to be published in the *London Gazette* that the partial Suspension of the Powers and Authorities of this Act herein-before directed to take place has ceased, and thereupon the several Powers, Authorities, and Permission herein-before mentioned or referred to shall come into operation and take effect as if this Clause had not been inserted.

Money raised under the first-recited Act and not yet expended are replaced for the Purposes of that Act.

LXI. And be it enacted, That if the Sea Wall, Embankments, Tidal Basins, Docks, and other Works by the said first-recited Act and this Act authorized to be made be not prosecuted with all practicable Despatch, and completed to the Satisfaction of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings within the Space of Ten Years from the passing of the said first-recited Act, or shall at any Time be discontinued, and the Use thereof for the Purposes of the said recited Acts and this Act shall be abandoned, then and in any such Case all such Land, Soil, and Shore belonging to or claimed by Her Majesty, and which shall have been granted, taken, or used for the Purposes of this or the said recited

If Works not prosecuted Land to revert to Her Majesty.

recited Acts, shall revert to Her Majesty, Her Heirs and Successors; and any Grant made to the said Dock Commissioners, in pursuance of the Powers hereby given, shall determine and be void.

Agreements entered into not to be prejudiced.

LXII. Provided always, and be it enacted, That nothing in this Act contained shall prejudice or affect any Agreement entered into between the said Commissioners and any other Person or Persons which but for the passing of this Act might have been enforced in any Court of Law or Equity.

Not to affect Rights of R. Smith, Esq., as Owner of Seacombe Ferry.

LXIII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, alter, diminish, or affect the Rights, Franchises, Privileges, Powers, or Authorities of *Richard Smith* Esquire, his Heirs or Assigns, as Owner of a certain Ferry between *Seacombe* and *Liverpool*, called *Seacombe Ferry*.

Saving the Rights of the Corporation of Liverpool and Dock Trustees.

LXIV. Provided also, and be it enacted, That nothing herein contained shall prejudice, diminish, alter, or take away any of the Rights or Privileges, or any Power, Jurisdiction, or Authority, now vested in or enjoyed by the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*, or the Trustees of the *Liverpool* Docks respectively, or alter, repeal, or affect any of the Acts of Parliament relating to the Docks or Harbour of *Liverpool*; but that all such Rights and Privileges, and every such Power, Jurisdiction, Authority, and Act, shall continue and be preserved and be in force as if this Act had not been passed, except so far as the same may be expressly altered or interfered with by this Act.

Saving the Rights of the Crown.

LXV. And be it enacted, That nothing in this Act contained shall extend to authorize the Commissioners to take or use any Land or Soil belonging to Her Majesty in right of Her Crown without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Expences of Act.

LXVI. And be it enacted, That the Expences of preparing and applying for, obtaining, and passing this Act, or incident thereto, shall be defrayed by the Commissioners out of the first Monies which come into their Hands after the passing of this Act.

Public Act.

LXVII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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