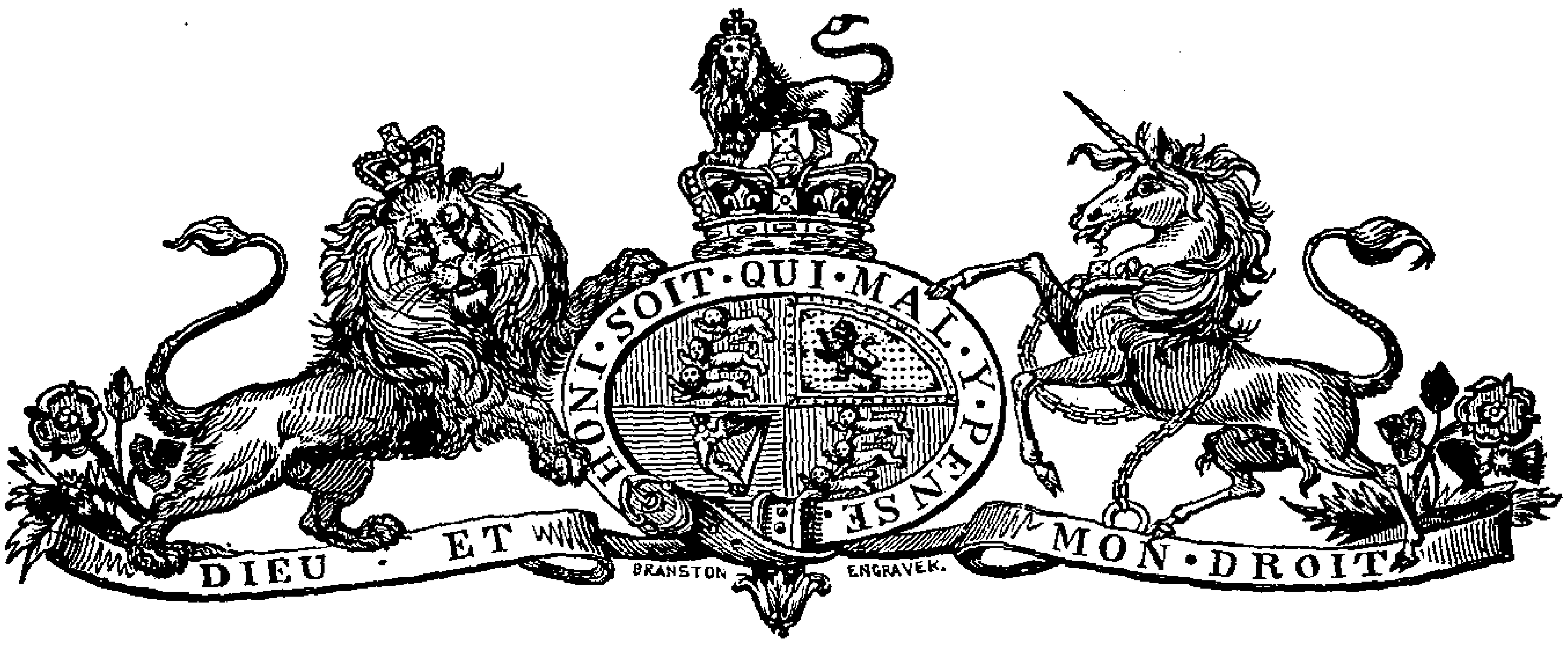


ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

****

Cap. cxxi.

An Act to enable the *Harrington* Dock Company to sue and be sued in the Name of any Member or Officer of the said Company; and to exempt all Vessels using the Docks belonging to the said Company, and all Goods shipped or discharged therein or on the Estate of the said Company, from the Payment of certain Rates, Tolls, or Duties to the Trustees of the *Liverpool* Docks.

[4th *August* 1840.]

WHEREAS several Persons have formed themselves into a Company called or known by the Name or Style of "The *Harrington* Dock Company," and have subscribed and expended large Sums of Money in the Purchase of Land in the Township of *Toxteth Park* in the County of *Lancaster*, and are proceeding in the Construction thereon of Docks and other convenient Works connected therewith opening into or communicating with the River *Mersey* in the Port of *Liverpool*: And whereas Difficulties may hereafter arise in recovering Debts and Monies due to the said Company, and in maintaining Actions for Damages done to the said Company,

Company, or to the Property of the said Company, since by Law all the Members for the Time being of the said Company must be named in every Action or Suit carried on for such Purpose: And whereas it would be convenient that Persons having Demands against the said Company should be entitled to sue the Chairman, Deputy Chairman, or any One of the Directors for the Time being, or any One Proprietor of the said Company: And whereas it would be convenient that Prosecutions for Embezzlement, Robbery, or stealing the Property of the said Company, or for Fraud or any other Offence against the said Company, should be instituted and carried on in the Name of the Chairman, Deputy Chairman, or One of the Directors for the Time being, or of any One Proprietor of the said Company: And whereas by the several Acts of Parliament herein-after mentioned, or some or one of them; that is to say, an Act passed in the Eighth Year of the Reign of Queen *Anne*, intituled
8 Anne, c. 12. *An Act for making a convenient Dock or Basin at* Leverpoole, *for the Security of all Shipps trading to and from the said Port of* Leverpoole; another Act passed in the Third Year of the Reign of
3 G. 1. c. 1. King *George* the First, intituled *An Act for enlarging the Time granted by an Act passed in the Eighth Year of the Reign of Her late Majesty Queen* Anne, *intituled* '*An Act for making a convenient* '*Dock or Basin at* Liverpoole *for Security of all Shipps trading to* '*and from the said Port of* Liverpoole;' another Act passed in the Eleventh Year of the Reign of King *George* the Second, intituled
11 G. 2. c. 32. *An Act for enlarging the Time granted by an Act passed in the Third Year of the Reign of His late Majesty King* George, *intituled* '*An Act for enlarging the Time granted by an Act passed in the* '*Eighth Year of the Reign of Her late Majesty Queen* Anne, '*intituled* "*An Act for making a convenient Dock or Basin at* '*Liverpool, for the Security of all Ships trading to and from the said* '*Port of* Liverpool," *and for enlarging the same by making an addi-* '*tional Dock, and building a Pier in the open Harbour there, and for* '*enlightening the said Dock;*' another Act passed in the Second
2 G. 3. c. 86. Year of the Reign of King *George* the Third, intituled *An Act to enlarge the Term and Powers granted by an Act passed in the Eleventh Year of the Reign of His late Majesty, for continuing several Acts relating to the Harbour of* Liverpoole, *and for enlarging the said Harbour by making an additional Dock and building a Pier in the open Harbour there, and for enlightening the said Dock; and for making another Dock with proper Piers in the said Harbour, and for erecting Lighthouses and other proper Lights in or near the Port of* Liverpoole; another Act passed in the Twenty-fifth Year of the
25 G. 3. c. 15. Reign of King *George* the Third, intituled *An Act to enlarge the Term and Powers of several Acts relating to the Harbour of* Liverpool, *and for making Two additional Docks and Piers in or near the Port of* Liverpool; another Act passed in the Thirty-ninth Year
39 G. 3. c. 59. of the Reign of King *George* the Third, intituled *An Act to enlarge the Term and alter and enlarge the Powers of several Acts relating to the Harbour of* Liverpool, *and for making Two additional Wet Docks and Piers in or near the Port of* Liverpool, *and for rendering more safe and commodious the said Port and Docks;* another Act passed in the Fifty-first Year of the Reign of King *George* the Third,
51 G. 3. c. 143. intituled *An Act for the Improvement of the Port and Town of* Liverpool,

Liverpool, *and amending the several Acts relating to the Docks, Quays, and other Works belonging to the said Port;* another Act passed in the Fifty-third Year of the Reign of King *George* the Third, intituled *An Act to authorize the Advancement of a certain Sum of Money for carrying into effect the several Acts for the Improvement of the Port and Town of* Liverpool, *and to amend the said Acts;* another Act passed in the Fifty-ninth Year of the Reign of King *George* the Third, intituled *An Act for improving the Lighthouse on the Isle of* Anglesea *belonging to the Trustees of the* Liverpool *Docks, and for further amending the Acts relating to the Docks and Harbour of* Liverpool; another Act passed in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act for the further Improvement of the Port, Harbour, and Town of* Liverpool, *and for altering, extending, and amending the several Acts relating thereto;* another Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to enable the Trustees of the* Liverpool *Docks to raise a further Sum of Money;* another Act passed in the said Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to explain and amend Two Acts, of the Fifty-first Year of His late Majesty and the Sixth Year of His present Majesty, for the Improvement of the Port, Harbour, and Town of* Liverpool; *and to authorize the Trustees of the* Liverpool *Docks to pay for certain Lands and Hereditaments purchased under the said Acts;* and another Act passed in the Eleventh Year of the Reign of King *George* the Fourth, intituled *An Act for extending and amending the several Acts relating to the Docks and Harbour of* Liverpool, the Tonnage Rates and other Rates and Duties in such Acts, or some or one of them, mentioned, are granted and made payable to the said Trustees of the *Liverpool* Docks, for, upon, and in respect of all Ships or Vessels coming into or going out of the Port of *Liverpool* (except as therein excepted), and for, upon, or in respect of all Goods, Wares, and Merchandize imported from Parts beyond the Seas, or brought Coastwise into the Port of *Liverpool*, or exported thence to Parts beyond the Seas, which said several Tonnage Rates and other Rates and Duties are, by the said Acts, or some or one of them, directed to be applied, amongst other Objects, in and towards the Support and Maintenance of the Docks, Basins, and Wharfs belonging to the said Trustees, and in providing and maintaining Lights, Buoys, and Land Marks for the Guidance and Security of Vessels entering and going out of the said Port, and in otherwise improving the said Port and Harbour of *Liverpool:* And whereas Vessels using the Docks, Basins, Cuts, and Works constructed or to be constructed upon the Estate of the said Company, and the Goods, Wares, Merchandize, and Commodities shipped or discharged therein, or on the Estate of the said Company, and the several Owners thereof respectively, will derive no Benefit or Accommodation whatever from the Establishment or Maintenance of the Docks, Basins, and Wharfs belonging to the said Trustees, and it is therefore reasonable and expedient that such Vessels, and such Goods, Wares, Merchandize, and Commodities, and the Owners thereof respectively, should be exempted from the Payment of the full Tonnage Rates and other Rates and Duties so payable to the said Trustees of the *Liverpool* Docks, and should remain subject to the Payment of such just

53 G. 3. c. 156.
59 G. 3. c. 30.
6 G. 4. c. 187.
9 G. 4. c. 55.
9 G. 4. c. 114.
11 G. 4. & 1 W. 4. c. 14.

Proportion

Proportion only of such Rates and Duties as such Vessels, and such Goods, Wares, Merchandize, and Commodities, and the Owners thereof respectively, ought to contribute and pay towards the Maintenance of the Lights, Buoys, and Land Marks established or to be established as aforesaid, and towards the Improvement of the said Port and Harbour of *Liverpool* in any other respect, save and except as regards the Construction and Maintenance of the said Docks, Basins, and Wharfs of the said Trustees, and the Works and Establishment immediately belonging thereto or connected therewith; wherefore, for obviating and removing the Difficulties and effecting the Purposes aforesaid, May it 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 from and after the passing of this Act all Actions and Suits whatsoever against any Person or Persons already indebted or who may hereafter be indebted to the said Company called "The *Harrington* Dock Company," and all Actions, Suits, and other Proceedings whatsoever, at Law or in Equity, for any Injury or Wrong done to any Real or Personal Property of the said Company, or upon or in respect of any present or future Liability or Liabilities to the said Company, or upon any Bonds, Covenants, Contracts, or Agreements which already have been or hereafter shall be given or entered into to or with the said Company, or wherein the said Company is or shall be interested; and all Instruments, Petitions, and other Proceedings for or incidental to the issuing or prosecuting any Fiat in or Commission of bankruptcy in *England* or *Ireland* or any Sequestration in *Scotland* against any Person or Persons already indebted or who may hereafter be indebted to the said Company, and liable to be made bankrupt by the Laws now or at any Time hereafter in force relative to Bankrupts and Traders in *England* and *Ireland*, or to Sequestrations in *Scotland*; and all Proceedings at Law or in Equity under any Commission of or Fiat in Bankruptcy, or under any Sequestration by, for, or on behalf of the said Company, or wherein the said Company is or shall be interested or concerned, and generally all other Proceedings whatsoever, at Law or in Equity, to be commenced, instituted, or carried on by or on behalf of the said Company, or wherein the said Company is or shall be concerned or interested, against any Person or Persons, or Body or Bodies Politic or Corporate, or others, whether such Person or Persons, or any of such Persons, or such Body or Bodies Politic or Corporate, or any Member or Members thereof respectively, is or are or shall be or shall have been a Proprietor or Proprietors of the said Company or not, shall and lawfully may be commenced, made, executed, instituted, presented, and prosecuted or carried on in the Name of the Person who shall be the Chairman or who shall be the Deputy Chairman of the said Company at the Time when any such Action, Suit, or Proceeding shall be commenced or instituted, or such Petition presented, or in the Name of any One Director for the Time being of the said Company, or in the Name of any One Proprietor of the said Company, as the nominal Plaintiff, Pursuer, Complainer, or Petitioner, or as acting in any other Character for or on behalf of the said Company; and all Actions, Suits, and other Proceedings

Company may sue and be sued in the Name of the Chairman or Deputy Chairman for the Time being or of any One Director or Proprietor.

ceedings, at Law or in Equity, to be commenced, instituted, or prosecuted against the said Company by any Person or Persons, or Body or Bodies Politic or Corporate, whether such Person or Persons, or any of such Persons, or such Body or Bodies Politic or Corporate, or any Member or Members thereof respectively, is or are or shall be or shall have been a Proprietor or Proprietors of the said Company or not, shall and lawfully may be commenced, instituted, and prosecuted against the Chairman or the Deputy Chairman for the Time being, or against any One Director for the Time being of the said Company, or against any One Proprietor of the said Company, as the nominal Defendant, Respondent, or Defender in such last-mentioned Actions, Suits, or Proceedings for or on behalf of the said Company; and the Death, Resignation, or Removal, or any other Act of such Chairman, Deputy Chairman, Director, or Proprietor shall not abate or prejudice any Action, Suit, Petition, or other Proceeding, at Law or in Equity, commenced or instituted under this Act, but the same may be continued, prosecuted, carried on, or defended in the Name of any One other Director for the Time being or Proprietor of the said Company.

Indictments may be brought in the Name of the Company.

II. And be it further enacted, That from and after the passing of this Act it shall be lawful for the said Company, by the Chairman or Deputy Chairman, or any Director or Proprietor, for the Time being of the said Company, to prefer any Indictment or Indictments, Information or Informations, or other Criminal Proceeding or Proceedings in any Court or Courts, against any Person or Persons for any Offence already committed or which shall hereafter be committed against the said Company; and in all Indictments, Informations, and other Proceedings against any Person or Persons, whether such Person or Persons or any of such Persons be a Proprietor or Proprietors of the said Company or not, for feloniously taking, stealing, or embezzling, damaging or destroying, or for any Offence whatever relating to any Goods, Chattels, Notes, Bills, Bonds, Deeds, or any Securities, Monies, Effects, or any Real or Personal Property whatever, of or belonging to the said Company, such Goods, Chattels, Notes, Bills, Bonds, Deeds, Securities, Monies, Effects, or Property respectively may be laid and stated to be the Goods, Chattels, Notes, Bills, Bonds, Deeds, Securities, Monies, Effects, or Property respectively of "The *Harrington* Dock Company," and in all Indictments, Informations, and other Proceedings against any Person or Persons, whether such Person or Persons or any of such Persons be a Proprietor or Proprietors of the said Company or not, for any Conspiracy, Crime, Fraud, or Offence already committed, or which shall hereafter be committed, with Intent to injure or defraud the said Company, the same may be laid and stated to have been done with Intent to injure or defraud "The *Harrington* Dock Company;" and it shall not be necessary to state in any such Indictment, Information, or other Proceeding the Name or Names of all or any of the Persons now or at any Time hereafter constituting the said Company; and any Offender or Offenders shall or may thereupon be lawfully convicted of such Conspiracy, Crime, Fraud, or Offence, in as full, valid, and effectual a Manner, to all Intents and Purposes, as if the Names of all the Persons constituting the said Company, and the

the Name or Names of the Person or Persons in whom the Goods, Chattels, Notes, Bills, Bonds, Deeds, Securities, Monies, Effects, or Property relating to which such Indictment, Information, or other Proceeding shall be preferred, shall or may be vested in Trust for the said Company, were inserted or used in such Indictment, Information, or other Proceeding or Proceedings consequent or attendant thereon.

Persons suing the Company in Equity may include as Defendants any Proprietors of the Company.

III. Provided always, and be it further enacted, That in case for the Purpose of Discovery, or for any other Purpose, any Person or Persons having any Claim or Demand against the said Company, whether such Person or Persons, or any of such Persons, be a Proprietor or Proprietors of the said Company or not, shall be desirous to include any other Proprietor or Proprietors of the said Company, besides such Chairman or Deputy Chairman or such Director or Proprietor, as a Defendant or Defendants in any Bill or other Proceeding in any Court of Equity, it shall be lawful for him, her, or them so to do, any thing in this Act contained to the contrary notwithstanding.

One Action only to be broughtupon One Cause.

IV. Provided also, and be it further enacted, That no Person or Persons, or Body or Bodies Politic or Corporate, having or claiming or who shall or may have or claim any Demand or Cause of Action or Suit upon or against the said Company, whether such Person or Persons or any of such Persons shall be a Proprietor or Proprietors of the said Company or not, shall bring more than One Action or Suit in respect of such Demand or Cause of Action or Suit, or alleged Cause of Action or Suit; and in case the Merits in respect of any such Demand or Cause of Action or Suit, Actions or Suits, or alleged Cause of Action or Suit, Actions or Suits, shall have been adjudicated or determined in such Action or Suit, then and in such Case the Proceedings in such previous Action or Suit may be pleaded in bar of any such other or subsequent Action or Suit or Actions or Suits against any other Chairman or Deputy Chairman, or Director or Proprietor of the said Company; and in case the Merits in respect of any Demand or Cause of Action or Suit, Actions or Suits, which the said Company or any Person or Persons in Trust for them or for their Benefit now has or hereafter may have on any Person or Persons or Body or Bodies Politic or Corporate, whether such Person or Persons or any of such Persons shall be a Proprietor or Proprietors of the said Company or not, shall have been adjudicated upon or determined in any Action or Suit previously commenced or prosecuted by any Chairman or Deputy Chairman or any Director or any Proprietor of the said Company, then and in such Case the Proceedings in such previous Action or Suit may in like Manner be pleaded in bar of any such subsequent or other Action or Suit or Actions or Suits for the same Demand which may be commenced or prosecuted by the same or any other Chairman or Deputy Chairman, Director or Proprietor of the said Company.

No Action against the Company to be affected in conse-

V. And be it further enacted, That no Action against the said Company, their Chairman or Deputy Chairman, or any Director or any Proprietor, upon or arising out of any Contract entered into by or on behalf of the said Company, shall be in anywise affected or defeated

defeated by or by reason of the Plaintiff or Plaintiffs, or any one of the Plaintiffs therein, or of any other Person or Persons in whom any Interest may be averred, or who may be in anywise interested or concerned in such Action, being or having been a Proprietor or Proprietors of the said Company; but any Proprietor or Proprietors of the said Company shall and may have the same Right of Action and Remedy, to be proceeded in and enforced in the same Manner against the said Company, or the Chairman or Deputy Chairman, or any Director or Proprietor of the said Company, upon any Contract, and upon and for any Debt, Damages, or Demand whatsoever which he, she, or they might have had if he, she, or they had been a Stranger or Strangers, and not a Proprietor or Proprietors of the said Company.

quence of the Plaintiff being a Proprietor.

VI. And be it further enacted, That no Action commenced by or on behalf of the said Company, or the Chairman or Deputy Chairman, or any Director or any Proprietor of the said Company, upon or arising out of any Contract entered into by or on behalf of the said Company, shall be in anywise affected or defeated by or by reason of the Defendant or Defendants, or any one of the Defendants therein, or of any other Person or Persons in whom any Interest may be averred, or who may be in anywise interested or concerned in such Action, being a Proprietor or Proprietors of the said Company; but the said Company shall and may have the same Right of Action and Remedy, to be proceeded in and enforced in the same Manner, against any Proprietors thereof, either alone or jointly with any other Person or Persons, upon any Contract, and upon and for any Debt, Damages, or Demand whatsoever, which the said Company might have had if such Cause of Action had arisen with a Stranger or Strangers, and not a Proprietor or Proprietors of the said Company.

No Action commenced by the Company to be affected in consequence of Defendant being a Proprietor.

VII. Provided always, and be it further enacted, That the Chairman or Deputy Chairman, or any Director of the said Company, being the Plaintiff, Pursuer, Complainer, Petitioner or Prosecutor, or being the Defendant, Respondent, or Defender in any Action, Suit, Petition, Proceeding, Prosecution, or Indictment commenced, instituted, prosecuted, or preferred under the Authority of this Act, or any other Proprietor of the said Company, shall not by reason thereof be deemed incompetent to be a Witness in any such Action, Suit, Petition, Proceeding, Prosecution, or Indictment, but such Chairman or Deputy Chairman or Director shall and may, if not otherwise interested or objectionable, be a good and competent Witness, or good and competent Witnesses, and be admissible and be admitted as such in all Courts, and by and before all Judges, Justices, and others, in any such Action, Suit, Petition, Proceeding, Prosecution, or Indictment, in the same Manner as he or they might have been if his or their Name or Names had not been made use of as the Plaintiff, Pursuer, Complainer, Petitioner, Prosecutor, Defendant, Respondent, or Defender in such Action, Suit, Petition, Prosecution, Proceeding, or Indictment, or as if he or they had not been such Chairman, Deputy Chairman, or Director of the said Company.

Chairman, &c. being Plaintiff or Defendant may be a Witness.

VIII. And be it further enacted, That all and every Judgments or Judgment, Decrees or Decree, which shall at any Time after the passing

Judgments in Actions against the

Chairman, &c. or Proprietors shall extend to the Property of the Company.

passing of this Act be obtained or recovered in any Action, Suit, or other Proceeding at Law or in Equity against any Chairman or Deputy Chairman, or any One of the Directors for the Time being, or any Proprietor of the said Company, shall have the like Effect and Operation upon and against the Funds or Property of the said Company as if such Judgments or Judgment, Decrees or Decree, had been recovered or obtained against the said Company in any Action, Suit, or Proceeding at Law or in Equity brought or commenced against the said Company by or in the several and distinct Names and Descriptions of the several Proprietors of the said Company, and as if this Act had not been passed; and further, that the Bankruptcy, Insolvency, or stopping Payment of such Chairman or Deputy Chairman, or of any such Director for the Time being, or of any such Proprietor of the said Company, in his individual Character or Capacity, shall not be or be construed to be the Bankruptcy, Insolvency, or stopping Payment of the said Company; and the said Company, and the Funds and Property thereof, shall, notwithstanding the Bankruptcy, Insolvency, or stopping Payment of any such Chairman or Deputy Chairman or any such Director for the Time being, or any such Proprietor of the said Company, be attached or attachable, and be in all respects liable to the lawful Claims and Demands of the Creditor or Creditors of the said Company, in like Manner as if no such Bankruptcy, Insolvency, or stopping Payment had happened or taken place.

If Satisfaction be not obtained by Execution against the Funds or Property of the Company, Execution may be issued against any Member of the Company.

IX. Provided always, and be it further enacted, That in case Execution or Diligence upon any Judgment or Decree in any Action, Suit, or other Proceeding under this Act, obtained against any Chairman or Deputy Chairman, or any Director for the Time being, or any Proprietor of the said Company, whether as Plaintiff, Pursuer, or Complainer, or as Defendant, Respondent, or Defender, shall have been issued or taken out against the Funds or Property of the said Company, under the Provisions of this Act, and shall be ineffectual for obtaining Payment of any Satisfaction for the Sum or Sums sought to be recovered, then and in such Case Execution or Diligence upon any such Judgment or Decree may be issued against any other Proprietor or Proprietors of the said Company; and in case such Execution or Diligence against any other Proprietor or Proprietors of the said Company shall be ineffectual for obtaining Payment of and Satisfaction for the Sum or Sums sought to be recovered thereby, it shall be lawful for the Party or Parties who shall have obtained Judgment or Decree against any Chairman or Deputy Chairman, or any Director for the Time being, or any Proprietor of the said Company, to issue Execution or Diligence against any other Person or Persons who was or were a Proprietor or Proprietors of the said Company at the Time the Contract or Contracts was or were entered into upon which such Action, Suit, or other Proceeding may have been brought or instituted; but no such Execution or Diligence shall be issued without Leave first granted (by the Court in which such Action, Suit, or other Proceeding may have been brought or instituted), which Leave shall be applied for upon Motion, to be made in open Court, after Notice in Writing given to the Person or Persons sought to be charged: Provided also, that nothing herein contained shall render such past Proprietors liable for Payment of any

any Debt for which such Action, Suit, or other Proceeding may have been brought, to which they would not have been liable by Operation of Law as Partners in case any Action, Suit, or other Proceeding had been originally brought against them for the same: Provided also, that nothing in this Act contained shall be deemed or taken to enable any Plaintiff, Pursuer, or Complainer, Petitioner, Prosecutor, Defendant, Respondent, or Defender, in any Action, Suit, Petition, or other Proceeding under this Act, to recover from any Proprietor of the said Company, or any other Person whomsoever, any greater Sum or Sums of Money than such Proprietor or Person would or might have been liable to pay, either at Law or in Equity, under any Contract for the Time being subsisting, if this Act had not been passed: Provided also, that every Chairman, Deputy Chairman, Director, or Proprietor, in whose Name any Action, Suit, or Proceeding under this Act shall be commenced, prosecuted, or defended, and every other Proprietor, and every Person who shall have been a Proprietor of any Share or Shares in the said Company, against whom any Execution or Diligence upon any Judgment or Decree obtained in any such Action, Suit, or Proceeding shall be issued as aforesaid, shall always be reimbursed and repaid, out of the Funds or Property of the said Company, all such Costs, Charges, Losses, and Damages as by the Event of such Action, Suit, or Proceeding he or they shall be put unto or become chargeable with; and if the Funds or Property for the Time being of the said Company shall be insufficient to pay such Costs, Charges, Losses, and Damages in full, then the Deficiency shall be made good by the Proprietors for the Time being of the said Company.

No greater Sum to be recovered in Actions than could have been recovered if Act had not passed.

Chairman, Deputy Chairman, Director, or Proprietor against whom Judgment obtained to be indemnified from Costs of Suit.

X. And whereas it is expedient that every Proprietor of the said Company against whom any Execution or Diligence shall be issued upon any Judgment or Decree under the Authority of this Act should have an easy and expeditious Mode of recovering all such Costs, Charges, Losses, and Expences as he or she shall be put unto or become chargeable with in consequence thereof; be it therefore further enacted, That if any Execution or Diligence upon any Judgment or Decree obtained in any Action, Suit, or Proceeding under this Act shall be issued against any Proprietor of the said Company, or against any Person who shall have been a Proprietor of the said Company, and such Proprietor or past Proprietor against whom such Execution or Diligence shall be issued shall not within the Space of Fourteen Days next after the issuing thereof be reimbursed, out of the Funds or Property of the said Company, all such Monies, Costs, Charges, Losses, and Expences as he or she shall have paid or been put unto or become chargeable with in consequence of such Execution or Diligence having been issued against him or her, it shall be lawful for such Proprietor or past Proprietor to divide such Monies, Costs, and Charges, or so much thereof as he or she shall not within the Time aforesaid have been so reimbursed as aforesaid, into as many equal Parts or Shares as the Capital of the said Company shall at that Time be considered as divided into; and each and every Proprietor for the Time being of any Share or Shares in the said Company shall, in proportion to the Number of Shares which he or she may hold in

Remedy for Proprietors if Execution issued against them.

the said Company, and to the Extent of his or her Interest therein, pay One or more of such Parts or Shares, upon Demand, to the Proprietor or past Proprietor against whom such Execution shall have been issued, or to his or her Executors or Administrators; and upon the Neglect or Refusal of any Proprietor for the Time being of the said Company, or of the Executors or Administrators of any deceased Proprietor, to pay, upon Demand, his or her due and fair Proportion (such Proportion having been ascertained and fixed as last aforesaid) of such Monies, Costs, and Charges, then and in every such Case it shall be lawful for the Proprietor or past Proprietor or other Person to whom the same ought to have been paid, to sue for and recover the same in or by Action, Suit, or Plaint against the Proprietor, or the Executors or Administrators of any Proprietor, who shall so neglect or refuse as aforesaid, in any of Her Majesty's Courts of Record at *Westminster*, or in any other Court of Record, or in any County Court, or Court of Conscience, or any Court of Requests, for the Recovery of Debts or Demands.

A Memorial of the Names of the Chairman, Deputy Chairman, Directors, and Proprietors to be enrolled in Chancery from Time to Time.

XI. And be it further enacted, That a Memorial of the Names of the Chairman and Deputy Chairman, and of the several Directors for the Time being of the said Company, and of the Names, Residences, and Descriptions of the several Proprietors of the said Company, in the Form or to the Effect expressed in the Schedule to this Act, or as near thereto as the Circumstances of the Case will admit, shall be verified by a Declaration in Writing in the Form (or as near thereto as the Circumstances of the Case will admit) prescribed in the Schedule to an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the present Session of Parliament, intituled 'An Act for the more effectual Abolition 'of Oaths and Affirmations taken and made in various Departments 'of the State, and to substitute Declarations in lieu thereof;' and for the more entire Suppression of voluntary and extra-judicial Oaths and Affidavits*, which Declaration shall be made by the Chairman or Deputy Chairman, or One of the Directors, or the Clerk or Secretary for the Time being of the said Company, before a Master or Master Extraordinary in Chancery; and such Memorial, when so verified, shall be enrolled in the High Court of Chancery within Twelve Calendar Months next after the passing of this Act; and when any new Chairman or Deputy Chairman, or any new Director, shall be appointed, a Memorial or Memorials of the Name or Names of the new Chairman or Deputy Chairman, or new Director or Directors, specifying in whose Place or Places he or they shall have been appointed, shall in like Manner be verified by the Chairman or Deputy Chairman, or One of the Directors, or the Clerk or Secretary for the Time being of the said Company, and enrolled within Six Calendar Months after such Appointment or Appointments, in the Form or to the Effect expressed in the said Schedule for that Purpose; and when any Person or Persons shall cease or discontinue to be a Proprietor or Proprietors of the said Company, a Memorial of his, her, or their Name or Names shall in like Manner be verified by the Chairman or Deputy Chairman, or by One of the Directors,

5 & 6 W. 4. c. 62.

or by the Secretary for the Time being of the said Company, and enrolled within Six Calendar Months after such Person or Persons shall have so ceased or discontinued to be such Proprietor or Proprietors; and when any new Proprietor or Proprietors shall be admitted into the said Company, a Memorial of his, her, or their Name or Names shall in like Manner be verified by the Chairman or Deputy Chairman, or by One of the Directors, or by the Secretary for the Time being of the said Company, and enrolled within Six Calendar Months after any such new Proprietor or Proprietors shall have been so admitted into the said Company; and when and so often as it shall be necessary and proper to memorialize the Name or Names of any Person or Persons who shall have been appointed a new Chairman or Deputy Chairman, or a new Director or Directors of the said Company, and also of any Person or Persons who shall have ceased or discontinued to be a Proprietor or Proprietors of the said Company, and also of any Person or Persons who shall have been admitted a new Proprietor or Proprietors into the said Company, or to memorialize the Names of any Two or more of the above Classes or Persons, the Names of such Persons respectively may be contained in one and the same Memorial to the Form and Effect expressed in the said Schedule, and be verified and enrolled as herein-before directed: Provided always, that if any Declaration so made shall be false or untrue in any material Particular, the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

Actions not to be brought until Memorial shall be enrolled.

XII. Provided always, and be it further enacted, That until the first Memorial shall have been duly enrolled in manner by this Act directed, no Action, Suit, Petition, or other Proceeding shall be commenced, made, or instituted under the Authority of this Act, and until the Memorial by this Act required to be enrolled in the Event of any Person or Persons ceasing or discontinuing to be a Chairman or Deputy Chairman, or Director or Directors, or a Proprietor or Proprietors of the said Company, shall have been enrolled as herein-before mentioned, the Persons whose Names shall appear in the last Memorial which shall have been made as herein-before required, shall be and continue liable to all such Actions, Suits, Executions, and Diligences, and other Proceedings under this Act, and shall be entitled to be reimbursed out of the Funds or Property of the said Company all Costs, Charges, Losses, Damages, and Expences incurred or sustained thereby, in the same Manner as if he, she, or they had not ceased or discontinued to be a Chairman or Deputy Chairman, or Director, or a Proprietor or Proprietors of the said Company.

An examined Copy of the Enrolment may be received as Evidence.

XIII. And be it further enacted, That an examined Copy of the Enrolment of every Memorial to be enrolled pursuant to this Act shall be received in Evidence as Proof of the Contents of such Memorial, and Proof shall not be required that the Person by whom the Memorial purports to be verified was, at the Time of such Verification, the Chairman or Deputy Chairman or One of the Directors or the Secretary of the said Company.

XIV. And

Act to apply to the present and future Members of the Company.

XIV. And be it further enacted, That this Act and the Provisions herein contained shall extend and be construed to extend to the said Company called "The *Harrington* Dock Company," at all Times during the Continuance thereof, whether the said Company hath been or be now or shall hereafter be composed of all or of some of the Persons who were the original Proprietors thereof, or of all or some of those Persons together with some other Person or Persons, or whether the said Company be at the Time of the passing of this Act composed altogether of Persons who were not original Proprietors of the said Company, or whether the said Company shall hereafter be composed of Persons who were not original Proprietors thereof, or of Persons all of whom shall have become Proprietors subsequently to the passing of this Act.

Nothing herein to extend to incorporate the Company.

XV. Provided always, and be it further enacted, That nothing herein contained shall extend, or be deemed, construed, or taken to extend, to incorporate the said Company, or to relieve or discharge the said Company, or any of the Proprietors or other Holders of Shares in the said Company, from any Responsibility, Duty, Contract, or Obligation whatsoever, to which by Law they, he, or she now are or is or at any Time hereafter may be subject or liable, either between such Company and other Parties, or as between the said Company and any of the individual Proprietors or other Holders of Shares in the said Company and others, or as between or amongst themselves, or in any other Manner whatsoever.

Exemption from a Portion of the Liverpool Dock Rates.

XVI. And be it further enacted, That, notwithstanding any thing in the said recited Acts or any of them contained to the contrary, it shall not be lawful for the Trustees of the *Liverpool* Docks for the Time being, acting under the Authority of the said recited Acts, or any of them, nor for any of their Collectors, Deputies, Agents, Officers, or Servants, nor for any other Person acting under their Authority, or under the Authority of the said recited Acts, or any of them, nor for any other Person whomsoever, to demand, receive, or recover of or from any Master, Commander, Owner, Consignee, or other Person, for or in respect of any Vessel coming into or going out of the said Port of *Liverpool*, which shall come into the Docks, Cuts, Basins, or other Works belonging to the said Company for the Purpose of shipping or landing, loading or unloading her Cargo therein, or for or in respect of any Goods, Wares, Merchandize, or Commodities whatsoever, imported from Parts beyond the Seas, or brought Coastwise into the said Port of *Liverpool*, or exported beyond the Seas from the said Port of *Liverpool*, which shall be shipped or landed, loaded or unloaded in the Docks, Cuts, or Basins of the said Company into or out of Vessels lying in the said Docks, any other or greater Proportion (except as herein-after mentioned) of the Tonnage Rates and other Rates and Duties granted and made payable by the said recited Acts, or any of them, and of the Rates or Duties payable by the said recited Acts, or any of them, in respect of Lighthouses and floating or other Lights to be provided and maintained by the said Trustees, than One Twentieth Part or Proportion of such and so much of the said Tonnage Rates and other Rates and Duties respectively as would for the Time being have been payable to the said

said Trustees, by virtue of the said Acts, for or in respect of the same Vessel, Goods, Wares, Merchandize, and Commodities respectively, if this Act had not been passed, or as shall for the Time being be demanded by the said Trustees for or in respect of any other Vessel of the same Description and Burden, or for or in respect of any other Goods, Wares, Merchandize, and Commodities of the same Nature and Quality: Provided also, that nothing herein contained shall extend or be construed to exempt any Vessel coming into or going out of the said Port of *Liverpool*, which shall actually come into or depart from the Docks or Basins of the said Trustees, or any Goods, Wares, or Merchandize which shall be shipped or landed, loaded or unloaded, in, upon, or from any of the Docks, Basins, or Wharfs of the said Trustees, or any Person or Persons in respect of such Vessels, Goods, Wares, or Merchandize as last aforesaid respectively, from the Payment of any Part of the said Tonnage Rates and other Rates and Duties which would have been payable to the said Trustees in respect of such Entry of such Vessel, or such shipping, landing, loading, or unloading of such Goods, Wares, or Merchandize as last aforesaid, if this Act had not been passed.

The Proportion of the Liverpool Docks Rates payable in respect of such Vessels, Goods, &c. may be settled by Arbitration.

XVII. Provided always, and be it further enacted, That if at any Time after the passing of this Act, the said Company or the said Trustees shall think that the said One Twentieth Part of the said Tonnage Rates and other Rates and Duties is more or less than ought fairly to be paid to the said Trustees as aforesaid, for and towards the providing and Maintenance of the Buoys, Landmarks, and Telegraphs established or to be established by the said Trustees, and for and towards the Expences of maintaining Lighthouses, floating and other Lights, and Life-boats, and the Expences of the Office of the Marine Surveyor of the said Trustees, and for and towards the Improvements of the said Port and Harbour of *Liverpool* in any other respect, save and except as regards the Construction and Maintenance of the said Docks, Basins, and Wharfs and Quays of the said Trustees, and the Works and Establishments immediately belonging thereto or connected therewith, and shall be desirous that the same shall be diminished or increased, and if the said Company and the said Trustees shall thereupon agree that a lesser or greater Part of the full Tonnage Rates and other Rates and Duties payable under the said recited Acts, or some or One of them, ought to be paid to the said Trustees in respect of such Vessels, Goods, Wares, Merchandize, and Commodities, the said Trustees and the said Company shall by a Declaration in Writing declare and determine what Part or Proportion of the said full Tonnage Rates and other Rates and Duties shall, from and after a Time in that Behalf in such Declaration to be mentioned, be payable to the said Trustees in respect of the Vessels, Goods, Wares, and Merchandize and Commodities by this Act exempted as aforesaid, instead of such One Twentieth Part thereof; but if either of them the said Company, or the said Trustees, shall give Notice in Writing to the other of them of the Opinion or Resolution of the said Company, or the said Trustees (as the Case may be), to giving such Notice, that the said One Twentieth Part of the said Tonnage Rates and other Rates and Duties should be increased or diminished, and the said Company and the said Trustees shall not, within Two Calendar Months after

after such Notice shall have been so given, agree as to the Propriety or Impropriety of any Increase or Diminution, or shall not agree as to the Proportion of the Tonnage Rates and other Rates and Duties which shall be payable instead of such One Twentieth Part thereof, then and in such Case the Question as to the Proportion of the said full Tonnage Rates and other Rates and Duties which ought to be paid for or in respect of such Vessels, Goods, Wares, Merchandize, and Commodities shall be referred to and settled and determined by Three Persons (not being interested in the Matter in dispute), to be nominated with all convenient Speed after the Expiration of such Two Calendar Months; and One of such Three Persons shall be nominated by the said Company, and another by the said Trustees, and the Third by the Two so chosen previously to entering upon such Reference; and such Referees when so appointed, or any Two of them, shall have full Power and Authority to examine into the Matter referred to them, and shall and may inspect and examine the Accounts of the Receipts and Expenditure of the said Trustees, and shall and may also receive and hear such Evidence relating to the Matter so referred to them as shall be tendered to them by the said Company, and by the said Trustees, or either of the said Parties; and such Referees, or any Two of them, shall and may, by their Award in Writing, under the Hands and Seals of them, or any Two of them, settle and determine what Proportion of the Tonnage Rates, and other Rates and Duties, from Time to Time payable to the said Trustees under the Authority of the recited Acts, or any of them, shall from and after a Time in that Behalf to be mentioned in such Award, be paid for or in respect of such Vessels, Goods, Wares, Merchandize, and Commodities as aforesaid; and the Proportion of such Tonnage Rates and other Rates and Duties so settled by the Declaration of the said Trustees and of the said Company, or by the Award of such Referees, or any Two of them, shall, from and after such Time as shall be mentioned in such Declaration or in such Award (as the Case may be), be the Proportion thereof which the said Trustees shall be entitled to demand, receive, and recover, and shall and may demand, receive, and recover, for and in respect of such Vessels, Goods, Wares, Merchandize, and Commodities: Provided also, that at the Expiration of the Period of One Year after the Time in such Declaration or Award mentioned as last aforesaid, it shall be again lawful for the said Company and the said Trustees to alter the Proportion of the said Tonnage Rates and other Rates and Duties to be paid in respect of such Vessels, Goods, Wares, Merchandize, and Commodities; and in case either of the said Parties shall be of opinion that such Alteration should be made, and the said Company and the said Trustees shall not, after the like Notice given by one of the said Parties to the other of them, as herein-before provided, agree respecting the same, within Two Calendar Months after such Notice shall have been given, the Matter shall again be referred to Three Referees, to be chosen in such Manner and with such Powers as herein-before directed, and so again from Time to Time at any Time after the Expiration of every like Period of One Year after the Proportion of such Tonnage Rates and other Rates and Duties shall have been last fixed by any such Declaration or Award, as the Case may be, it shall be lawful for the said Company,

Company and the said Trustees in like Manner again to alter the Proportion of the said Tonnage Rates and other Rates and Duties so to be paid as aforesaid, and in case of their Disagreement respecting the same after such Time and after such Notice as aforesaid, the same shall be referred and settled in manner herein-before directed: Provided also, that if at any Time when such Question or Matter aforesaid ought to be referred to Arbitration under the Provisions herein-before contained, the said Company or the said Trustees shall, for the Space of Fourteen Days next after Notice in Writing from the other of the said Parties of the Nomination of a Referee by such other Party for the Purposes of this Act, refuse or neglect to nominate a Referee for the Purposes aforesaid, it shall be lawful for the Referee appointed by the other of the said Parties to appoint some Second Person (not being interested in the Matter in dispute) to be a Referee, and such Two Persons shall appoint some Third Person; and such Three Persons shall and may proceed with the same Powers, and in like Manner, and the Award of such Three Persons, or of any Two of them (as the Case may be), shall be as binding in all respects as if such Referees had been duly appointed in manner firstly herein-before directed.

Award to be entered of Record at Quarter Sessions, and Copies to be Evidence.

XVIII. Provided always, and be it further enacted, That every Declaration as aforesaid of the said Company and of the said Trustees, and every such Award as aforesaid, shall, within One Month after the Date and Execution of such Declaration or Award respectively, be published or notified in the *London Gazette* and in Two Newspapers published in *Liverpool*, and shall be enrolled with the Clerk of the Peace for the County of *Lancaster*; and a Copy of every such Declaration and Award, signed by the said Clerk of the Peace for the Time being or his Deputy, shall from Time to Time be made and delivered by such Clerk of the Peace or his Deputy to any Person applying for such Copy, for which no more shall be paid than Sixpence for every One hundred Words, and every such Copy so signed as aforesaid shall be admitted and allowed as legal Evidence of such Declaration or Award respectively.

Provision in case of Liverpool Dock Rates proving insufficient for the Payment of Interest on Debt.

XIX. Provided also, and be it further enacted, That if at any Time after the passing of this Act the Tonnage Rates and other Rates and Duties payable to the said Trustees of the *Liverpool* Docks by virtue of the said recited Acts or any of them shall be so far reduced as that the Revenue which shall arise therefrom shall in any One Year be insufficient, after the Payment of all the necessary Costs, Charges, and Expences of managing, governing, and directing the Affairs of the said Dock Estate, and keeping the said Docks in repair, for the Payment of the Interest in respect of the several Mortgages and Bonds at the Time of the passing of this Act charged and secured upon the said Tonnage Rates and other Rates and Duties, then and in every such Case it shall be lawful for the said Trustees to ask, demand, and recover, of and from the Masters, Owners, Consignees, or other Persons in charge of all Vessels frequenting the said Docks constructed or to be constructed upon the Estate of the said Company, the full Amount of Tonnage Rates and other Rates and Duties in respect of such Vessels or their Cargoes, as they are by the said recited

recited Acts now entitled to demand and recover, or as they shall for the Time being charge in respect of other Vessels and their Cargoes of the same Description frequenting the said Port of *Liverpool*, and to continue so to do until the Deficiency of their Revenue in such Year for the Purpose of paying such Interest as aforesaid shall have been made up.

For securing Payment of Interest to the Mortgagees and Bond-holders of the Liverpool Dock Estate.

XX. And for the Purpose of giving additional Security to the present Mortgagees and Bond-holders of the said *Liverpool* Dock Estate, be it further enacted, That in the Event of any such Deficiency in the Revenue of the said Dock Trustees as lastly herein-before mentioned, it shall be lawful for any Two or more Justices of the Peace for the County of *Lancaster*, not being interested in the Matter in question, and they are hereby respectively required, on Request made to them by or on behalf of the said Trustees of the *Liverpool* Docks, by an Order under their Hands, to appoint some Person to receive the Tonnage Rates and Duties which shall for the Time being be payable to the said Company for or in respect of Vessels and their Cargoes using the said Docks belonging to the said Company; and the Monies so to be received by such Person shall be paid to the said Trustees, and shall be applied by them in and towards the Discharge of the Interest so remaining unpaid as aforesaid; and after such Interest, and the Costs and Charges of recovering the said Tonnage Rates and Duties, shall have been fully paid and satisfied, the Authority of such Receiver for the Purposes aforesaid shall cease and determine: Provided also, that the said Trustees of the *Liverpool* Docks shall and they are hereby required, out of the first Monies which shall come to their Hands after the Payment of all Interest upon the Mortgages and Bonds due and owing by them at the Time of the passing of this Act, and the necessary Costs, Charges, and Expences of managing, governing, and directing the Affairs of the said Docks, and keeping the said Docks in repair, to repay to the said Company all Sums of Money which shall have been paid by the said Company in discharge of any Interest so remaining due and unpaid as aforesaid, together with lawful Interest upon such Sums of Money from the Day upon which the same shall have been so advanced and paid until the Day upon which the same shall be repaid to the said Company by the said Trustees.

For Recovery of the Liverpool Dock Rates.

XXI. Provided nevertheless, and be it further enacted, That the Proportion of the said Tonnage Rates or other Rates and Duties so to be payable as aforesaid shall be collected, levied, and paid in the same Manner, and by and under and subject to the same Rules and Regulations as to the Collection thereof, as the Tonnage Rates and other Rates and Duties granted by the said recited Acts are directed to be collected, levied, and paid; and all the Powers and Authorities, Penalties and Forfeitures, and all the Clauses and Provisions, contained in the said recited Acts or any of them, and now in force, relating to the Tonnage Rates and other Rates and Duties thereby granted, and the collecting, levying, and paying the same, so far as the same are applicable to the said Proportion thereof as aforesaid, shall and the same are hereby declared to be and remain in full Force, and shall and may be applied and used in the same Manner, to all Intents and

Purposes whatsoever, in relation to the said Proportion of such Tonnage Rates and other Rates and Duties, as if they had been particularly and severally and respectively inserted and re-enacted in and made Part of this Act: Provided always, that before any Master, Commander, Owner, Consignee, or other Person shall be entitled to claim the Exemption herein-before mentioned in respect of any Vessel, Goods, Wares, Merchandize, or Commodities, he shall produce to the Treasurer of the said Trustees a Certificate, in Writing, signed by the Treasurer or other authorized Officer of the said Company, that such Vessel, Goods, Wares, Merchandize, or Commodities are entitled to such Exemption by virtue of this Act, according to the Provisions herein-before mentioned.

Restraining the Company from building Warehouses on the Dock Quays.

XXII. And be it further enacted, That it shall not be lawful for the said Company or any other Person or Persons to make, erect, build, or construct any Warehouses for the Deposit of Goods, Wares, Merchandize, Articles, Matters, or Things upon the Quays of the Docks constructed or to be constructed by them upon the Land purchased by them in the Township of *Toxteth Park* in the County of *Lancaster* as herein-before mentioned, or upon the Lands of the said Company within Fifty Yards of the Margin of the said Docks, or within Walls surrounding the said Docks, unless during the present or any future Session of Parliament an Act shall be passed authorizing the Trustees of the *Liverpool* Docks to erect Warehouses on the Quays of their Docks or any of them, or unless at any Time the said Trustees shall erect such Warehouses, in either of which Events the above Restriction as to the Erection of Warehouses by the said Company or any other Person or Persons shall cease and determine.

No Director or Officer of the Company to be elected a Member of the Liverpool Dock Committee.

XXIII. And be it further enacted, That no Director or other Officer of the said Company shall be capable of being elected by the Persons qualified as Rate-payers, under or by virtue of the said recited Acts or any of them, as a Member of the Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks, or of acting as a Member thereof; and if any Director or other Officer of the said Company shall act as a Member of such Committee, every Person so offending shall for each and every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, together with full Costs of Suit, in any of Her Majesty's Courts at *Westminster*, or in Her Majesty's Court of Common Pleas at *Lancaster*, by any Action of Debt or on the Case.

Company to make Access from Sefton Street to the Marine Parade.

XXIV. And be it further enacted, That the said Company shall and they are hereby required, before the opening to the Public of any Dock hereafter to be constructed on their Estate, to provide, at some One or more convenient Places upon their said Estate, not distant less than One hundred and sixty Yards from the Southward Boundary of the said Estate, a good and sufficient Carriage Road or Way, or Roads or Ways, of at least Ten Yards in Width (except where the same may be carried across any Bridge), from *Sefton Street* to communicate with the Parade hereafter directed to be made on the River Wall of the said Docks.

Company to make a Marine Parade along their River Wall.

XXV. And be it further enacted, That the said Company shall and they are hereby required, at their own Costs and Expence, before the said Docks are opened to the Public, to make and construct a Marine Parade or clear public Passage, of not less than Six Yards in Width, along the River Wall, fronting the Docks and Works of the said Company, and extending along the whole Line of such River Wall, which Marine Parade so to be constructed by the said Company (or in case the same shall be divided in its Length by Openings from the said River, then each and every Portion of such Marine Parade) shall, without any Charge being made by the said Company for the same, be freely accessible to the Public at all Times of the Day and Night, but without Horses, Carts, Carriages, or other Vehicles of any Description.

Company to make Landing Places.

XXVI. And be it further enacted, That the said Company shall and they are hereby required, at their own Cost, before the Docks are opened to the Public, to make and construct in the said River Wall, in front of the Docks or Works of the said Company, not less than Two Slips or Flights of Stairs, not less than Six Feet wide, and of easy Ascent, all which Slips or Stairs shall, without any Charge being made by the said Company for the Use of the same, be accessible to the Public at all Times of the Day and Night; and the said Company shall also make and fix in the said River Wall a sufficient Number of Mooring Posts, at the Distance of not more than Sixty Yards from each other, for the Convenience of Shipping.

Company to keep River Wall, Landing Places, &c. in repair.

XXVII. And be it further enacted, That the said Company shall and they are hereby required, at their own Cost, to cause the said River Wall, and the said Marine Parade and Mooring Posts, and every Portion thereof respectively, and the Roads or Ways, Slips, Stairs, or Communications by this Act directed to be made, to be at all Times kept and maintained in good and substantial Repair and Condition, and shall, if required, also permit the same to be well and sufficiently lighted during the Night for the same Number of Hours at the least as the Marine Parade along the River Wall in front of the *Liverpool* Docks is usually lighted.

For removing Doubts respecting the Boundary.

XXVIII. And whereas the Estate of the said Company is situated within the Borough of *Liverpool*, but Doubts may arise whether any Works constructed by the said Company below High-water Mark of the River *Mersey* will be within the Boundaries of the said Borough; and it is expedient, for the Purpose of removing such Doubts, that the whole of the Docks, Basins, Entrances, Wharfs, Quays, Piers, Embankments, and other Works of the said Company, which are or may be erected and made upon the Estate of the said Company, should be declared to be within the Borough of *Liverpool*; be it therefore enacted, That all and every the Docks, Basins, Entrances, Wharfs, Quays, Piers, Embankments, and other Works of the said Company, which have been or which may be erected, constructed, or made by them upon their said Estate, shall, for all the Purposes of the Act for the Regulation of Municipal Corporations in *England* and *Wales*, and of an Act therein referred to of the Second and Third Years of the Reign of His late Majesty King *William* the

Fourth, intituled *An Act to settle and describe the Divisions of Counties and the Limits of Cities and Boroughs in* England *and* Wales, *in so far as respects the Election of Members to serve in Parliament*, and of all other Acts in any way relating to or affecting the said Borough of *Liverpool*, and now extending over the Estate of the said Company, be and be deemed and taken to be within and to be Part of the said Borough of *Liverpool*, any thing in the said Acts, or any of them, to the contrary thereof in anywise notwithstanding. 2 & 3 W. 4. c. 64.

Treasury may reduce the Tolls.

XXIX. Provided always, and be it enacted, That it shall and may be lawful to and for Her Majesty, in and by Order in Council, or to and for the Lords Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time, and at all Times when She and they shall deem fit so to do, in and by Her or their Order in Writing, to reduce any Rates, Tolls, or Charges which may be levied by the said Company on all or any Foreign Ships, and on all or any of the Goods imported or exported therein, as She or they in their Judgment shall deem expedient, to the same and the like Rates, Tolls, and Charges as may be levied in respect of *British* Ships, or the Goods imported or exported in or by the same, under the Powers granted by this Act.

Public Act.

XXX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The

The SCHEDULE referred to by the foregoing Act.

MEMORIAL made the Day of One thousand eight hundred and
present Chairman, Deputy Chairman, Directors, and Proprietors of the Names of the
of "The Harrington Dock Company," enrolled pursuant to an
Act passed [*Here insert the Date and Title of this Act*].

A.B. of
C.D. of
E.F. of
G.H. of
I.K. of
L.M. of
N.O. of
P.Q. of
R.S. of
T.U. of
} Directors.

} Proprietors.

I *A.B.* of in the County of
[*Description*] Chairman [*or* Deputy Chairman, One of the Directors,
or Clerk, *or* Secretary] of the said Company, do hereby solemnly
and sincerely declare, That the above-written Memorial doth contain
the Names of the present Chairman and Deputy Chairman, and
Directors, and of all the present Proprietors of the said Company,
as the same appear in the Books of the said Company; and I make
this solemn Declaration, conscientiously believing the same to be
true, and in pursuance of the Provisions of the Statute in that Case
made and provided.

(Signed) *A.B.*

Solemnly declared before me, *X.Y.*,
Master or Master Extraordinary
in Chancery.

In case of a Change of the Chairman or Deputy Chairman or of any of the Directors.

MEMORIAL made the Day of One
thousand eight hundred and
Chairman [*or* of the new Deputy Chairman, *or* of the new Di-
rectors] of "The Harrington Dock Company," and of the Person
[*or* Persons] in whose Place [*or* Places] he has [*or* they have]
been

been appointed, enrolled pursuant to an Act passed [*here insert the Date and Title of this Act*].

A.B. of — Chairman in the Place of — *B.A.*
C.D. of — Deputy Chairman in the Place of *D.C.*
E.F. of, *G.H.* of, *J.K.* of, *L.M.* of, *N.O.* of — Directors in the Place of *F.E.*, *H.G.*, *K.J.*, *M.L.*, *O.N.*

I *A.B.* of in the County of Chairman [*or* Deputy Chairman, *or* One of the Directors, *or* Clerk, *or* Secretary] of the said Company, do hereby solemnly and sincerely declare, That the above-written Memorial doth contain the Names of the new Chairman [*or* of the new Deputy Chairman, *or* of the new Directors] of the said Company, and of the Persons, in whose Place [*or* Places] he has been [*or* they have been] appointed, as the same appear in the Books of the said Company; and I make this solemn Declaration conscientiously believing the same to be true, and in pursuance of the Provisions of the Statute in that Case made and provided

(Signed) *A.B.*

Solemnly declared, *et cetera.*

N.B.—The last Memorial as to a new Chairman [*or* to a new Deputy Chairman, *or* to new Directors] was enrolled on the Day of .

In case of Persons ceasing to be Proprietors.

A MEMORIAL made the Day of One thousand eight hundred and of the Names of the Persons who have ceased or discontinued to hold any Share or Shares in "The Harrington Dock Company" since the Day of One thousand eight hundred and forty- being the Date of the Memorial last registered respecting Persons ceasing to be Proprietors of the said Company, enrolled pursuant to an Act passed [*here insert the Date and Title of this Act*].

G.H. of, *J.K.* of, *L.M.* of

I *A.B.* of in the County of Chairman [*or* Deputy Chairman, *or* One of the Directors, Clerk, *or* Secretary] of the said Company, do hereby solemnly and sincerely declare, That the above-written Memorial doth contain the Names of the Persons who have ceased or discontinued to hold any Share or Shares in the above-named Company since the Day of One thousand eight hundred and forty- as the same appear in the Books of the said Company; and I make this solemn Declaration conscientiously believing the same to be true, and in pursuance of the Provisions of the Statute in that Case made and provided.

(Signed) *A.B.*

Solemnly declared [*insert Affirmation*].

N.B.—The last Memorial as to the ceasing and discontinuing of Proprietors was enrolled on the Day of .

In case of Persons becoming new Proprietors.

A MEMORIAL made the Day of One thousand eight hundred and of the Names of the Persons who have become new Proprietors of "The Harrington Dock Company," since the Day of One thousand eight hundred and being the Date of the Memorial last registered respecting new Proprietors of the said Company, enrolled pursuant to an Act passed [*here insert the Date and Title of this Act*].

J. K. of
L. M. of
N. O. of

I *A. B.* of in the County of Chairman [*or* Deputy Chairman, *or* One of the Directors, *or* Clerk, *or* Secretary] of the said Company, do hereby solemnly and sincerely declare, That the above-written Memorial doth contain the Names of the Persons who have become new Proprietors of the said Company since the Day of One thousand eight hundred and forty- as the same appear in the Books of the said Company; and I make this solemn Declaration conscientiously believing the same to be true, and in pursuance of the Provisions of the Statute in that Case made and provided.

(Signed) *A. B.*

Solemnly declared [*insert Affirmation*].

N.B.—The last Memorial as to new Proprietors was enrolled on the Day of

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In case of several Changes at the same Time.

A MEMORIAL made the Day of One thousand eight hundred and of the Names of the new Chairman, Deputy Chairman, and Directors of "The Harrington Dock Company," and of the Persons in whose Place they have been appointed, and of the Names of the Persons who have ceased or discontinued to be Proprietors of the said Company, and of the new Proprietors of the said Company, enrolled pursuant to an Act passed [*here insert the Date and Title of this Act*].

Names of the new Chairman and Deputy Chairman, and of the new Directors, and of the Persons in whose Place they have been appointed.

A. B. of — Chairman in the Place of — *B. A.*
C. D. of — Deputy Chairman in the Place of *D. C.*
E. F. of, *I. K.* of, *L. M.* of — Directors in the Place of — *F. E.*, *K. I.*, *M. L.*

Names of the Persons who have ceased to be Proprietors.

N. O. of
P. Q. of

Names

Names of new Proprietors.

R. S. of
T. V. of

I *A. B.* of in the County of Chairman [*or* Deputy Chairman, *or* One of the Directors, *or* Clerk, *or* Secretary] of the said Company, do hereby solemnly and sincerely declare, That the above-written Memorial doth contain the Names of the new Chairman and Deputy Chairman and of the new Directors of the said Company, and of the Persons in whose Places they have been appointed, and of the Persons who have ceased or discontinued to be Proprietors of the said Company, as the same respectively appear in the Books of the said Company; and I make this solemn Declaration conscientiously believing the same to be true, and in pursuance of the Provisions of the Statute in that Case made and provided.

(Signed) *A. B.*

Solemnly declared, *et cetera.*

N. B.—The last Memorial as to new Chairman and Deputy Chairman, and Directors, was enrolled on the Day of .

The last Memorial as to the ceasing and discontinuing of Proprietors was enrolled on the Day of .

The last Memorial as to new Proprietors was enrolled on the Day of .

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