ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

****

Cap. lxiv.

An Act to alter the Constitution of the Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks, to authorize the Establishment of an Emigrants Home, and to alter and amend the Acts relating to the Docks and Harbour of *Liverpool*. [3d *July* 1851.]

WHEREAS the several Acts of Parliament following relate to the Docks and Harbour of *Liverpool*; (that is to say,) an Act passed in the Eighth Year of the Reign of Her Majesty Queen *Anne*, Chapter Twelve; an Act passed in the Third Year of the Reign of His Majesty King *George* the First, Chapter One; an Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Second, Chapter Thirty-two; an Act passed in the Second Year of the Reign of His Majesty King *George* the Third, Chapter Eighty-six; an Act passed in the Twenty-fifth Year of the Reign of His Majesty King *George* the Third, Chapter Fifteen; an Act passed in the Thirty-ninth Year of the Reign of His Majesty King *George* the Third, Chapter Fifty-nine; an Act passed in

8 Anne, c.12.
3 G. 1. c. 1.
11 G. 2. c. 32.
2 G. 3. c. 86.
25 G. 3. c. 15.
39 G. 3. c. 59.
51 G. 3. c. 143.
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. and 1 W. 4. c. 14.
4 & 5 Vict. c. 30.

6 & 7 Vict. c. 98. 7 & 8 Vict. c. 80. 8 & 9 Vict. c. 11. 9 & 10 Vict. c. 109. 11 & 12 Vict. c. 10.

in the Fifty-first Year of the Reign of His Majesty King *George* the Third, Chapter One hundred and forty-three; an Act passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, Chapter One hundred and fifty-six; an Act passed in the Fifty-ninth Year of His Majesty King *George* the Third, Chapter Thirty; an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, Chapter One hundred and eighty-seven; an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, Chapter Fifty-five; another Act also passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, Chapter One hundred and fourteen; an Act passed in the Session of Parliament held in the Eleventh Year of the Reign of His Majesty King *George* the Fourth and the First Year of the Reign of His late Majesty King *William* the Fourth, Chapter Fourteen; an Act passed in the Session of Parliament held in the Fourth and Fifth Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Thirty; an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Ninety-eight; an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Eighty; an Act passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Eleven; an Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter One hundred and nine; and an Act passed in the Session of Parliament held in the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Ten: And whereas in and by the said Act in the Sixth Year of the Reign of His Majesty King *George* the Fourth, Chapter One hundred and eighty-seven, it was enacted, that from and after the Second Day of *August* next after the passing of the said Act, all and every the Clauses and Provisions in the said therein recited Acts or any of them contained, relating to the Appointment of the Committee of the said Trustees, should be and the same were thereby repealed, and all and every the Powers and Authorities theretofore used and exercised by the said Committee of the said Trustees under and by virtue of the said Act of the Fifty-first Year of the Reign of His Majesty King *George* the Third, Chapter One hundred and forty-three, should absolutely cease and determine; and by the same Act it was enacted, that in order to carry into execution the Powers and Authorities by the said therein recited Acts and the said Act vested in the said Trustees, and the Management and conducting of their Estate and Interest in the said Trust, a Committee of Twenty-one Persons, including the Chairman and Deputy Chairman of such Committee, to be called "The Committee of the Affairs of the Estate of the Trustees of the *Liverpool* Docks," should be elected, nominated, and appointed by the respective Bodies, and in the Proportions,

Provisions of Act 6 G. 4. c. 187.

Mode,

Mode, and Manner therein particularly mentioned and set forth, and the said Committee, when duly elected, nominated, and appointed should from Time to Time when and so often as should appear requisite to the said Chairman or Deputy Chairman, but in no Case less frequently than once in each Week, be summoned to meet at such Times and Places as should in such Summons or Notice be expressed, and the said Committee when so assembled, or any Seven or more of them, including the Chairman or Deputy Chairman, should have, use, and exercise exclusively all and every the Powers and Authorities in relation to the Execution and carrying into effect the several Purposes of the said Act, and the said therein recited Acts, given to and vested in the said Trustees by virtue of the said Acts and the said therein recited Acts; and by the same Act it was provided and enacted, that all and every the Proceedings of the Committee therein mentioned should be entered in proper Books, and such Books should be laid before the said Trustees assembled in the usual monthly Council of the Mayor, Alderman, Bailiffs, and Common Council of *Liverpool*, or at any Special Meeting of the said Trustees, for Confirmation or Rejection thereof, but that all the Proceedings, Resolutions, and Directions of the said Committee should be final and conclusive, unless the same were annulled or made void by such Trustees in Common Council assembled at their next general monthly Meeting, subsequent to the Day on which such Proceedings, Resolutions, or Directions of the said Committee should have been had or made, or at a special Meeting of the said Trustees to be held within One Week next after the said general monthly Council Day, and unless Two Thirds of the said Trustees or Members of such Common Council or special Meeting present at such Common Council or special Meeting should direct the same to be so annulled or made void, but no Order or Resolution of such Committee, directing the Dismissal of any Officer or Servant of the said Trustees, should at any Time be revoked or annulled by such Common Council or Meeting of the said Trustees; and by the same Act it was enacted, that Thirteen of the Members of the said Committee of Twenty-one Persons, including the Chairman thereof, should be nominated and appointed by the said Mayor, Aldermen, Bailiffs, and Common Council in Common Council assembled, by and out of their own Body, and the said Mayor, Aldermen, Bailiffs, and Common Council, and their Successors in Common Council assembled, should from Time to Time and at all Times thereafter, in case of any Vacancy by Death, Resignation, or lawful Removal of any of the said Thirteen Members of the said Committee before the Expiration of the Time appointed for his retiring from such Committee by virtue of the Provisions of the said Act, nominate and appoint another Member of their own Body forthwith to be a Member of the said Committee in lieu of and to supply, fill up, and make good such Vacancy as aforesaid, so as that at all Times there should be

Thirteen

Thirteen of the Members of the said Committee nominated and appointed by the said Mayor, Aldermen, Bailiffs, and Common Council out of their own Body, and which Member or Members so elected to supply any such Vacancy should rank and be considered in respect of Seniority in the said Committee, and should be liable to retire therefrom, as the Member in whose Place or Stead he should be so elected; and by the same Act it was enacted, that Eight of the Members of the said Committee of Twenty-one Persons should be elected, nominated, and appointed out of the Body of the Merchants or Shipowners of *Liverpool* duly qualified according to the Directions of the said Act, and not otherwise, by the Merchants, Owners, Part Owners of Ships, and other Persons, being Principals, inhabiting the Town of *Liverpool* or the Vicinity thereof, or being Agents living in *Liverpool* or the Vicinity thereof for Principals residing more than Eight Miles from the said Town, who had paid, either as Principals or Agents as aforesaid, Rates and Duties by the said Act, or the said Act of the Fifty-first Year of the Reign of His late Majesty King *George* the Third, Chapter One hundred and forty-three, authorized to be raised, levied, and collected to the Amount of Ten Pounds within One Year previous to such Election, Nomination, and Appointment; and by the same Act it was enacted, that in case of the Death, Resignation, Election into the Common Council of the said Borough, or lawful Removal of any of the said Merchants or Shipowners, Members of the said Committee, the Vacancy occasioned thereby should be forthwith filled up by the Election of some other Merchant or Shipowner, duly qualified according to the Provisions of the said Act, to be a Member of the said Committee, at a Meeting of the said Electors to be called and held for that Purpose, of which Seven Days public Notice in One of the Newspapers published in *Liverpool* should be given by the said Mayor, and such Merchant or Shipowner so elected to supply such Vacancy should rank in respect of Seniority, and should be liable to retire from the said Committee, as the Member in whose Place and Stead he should be so elected and appointed: And whereas it is expedient that the Constitution of the said Committee should be changed by giving a greater Control over the Management of the said Docks and Harbour, and the Warehouses, Works, and Property connected therewith, to the Merchants or Shipowners of *Liverpool*, paying the Rates and Duties by the said Acts, or any of them, authorized to be raised, levied, and collected, and that a Committee to be elected, nominated, and appointed as in this Act directed should be formed in lieu of the Committee acting under the Authority of the said Acts, and that the said Acts should be amended in the Manner herein-after provided; but the same cannot be done 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

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Provisions of recited Acts, except as altered, or are inconsistent with this Act, extended to this Act.

I. That the said several before-mentioned Acts, and all the Powers, Provisions, Clauses, Matters, and Things therein respectively contained, except such of them as have been altered, varied, or repealed by any of the said Acts, or as may be altered, varied, or repealed by this Act, or as are inconsistent with the Provisions of this Act, shall be in full Force and Effect, and shall extend and be construed to extend to this Act, and shall operate, with respect to this Act and the Objects and Purposes thereof, in the same Manner and as fully and effectually to all Intents and Purposes whatsoever as if the same Powers, Provisions, Clauses, Matters, and Things were repeated and re-enacted in the Body of this Act; and the said several before-mentioned Acts and this Act shall be construed together as One Act.

Provisions of recited Acts as to former Committees repealed.

II. That from and after the Commencement of this Act all and every the Clauses and Provisions in the before-mentioned Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth, Chapter One hundred and eighty-seven, or in any of the before-mentioned Acts contained relating to the Constitution of "The Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks," or to the Nomination, Election, or Appointment of the Members of such Committee, or to the Time of their Continuance in Office, shall be and the same are hereby repealed; and all and every the Powers and Authorities heretofore used and exercised by the said Committee under or by virtue of the said Acts or any of them shall absolutely cease and determine, and the several Persons constituting the said Committee shall cease to be Members thereof.

Committee existing at Commencement of this Act to continue until new Committee elected.

III. Provided always, That, notwithstanding anything hereinbefore contained, the several Persons who at the Time of the Commencement of this Act shall happen to be the Chairman and Deputy Chairman and Members of the Committee shall respectively continue in Office, and shall and may use and exercise all and every or any of the Powers or Authorities by the said recited Acts or any of them, or by this Act, given to or vested in the Committee, or the Chairman or Deputy Chairman, or any Member thereof, until such Time as the Twelve Members of the Committee by this Act directed to be nominated and appointed by and out of the Council, and the Twelve Members directed to be elected, nominated, and appointed by and out of the Body of Dock Ratepayers, shall have been duly elected, nominated, and appointed in compliance with the Provisions of this Act.

Appointment of new Committee in manner herein-after set forth.

IV. That in order to carry into execution the Powers and Authorities by the said Acts and this Act vested in the Trustees of the *Liverpool* Docks, and the Management and conducting of their Estate and Interest in the said Trust, a Committee of Twenty-four Persons, to be called "The Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks," shall be elected, nominated, and appointed by the respective Bodies, and in the Proportions, Mode, and Manner herein-after particularly mentioned and set forth; and

Powers of Committee when duly elected.

the said Committee, when duly elected, nominated, and appointed, shall from Time to Time, when and so often as shall appear requisite to the Chairman or Deputy Chairman, or to any Three Members of the Committee, but in no Case less frequently than once in each Week, be summoned to meet at such Time and Place as shall in such Summons or Notice be expressed; and the Committee, when so assembled, or any Seven or more of them, shall have, use, and exercise exclusively all and every the Powers and Authorities (in relation to the Execution and carrying into effect the several Purposes of this Act and the said several before-mentioned Acts), given to and vested in the Trustees, or the Committee by this Act and the said before-mentioned Acts or any of them, or which by any Act hereafter to be passed may be given to or vested in the Trustees of the *Liverpool* Docks or the Committee: Provided always, that nothing in this Act contained shall extend or be deemed or construed to extend to alter, vary, or repeal the Provisions contained in the Fourth Section of the said Act of the Sixth Year of King *George* the Fourth, Chapter One hundred and eighty-seven, respecting the Power thereby given to the Trustees to annul or make void any Proceeding, Resolution, or Direction of the Committee.

Committee to be composed of Twelve Members nominated by the Council and Twelve elected by the Dock Ratepayers.

V. That Twelve of the Members of the Committee of Twenty-four Persons shall be Members of and be nominated and appointed by the Council of the Borough of *Liverpool*, and that the remaining Twelve of the Members of the Committee shall be elected, nominated, and appointed by and out of the Body of Dock Ratepayers duly qualified according to the Directions of this Act, and that the said several Persons so respectively elected, nominated, and appointed Members of the Committee as aforesaid shall respectively continue in Office until such Time as herein-after is appointed, and also until other Persons shall have been duly elected, nominated, and appointed in their Place.

Regulations as to the Election of the Twelve Members to be appointed by the Council.

VI. That the Council at their first monthly Meeting which shall be held next after the Commencement of this Act, or at some special Meeting to be called for the Purpose, shall elect, nominate, and appoint Twelve Members of the Council to be Members of the Committee, and such Twelve Members so elected, nominated, and appointed

appointed as aforesaid shall retire from and go out of the Committee by Rotation as follows; that is to say, at the Expiration of Two Years, to be computed from the Commencement of this Act, Four of such Twelve Members, to be determined by Lot in the Committee, shall retire from and go out of the Committee, and thereupon a new Election, Nomination, and Appointment of Four Members of the Committee shall be had and made by the Council at their next usual Meeting, or at a special Meeting to be called by the Mayor for that Purpose; and at the Expiration of Four Years, to be computed from the Commencement of this Act, Four other of such Twelve Members, to be determined by Lot in the Committee, shall retire from and go out of the Committee, and thereupon a new Election, Nomination, and Appointment of Four Members of the Committee shall be had and made by the Council at their next usual Meeting, or at a special Meeting to be called by the Mayor for that Purpose; and at the Expiration of Six Years, to be computed from the Commencement of this Act, the remaining Four of such Twelve Members shall retire from and go out of the Committee, and thereupon a new Election, Nomination, and Appointment of Four Members of the Committee shall be had and made by the Council at their next usual Meeting, or at a special Meeting to be called by the Mayor for that Purpose; and afterwards at the End of every subsequent Second Year the Four of such Twelve Members of the Committee who shall have been longest in Office from the Time they were last elected, or the Members who shall have been substituted or elected in their Place, shall retire from and go out of the Committee, and thereupon a new Election, Nomination, and Appointment of Four Members of the Committee shall in like Manner be regularly had and made by the Council: Provided always, that on any of the said new Elections it shall be lawful for the Council to elect, nominate, or appoint any of the Members retiring to be again Members of the Committee.

As to filling up Vacancies in the Committee appointed by the Council.

VII. That in case of any Vacancy by the Death, Resignation, Disqualification, or lawful Removal, or by the ceasing to be a Member of the Council, of any of the Twelve Members of the Committee appointed by the Council, before the Expiration of the Time hereby appointed for their retiring from and going out of the Committee, the Council shall at their next monthly Meeting, or at some special Meeting to be called for that Purpose, elect, nominate, and appoint another Member of the Council forthwith to be a Member of the Committee in lieu of and to supply, fill up, and make good such Vacancy as aforesaid, so as that there may at all Times be Twelve of the Members of the Committee appointed by and out of the Council; and the Member of the Council so elected, nominated, or appointed to supply such Vacancy shall rank in respect of Seniority, and shall be

be liable to retire from the Committee, as the Member in whose Place or Stead he shall be so elected, nominated, or appointed.

Regulations as to the Appointment of the Twelve Members to be appointed by the Dock Ratepayers.

VIII. That the Twelve Members of the Committee to be appointed by and out of the Body of Dock Ratepayers shall be elected, nominated, and appointed by a Majority of the Dock Ratepayers present at a general Meeting of Dock Ratepayers, duly convened in the Manner herein-after directed; and that no Dock Ratepayer shall be qualified to vote at any Election for Members of the Committee unless he shall have paid, either as Principal or Agent, Rates and Duties by the said before-mentioned Acts, or any of them, authorized to be levied and collected to the Amount of Ten Pounds within One Year previously to such Election.

Qualification of Dock Ratepayers to be Members of the Committee.

IX. Provided always, That no Dock Ratepayer shall, as such, be eligible to be, or shall be elected, nominated, or appointed, a Member of the Committee, who shall be a Member of the Council, or who shall not be a natural-born Subject of the United Kingdom of *Great Britain* and *Ireland*, or a Subject duly naturalized according to Law, and who shall not have resided within the Borough of *Liverpool*, or within Eight Miles therefrom, for Five Years previously to the Day of Election, and who shall not have paid Rates and Duties by the said before-mentioned Acts or any of them authorized to be raised, levied, and collected to the Amount of Twenty-five Pounds on his individual Account, or as Agent for others residing not less than Eight Miles from the Borough of *Liverpool*, or Fifty Pounds if paid by any House of Trade in *Liverpool* in which he may be a Partner, within a Year immediately preceding such Election, Nomination, and Appointment; and in case any Dock Ratepayer elected to be a Member of the Committee shall after his Election be elected a Member of the Council, or shall cease to pay such Rates and Duties as aforesaid for the Space of Twelve Months, or shall cease to reside within the Borough of *Liverpool*, or within Eight Miles therefrom, then and in any or either of such Cases such Dock Ratepayer shall cease to be a Member of the Committee, and his Place shall thereupon be declared by the Committee to be vacant, and another Dock Ratepayer duly qualified shall be elected in his Place, in the Manner by this Act provided.

Disqualification of Members of Committee elected by Dock Ratepayers.

One Third of the Committee appointed by Dock Ratepayers to go out of Office every Second Year.

X. That the Twelve Members of the Committee to be appointed by the Dock Ratepayers under or by virtue of this Act shall retire from and go out of the Committee by Rotation, as follows; that is to say, on the First *Wednesday* in the Month of *August* in the Year One thousand eight hundred and fifty-three, Four of such Twelve Members, to be determined by Lot in the Committee, shall retire from and go out of the Committee, and a new Election, Nomination,

and Appointment of Four Dock Ratepayers to be Members of the Committee in lieu of the Four Members so retiring shall be made and take place in the Manner herein-after directed; and on the First *Wednesday* in the Month of *August* in the Year One thousand eight hundred and fifty-five, Four other of such Twelve Members, to be determined by Lot in the Committee, shall retire from and go out of the Committee, and a new Election, Nomination, and Appointment of Four Dock Ratepayers to be Members of the Committee in lieu of the Four Members so retiring shall be made and take place in the Manner herein-after directed; and on the First *Wednesday* in the Month of *August* in the Year One thousand eight hundred and fifty-seven, the remaining Four of such Twelve Members shall retire from and go out of the Committee, and a new Election, Nomination, and Appointment of Four Dock Ratepayers to be Members of the Committee in lieu of the Four Members so retiring shall be made and take place in the Manner herein-after directed; and on the First *Wednesday* in the Month of *August* in every subsequent Second Year, the Four of such Twelve Members of the Committee who shall have been longest in Office from the Time they were last elected, or the Members who shall have been substituted or elected in their Place, shall retire from and go out of the Committee, and a new Election, Nomination, and Appointment of Four Dock Ratepayers to be Members of the Committee in lieu of the Four Members so retiring shall be made and take place in the Manner herein-after directed: Provided always, that at any of such Elections it shall be competent to the Dock Ratepayers to elect and choose any of the Dock Ratepayers retiring from and going out of the Committee to be again a Member thereof.

First Election of Members of the Committee by Dock Ratepayers.

XI. That the First Election, Nomination, and Appointment of Twelve Dock Ratepayers to be Members of the Committee shall take place on the Second *Wednesday* after the Commencement of this Act, at a Meeting of the Ratepayers to be convened for that Purpose by the Chairman or Deputy Chairman of the Committee, by public Advertisement in some One of the Newspapers published in *Liverpool* Seven Days at the least before the Day of Election, and to be holden at the Dock Office in *Liverpool* between the Hours of Eleven of the Clock in the Forenoon and Four of the Clock in the Afternoon; and on the First *Wednesday* in the Month of *August* in the Year One thousand eight hundred and fifty-three, and subsequently on the First *Wednesday* in the Month of *August* in every subsequent Second Year, a new Election, Nomination, and Appointment of Four Dock Ratepayers qualified to be Members of the Committee shall take place at a Meeting of Dock Ratepayers to be convened for that Purpose by the Chairman or Deputy Chairman for the Time being of the Committee, by public Advertisement in some One of the News-

papers published in *Liverpool* Seven Days at the least before the Day of Election, and to be holden at the Dock Office in *Liverpool*, or at such other Place as the Committee shall appoint, between the Hours of Eleven of the Clock in the Forenoon and Four of the Clock in the Afternoon; and in case at the first or at any subsequent Election of Dock Ratepayers there shall not be any Vote offered during the Space of Fifteen Minutes between the said Hours of Eleven of the Clock in the Forenoon and Four of the Clock in the Afternoon, the Person presiding at such Election shall be and he is hereby authorized and empowered to declare upon whom the said Election has fallen, and to dissolve the Meeting.

Mode of voting at Elections of Committee of Dock Ratepayers.

XII. That the voting at every such Election shall be conducted in manner following; (that is to say,) every Dock Ratepayer entitled to vote may vote for any Number of Persons not exceeding the Number of Members of the Committee then to be chosen by the Dock Ratepayers, by delivering to the Person presiding at the Meeting a Voting Paper, containing the Christian Names and Surnames of the Persons for whom he votes, with their respective Places of Abode and Descriptions, such Paper being previously signed with the Name of the Dock Ratepayer voting.

Who to preside at Meeting of Dock Ratepayers at Elections.

XIII. That at every Meeting of Dock Ratepayers for the Election, Nomination, and Appointment of a Dock Ratepayer to be a Member of the Committee the Chairman or Deputy Chairman of the Committee, or some Member of the Committee to be appointed by the Committee for that Purpose, shall preside, and the Person so presiding shall receive the Votes of the Electors, and shall declare the Person or Persons who shall be elected by the Majority at such Meeting.

Person presiding to decide in case of an equal Number of Votes.

XIV. That if at any Meeting of Dock Ratepayers for the Election, Nomination, or Appointment of a Dock Ratepayer to be a Member of the Committee an equal Number of Votes shall happen to be given for any Two or more Persons, the Person presiding at such Meeting shall declare which of the Persons having an equal Number of Votes shall be elected.

How occasional Vacancies in the Members of Committee appointed by Dock Ratepayers are to be filled up.

XV. That in case of any Vacancy by the Death, Resignation, Disqualification, or lawful Removal of any of the Twelve Members of the Committee appointed by the Dock Ratepayers before the Expiration of the Time hereby appointed for their retiring from and going out of the Committee, the Vacancy occasioned thereby shall be forthwith filled up by the Election (to be conducted as aforesaid) of some other Dock Ratepayer, duly qualified according to the Provisions of this Act, to be a Member of the Committee, at a Meeting

of Dock Ratepayers to be called and held on a Day to be appointed by the Committee for that Purpose, so as that there may at all Times be Twelve Members of the Committee appointed by and out of the Body of Dock Ratepayers; and the Dock Ratepayer so elected to supply such Vacancy shall rank in respect of Seniority, and shall be liable to retire from the Committee, as the Member in whose Place or Stead he shall be so elected and appointed.

Annual Register of Ratepayers to be made.

XVI. That a Register, to be called "The Register of Dock Ratepayers," shall be annually made, and kept at the Dock Office in *Liverpool*, wherein shall be entered the Names of the Merchants, Owners, or part Owners of Ships, and other Persons, being Principals, residing within the Borough of *Liverpool* or within Eight Miles therefrom, or being Agents residing within the Borough of *Liverpool* or within Eight Miles therefrom for Principals residing more than Eight Miles from the said Town, who shall, within Twelve Months next before the Twenty-fifth Day of *June* in each Year, have paid, either as Principals or Agents as aforesaid, any Rates and Duties by the said before-mentioned Acts, or any of them, authorized to be raised, levied, and collected; and in such Register shall be entered the several Sums paid by each of such Persons, with the Dates when the same Sums shall have been so paid, distinguishing the Sums paid by Principals, and the Sums paid by Agents.

When Register shall be commenced.

XVII. That such Register shall be commenced on the Twenty-fifth Day of *June* in each Year, and shall be closed on the Twenty-fourth Day of *June* in the next succeeding Year; and the First Register in pursuance of this Act shall be commenced on the Twenty-fifth Day of *June* next after the Commencement of this Act.

Alphabetical List of registered Names to be printed.

XVIII. That an alphabetical List shall on or before the First Day of *July* in the Year One thousand eight hundred and fifty-three, and in every succeeding Year, be made by the Treasurer of the Trustees, and be printed, of the Names of all Persons who shall appear by the said Register to have paid the said Rates and Duties to the Amount of Ten Pounds within the Period included in such Register; and a Copy of such printed List shall be affixed on or near the outer Door of the Town Hall, and also on the outer Door of the Dock Office, and shall be deposited in the Exchange News-room in *Liverpool*, on every Day during the Week next preceding the Eighth Day of *July* in every Year; and Copies of such printed List shall be kept at the Dock Office for the Inspection of Persons who shall have paid to the Trustees Rates and Duties during the Period included in such Register, and shall be delivered to such Persons on Payment of a reasonable Sum for each Copy.

XIX. That

List of Voters to be revised.

XIX. That the Chairman and Two Members of the Committee, to be for such Purpose appointed annually by the Committee, One being a Member of the Council and the other a Member elected by the Dock Ratepayers, shall, between the Eighth and Fifteenth Days of *July* both inclusive in the Year One thousand eight hundred and fifty-three, and in every succeeding Year, (having first given Three Days Notice of such Revision by advertising the same in One or more Newspapers published in *Liverpool*, and by affixing such Notice on or near the outer Door of the Dock Office in *Liverpool*,) revise at the Dock Office the List which shall have been made from the last annual Register; and on every such Revision any Person whose Name shall have been inserted in such List may object to any other Person as not being entitled to have his Name retained therein; and the said Revisors shall retain the Name of any Person so objected to, if the Objection shall not have been established to their Satisfaction, and shall insert in such List the Name of any Person who shall be proved to their Satisfaction entitled to have his Name inserted therein, and shall retain in the said List the Name of any Person to whom no Objection shall have been made; and the Decision of the said Revisors, or any Two of them, with respect to every List shall be final and conclusive, without Appeal; and the Revisors, or Two of them, shall immediately after such Revision sign their Names at the Foot of the List so revised.

Providing for the Revision of the List in the Absence of the Chairman, &c.

XX. That the Deputy Chairman of the Committee shall, during the Absence or other Inability of the Chairman to act as such Revisor, and the senior Member of the Committee elected by the Council shall, during the Absence or other Inability to act of the Chairman and Deputy Chairman, and the next senior Member of the Committee elected by the Council, and so in succession every other senior Member of the Committee elected by the Council, shall, during the Absence or other Inability to act of the Chairman and Deputy Chairman, and of the next preceding senior Member of the Committee elected by the Council, exercise and perform from Time to Time all and every the Powers and Authorities in relation to the said Register and List of Voters by this Act given to and vested in the Chairman; and where Two or more of such Members of the Committee shall on the same Day have been elected by the Council, the Seniority of such Members shall, for the Purposes aforesaid, be determined by the Order in which the Names of such Members shall have been given in the List of the Names of the Persons elected as Members of the Committee by the Council: Provided always, that if the Member of the Committee who from Seniority shall be entitled to exercise and perform the Powers and Authorities in relation to the said Register and List of Voters by this Act given to or vested in the Chairman shall have been previously appointed a Revisor, then and

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in such Case such Member shall preside as Chairman, and some other Member of the Committee, being a Member of the Council, shall be appointed a Revisor in his Place.

Persons on the List qualified to vote.

XXI. That every Person whose Name shall appear on such revised List, and no other Person, shall be deemed and taken to be qualified to vote at any Election, Nomination, and Appointment of the Members of the Committee out of the Body of Dock Ratepayers to be held between the First Day of *August* next after the Revision of such List and the First Day of *August* in the following Year.

Register commenced under 8 & 9 Vict. c. 11. on 25th Day of June before Commencement of Act to be continued until 24th June before Commencement of Act.

XXII. That the Register of Dock Ratepayers which, under the Authority of the before-mentioned Act of the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Eleven, shall have been commenced on the Twenty-fifth Day of *June* immediately preceding the Commencement of this Act shall be continued until the Twenty-fourth Day of *June* next after the Commencement of this Act, when the same shall be closed; and such Register shall, for all the Purposes of this Act, be considered as a Register made in pursuance thereof, and an alphabetical List shall be made of the Names of the Persons appearing by the said Register to have paid Rates and Duties to the Amount of Ten Pounds within the Period included in such Register; and such List shall be revised and otherwise dealt with as in this Act is directed with respect to Lists made in pursuance thereof, and the Persons whose Names shall appear on such revised List, and no other Person, shall be qualified to vote at any Election, Nomination, or Appointment of Members of the Committee out of the Body of Dock Ratepayers to be held between the First Day of *August* next after the Revision of such List and the First Day of *August* in the following Year.

As to the Persons entitled to vote at First Election of Dock Ratepayers.

XXIII. Provided always, That the Persons entitled to vote at the First Election, Nomination, and Appointment of the Twelve Dock Ratepayers to be Members of the Committee which shall take place after the Commencement of this Act, and at any other Election, Nomination, and Appointment of a Dock Ratepayer to be a Member of the Committee which shall take place before the First Day of *August* in the Year One thousand eight hundred and fifty-two, shall be the same Persons, and no other, who if this Act had not passed would have been qualified to vote at any Election, Nomination, and Appointment of the Members of the Committee out of the Body of the Merchants or Shipowners of *Liverpool* which might have been held previously to the First Day of *August* One thousand eight hundred and fifty-two.

Seven Days Notice of every Election to be given.

XXIV. That previously to any Election being held to fill up any Vacancies, whether periodical or occasional, in the Twelve Members of the Committee elected by the Dock Ratepayers, Seven Days Notice in One of the Newspapers published in *Liverpool* of such Election shall be given by the Committee.

How Distance is to be measured.

XXV. That with respect to the Mode of measuring the Distance of Eight Miles within which for some Purposes Residence is by this Act required, the same shall be measured in a straight Line on an horizontal Plane from the Point from which such Distance is to be measured: Provided always, that such Distance may be measured and determined by the Map drawn and published under the Authority and Direction of the Principal Officers of Her Majesty's Ordnance.

First Election of Chairman of the Committee.

XXVI. That the Twelve Members of the Committee appointed by the Council and the Twelve Members of the Committee appointed by the Dock Ratepayers, or any Seven or more of such Twenty-four Persons, shall assemble at the Dock Office on the Day next after the First Election of the Twelve Members of the Committee to be appointed by and out of the Body of Dock Ratepayers, between the Hours of One and Four of the Clock in the Afternoon, and shall at such Meeting elect from the Members of the Committee appointed by the Council One Person to be Chairman of the Committee for the ensuing Six Years, and until the Appointment of his Successor as herein-after enacted: Provided always, that at the First Meeting for the Election of a Chairman of the said Committee the Members present shall elect out of the Twelve Members appointed by the Council some One Member to preside at such Meeting; and if there shall be an Equality of Votes in favour of Two or more Members the senior of such Members shall be considered elected, such Seniority to be determined as herein-before provided; and the Person so elected and presiding at such Meeting shall, in case of an Equality of Votes, have a Second or Casting Vote.

Chairman to go out of Office at the End of Six Years.

XXVII. That the Chairman of the Committee who shall have been so elected by the Twelve Members of the Committee appointed by the Council and by the Twelve Members of the Committee appointed by the Dock Ratepayers, or by any Seven or more of such Twenty-four Persons as herein-before directed, shall retire from and go out of Office as Chairman on the Day next after the Election of Dock Ratepayers in the Month of *August* in the Year One thousand eight hundred and fifty-seven, and a new Election, Nomination, and Appointment of a Chairman in lieu of the Chairman so retiring and going out of Office shall be made by the Committee in the Manner herein-after directed,

XXVIII. That

Appointment of Chairman once in every Six Years.

XXVIII. That on the Day next after the Election of Dock Ratepayers in the Month of *August* in the Year One thousand eight hundred and fifty-seven, and thenceforth on the Day next after the Election of Dock Ratepayers in the Month of *August* in every subsequent Sixth Year, the Committee shall assemble at the Dock Office between the Hours of One and Four of the Clock in the Afternoon, and shall at such Meeting elect from the Members of the Committee appointed by the Council One Person to be Chairman of the Committee for the ensuing Six Years: Provided always, that at every such Election the Chairman of the Committee retiring from and going out of Office on that Day shall be eligible to be again elected Chairman of the Committee.

Vacancy in the Office of Chairman, how to be filled up.

XXIX. That if at any Time the Office of Chairman shall become vacant in consequence of the Death, Resignation, Disqualification, or lawful Removal of the Person holding that Office, or by his ceasing to be a Member of the Council, then and in such Case and so often as the same shall happen the Members of the Committee shall, at their Meeting next after the Vacancy, if any, thereby occasioned in the Twelve Members appointed by the Council shall have been supplied, or at a subsequent special Meeting of the Committee to be called for the Purpose, fill up such Vacancy in the Office of Chairman from the Members of the Committee appointed by the Council; and the Person so elected Chairman 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, Disqualification, Removal, or ceasing to be a Member of the Council had not happened.

Appointment of Deputy Chairman.

XXX. That the Committee shall, at their First Meeting, and immediately after the Election of the Chairman, or at some subsequent Meeting, elect One other of the Twenty-four Members of the Committee to be Deputy Chairman of the Committee for the ensuing Three Years.

Deputy Chairman to go out of Office at the End of Three Years.

XXXI. That on the First *Thursday* in the Month of *August* in the Year One thousand eight hundred and fifty-four, and in like Manner on the First *Thursday* in the Month of *August* in every subsequent Third Year, the Member of the Committee then filling the Office of Deputy Chairman shall retire from and go out of Office as Deputy Chairman, and a new Election, Nomination, and Appointment of a Deputy Chairman for the ensuing Three Years shall be made by the Committee: Provided always, that any Deputy Chairman going out of Office on any triennial Day of Election shall be eligible to be again elected Deputy Chairman of the Committee.

XXXII. That

Vacancy in Office of Deputy Chairman, how to be filled up.

XXXII. That if at any Time the Office of Deputy Chairman shall become vacant by the Death, Resignation, Disqualification, or lawful Removal of the Person holding that Office, or, if he shall be a Member of the Council, upon his ceasing to be such Member, then and in any of such Cases and as often as the same shall happen the Committee shall, at their next subsequent Meeting, or at a special Meeting to be called for the Purpose, fill up such Vacancy by electing One of the Members of the Committee to be Deputy Chairman of the Committee in lieu of the Deputy Chairman who shall have so died or resigned, or become disqualified, or been lawfully removed; and the Person so elected Deputy Chairman as last aforesaid shall continue in Office as Deputy Chairman so long only as the Person in whose Place he may be elected would have been entitled to continue in Office in case such Death, Resignation, Disqualification, or Removal had not happened.

Committee may elect Chairman for the Day in certain Cases.

XXXIII. That at every Meeting of the Committee the Chairman (if present) shall preside, and in the Absence of the Chairman the Deputy Chairman (if present) shall preside, and in the Absence both of the Chairman and Deputy Chairman the Majority of the Members present may elect some One of their Body to preside as Chairman at such Meeting; and at every Meeting of the Committee the Person presiding at such Meeting shall, in case of Equality of Votes, have a Second or Casting Vote.

Penalty on Member of Committee, not being qualified, acting.

XXXIV. That if any Person shall act as a Member of the Committee being incapacitated to act, or not being duly qualified, or after he shall have become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds, and such Penalty may be recovered with full Costs of Suit in any of the Superior Courts, by any Person who shall sue for the same, by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified, or he shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person had acted as a Member of the Committee in the Execution of this Act; nevertheless all Acts and Proceedings of any Person acting as a Member of the Committee being incapacitated, not duly qualified, or being disqualified, done previously to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Acts, &c. of disqualified Members to be valid.

Committee may hold Meetings notwithstanding Vacancies, and Pro-

XXXV. That, notwithstanding any Vacancy or Vacancies in the Committee occasioned by the Death, Resignation, Disqualification, or lawful Removal, or by the Non-election or Default of Nomination or Appointment, or by the periodical Retirement of any One or more of the Members of the Committee, it shall be lawful for the

other Members of the Committee (the Number not being reduced by the Means aforesaid to less than Seven), and they or any Seven of them are hereby authorized, to assemble and meet together, and to perform all the Duties, and to have, use, and exercise all the Powers and Authorities which by the said before-mentioned Acts or any of them, or by this Act, are imposed upon or are given to or vested in the Committee; and all Acts which may be done by the Committee in the Interval between the Death, Resignation, Disqualification, Removal, or Retirement from Office of any One or more of the Members of the Committee, and the Election, Nomination, or Appointment of another Member or Members in his or their Place, shall have the same Force and Validity as if such Vacancy or Vacancies had not occurred; and all Acts done by any Member of the Committee who shall have become disqualified from any Cause whatever (previously to the Vacancy in consequence of such Disqualification being declared by the Committee) shall be as valid as if such Member of the Committee had not become disqualified.

Proceedings to be valid.

XXXVI. And whereas it would materially diminish the Expenses of Foreign Shipping frequenting the Port of *Liverpool*, and therefore tend to the Encouragement of such Shipping, and would also greatly conduce to the Health and Morality of the Officers, Sailors, Apprentices, and others belonging or attached to all Vessels using the *Liverpool* Docks, and add very considerably to their Comfort, if Lights and Fires, under proper Precautions and Restrictions, were permitted to be used on board of such Vessels while in the said Docks or some of them: And whereas there are some of the Docks, Basins, Graving Docks, Graving Blocks, and other Works belonging to the Trustees, in which Lights and Fires, under certain Regulations and Restrictions, might be used on board of the Vessels therein without Danger, if due Care were taken thereof: Be it therefore enacted, That the Ninety-first Section of the said recited Act of the Fifty-first Year of the Reign of King *George* the Third, Chapter One hundred and forty-three, imposing a Penalty on the Master or Person in charge of any Vessel lying within any of the Docks, Basins, or Piers belonging to the Trustees of the *Liverpool* Docks, on board of which Vessel any Fire, Candle, or Lamp shall be found lighted or burning, and every other Enactment contained in the said recited Acts or any of them permitting or restricting or prohibiting the Use of Fires, Candles, Lamps, Lanterns, or other Lights by any Person, and for any Purpose, in any Vessel lying within or using any of the Docks, Basins, Piers, Entrances, Graving Docks, Graving Blocks, Patent Slips, Gridirons, Locks, Cuts, or other Works belonging to the Trustees, or incidental to such Use, Permission, Restriction, or Prohibition in anywise, shall be and the same are hereby repealed: Provided always, that nothing in this Act contained shall extend to prevent any Officer

All previous Enactments as to the Use of Fires and Lights in Vessels in the Docks repealed, except as to Officers of Customs, &c.

or Officers of the Customs, or any Person or Persons acting in his or their Aid or Assistance, from using any lighted Lamp or Candle safely secured, in the Search or Examination of any Ship or Vessel, nor shall any such Officer or Officers, or Person or Persons aforesaid, be liable to any Fine or Penalty for using any such safely secured lighted Lamp or Candle on board any such Ship or Vessel, any Rule, Order, Regulation, or Byelaw of the Trustees to the contrary notwithstanding.

Trustees may appoint Docks in which Vessels may have Fires and Lights on board.

XXXVII. That it shall be lawful for the Trustees, and they are hereby authorized and empowered, from Time to Time to set apart and appoint such One or more of the Docks, Basins, Piers, Entrances, Graving Docks, Graving Blocks, Patent Slips, Gridirons, Locks, Cuts, or other Works belonging to the Trustees as they may think fit, for the Reception of Vessels in which the Use of Fires and Lights may, under certain Regulations and Restrictions, be permitted.

Penalty on Fire or Light being used on board of a Vessel in any Dock which may not have been appointed for that Purpose.

XXXVIII. That if any Fire, Lamp, or Candle shall be lighted or burnt, or any Light of any Description shall be used or burnt, on board of any Vessel lying within or using any Dock, Basin, Pier, Entrance, Graving Dock, Graving Block, Patent Slip, Gridiron, Lock, Cut, or other Works belonging to the Trustees, which shall not have been set apart or appointed by the Trustees under the last preceding Clause for the Reception of Vessels in which the Use of Fires or Lights may be permitted, the Master or other Person having the Care or Command of such Vessel shall for every such Offence forfeit and pay any Sum not exceeding One hundred Pounds.

Power to Trustees to make Bye-laws for regulating Use of Fires and Lights in Docks

XXXIX. That, notwithstanding anything in the said recited Acts or any of them contained, it shall be lawful for the Trustees from Time to Time to make, ordain, and establish such Rules, Orders, Regulations, and Byelaws as to them shall seem fit for permitting or restraining and also for regulating the Admission and Use of Fires and Lights on board of Vessels lying within or using any of the Docks, Basins, Piers, Entrances, Graving Docks, Graving Blocks, Patent Slips, Gridirons, Locks, Cuts, or other Works belonging to the Trustees, and for defining the Places on board any Vessel where, the Purposes for, and the Hours within which such Fires and Lights may be permitted, and the Mode and Manner in which the same may be used, and the Precautions which shall be taken in order to guard against any Accident arising from the Use thereof, and also all such other Rules, Orders, Regulations, and Byelaws as the Trustees may think necessary or expedient for the Prevention of Accidents by Fire, and also from Time to Time as Occasion may require to repeal, annul, amend, add to, or alter all or any of such

Rules,

Rules, Orders, Regulations, and Byelaws, as to the Trustees shall seem most fitting and requisite: Provided always, that no such Rule, Order, Regulation, or Byelaw with reference to such Fires and Lights shall come into operation until the same be approved of by some Judge of One of the Superior Courts, or by the Justices at any Quarter Sessions holden for the County Palatine of *Lancaster*, or by the Recorder or any Stipendiary Magistrate of *Liverpool*; and it shall be incumbent on such Justices, Recorder, or Magistrate, on the Request of the Trustees, to inquire into any such Rule, Order, Regulation, or Byelaw tendered to them for that Purpose, and to approve of or disallow the same as they or he shall think fit.

Byelaws not to be enforced till confirmed.

XL. That when the said Rules, Orders, Regulations, and Byelaws shall have been made and approved of as aforesaid, Notice thereof shall be given in each Newspaper published in *Liverpool*, and the Solicitor of the Trustees shall cause the same Rules, Orders, Regulations, and Byelaws to be printed, and shall deliver a printed Copy thereof to every Person applying for the same, without Charge.

Byelaws, when approved, to be printed.

XLI. That if any Person shall light any Fire, or Lamp or Candle, or other Combustible, or burn or use any Light of any Description, or use, or permit or suffer to be used or burnt, any Fire, lighted Candle or Lamp, or Light of any Description, within or on board any Vessel lying within or using any of the Docks, Basins, Piers, Entrances, Graving Docks, Graving Blocks, Patent Slips, Gridirons, Locks, Cuts, or other Works belonging to the Trustees in any Place, or in any Mode or Manner, or at any Time, or for any Purpose not authorized by the Rules, Orders, Regulations, or Byelaws of the Trustees, or shall not take such Precautions as shall be directed by such Rules, Orders, Regulations, or Byelaws to be taken with respect to the Use of Fires and Lights, or shall make any Fire, or burn or use any lighted Lamp or Candle, or other Combustible or Light of any Description, in any Manner contrary to or not in accordance with such Rules, Orders, Regulations, and Byelaws of the Trustees in that Behalf, or shall otherwise make default in the Performance or Observance of such Rules, Orders, Regulations, and Byelaws, or any of them, he shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds; and if any Person shall neglect or refuse to obey any Order which may be given by any Officer of the Trustees, or by any Police Constable or Watchman, for extinguishing any Fire or Light used or burnt in contravention of or not in accordance with such Rules, Orders, Regulations, or Byelaws, in or on board of any Vessel lying within or using any of the said Docks, Basins, Piers, Entrances, Graving Docks, Graving Blocks, Patent Slips, Gridirons, Locks, Cuts, or other Works belonging to the Trustees, every Person

Penalty on using Fire, Candles, or Lamps, except in conformity with Byelaws.

so

so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Penalty on obstructing Officers in going on board Ships, &c. in the Docks.

XLII. That if any Person shall in any way obstruct or prevent, or aid or abet any other Person in obstructing or preventing, any Officer or Servant of or other Person appointed by the Trustees, or any Police Constable or Watchman, in or from going on board of any Vessel, or in or from entering into any Part of any Vessel, for the Purpose of searching for or extinguishing any Fire, or lighted Candle or Lamp, or other Combustible, or any Light of any Description, being or suspected to be therein, or for the Purpose of ascertaining the Place in which the same may be, or the Mode or Manner in which the same may have been or may be used or burnt contrary to the Provisions contained in this Act, or contrary to any Rule, Order, Regulation, or Byelaw in that Behalf, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Proofs on Proceedings for Penalty.

XLIII. That on the Trial or Hearing of any Action, Suit, Plaint, Information, or other Proceeding which may be brought, made, laid, commenced, or instituted for the Recovery of any Penalty imposed by or under the Provisions contained in the preceding Clauses or any of them, it shall be sufficient to prove that Light was actually seen on board of or proceeding from such Vessel, without its being necessary to prove the Kind or Nature of the Light which was so seen, or whether the same proceeded from a Fire, or lighted Lamp or Candle, or other Combustible, or from any other Cause.

Certain Provisions of 4 & 5 Vict. c. 30., and 11 & 12 Vict. c. 10. relating to Lien, Payments, and Sales in respect of Freight repealed;

XLIV. That the Seventy-eighth Section of the said recited Act of the Fourth and Fifth Years of the Reign of Her present Majesty, Chapter Thirty, and the Forty-eighth, Forty-ninth, and Fiftieth Sections of the said recited Act of the Eleventh and Twelfth Years of the Reign of Her present Majesty, Chapter Ten, severally relating to the Lien for and Payment of Freight, and Sales to be made for that Purpose, shall be and the same are hereby respectively repealed.

and Provisions made in lieu thereof.

XLV. That all Goods which have been or shall be warehoused by the Trustees under the Provisions of the said recited Acts or any of them, or which have been or shall be lodged or deposited in any of the Warehouses of the Trustees, by any Person having or claiming an Interest in such Goods, or which have been or shall be lodged or deposited in such Warehouses by the Master, Owner, or Charterer of the Vessel out of which the same may have been so warehoused or lodged, or by any Person interested in the Freight of such Vessel, shall, when such Goods shall have been so warehoused or lodged as

aforesaid, continue to be subject and liable to such and the same Claim or Lien for Freight in favour of the Master, Owner, or Charterer of such Vessel, or of any other Person interested in the Freight of the same, as such Goods were subject and liable to whilst the same were on board such Vessel, and before the warehousing or lodging thereof as aforesaid; and the Trustees upon Notice in Writing being given to them by such Master, Owner, Charterer, or other Person interested as aforesaid to detain the same, shall detain and keep such Goods in the Warehouses of the Trustees until the Claim or Lien for Freight to which the same shall be subject and liable as aforesaid, together with all Rates, Rents, and Charges to which the same shall have become subject or liable, shall be duly paid, or until such Rates, Rents, and Charges shall have been so paid, and a Deposit equal in Amount to the Demand made by the Master, Owner, or Charterer of the Vessel, or other Person interested as aforesaid, for or on account of such Claim or Lien for Freight as aforesaid, shall have been made by the Owner or Consignee of such Goods, which Deposit the Trustees are hereby authorized and directed to receive and hold in trust until the Amount due in respect of such Claim or Lien for Freight upon such Goods shall have been tendered or satisfied, when, upon Proof thereof having been given to the Trustees, and all Rates, Rents, and Charges, if any, then due upon such Goods having been paid to the Trustees, the said Deposit shall be returned, upon Demand, to the Person by whom the same was made, his Executors, Administrators, or Assigns; provided always, that every such Deposit shall be considered and taken to be so deposited in Payment of the Claim or Lien for Freight in respect of which such Deposit shall have been made; and the Trustees shall and they are hereby authorized on the Expiration of Fifteen Days next after such Deposit shall have been so made as aforesaid, and in case Notice in Writing to hold and retain the Amount of such Deposit or Claim or Lien for Freight shall not in the meantime have been given to the Trustees by any Person claiming to be entitled to the said Goods, to pay out of so much of the said Deposit as shall remain after deducting and retaining the Rates, Rents, and Charges, if any, then due to the Trustees on the Goods in respect of which such Deposit shall have been made, and all other Expenses, if any, incurred by the Trustees in respect thereof, to the Master, Owner, or Charterer of the Vessel from which such Goods shall have been warehoused or lodged as aforesaid, or other Person entitled to or interested in such Claim or Lien for Freight, the Amount of such Claim or Lien for Freight; and such Payment so made by the Trustees shall release and discharge the Trustees from all Claims and Demands whatsoever in respect of so much of the said Deposit as they shall have so paid to such Master, Owner, Charterer, or other Person as aforesaid, but such Notice to hold and retain the Amount of such Deposit or Claim or Lien for Freight as aforesaid shall

Power to Trustees to detain Goods, &c. until Claims for Freight are paid, or a Deposit for the same shall be made.

shall not continue to operate or have the Effect aforesaid for a longer Period than Thirty Days from the Service thereof, unless some Action, Suit, or other Proceeding at Law or in Equity for determining the Title or Liability to the Freight in respect of which such Deposit shall have been made, or the Right to or the Ownership of such Deposit, shall in the meantime be actually commenced, and Notice in Writing thereof served on the Trustees.

Power of Sale if Deposit be not made.

XLVI. Provided always, That in case such Deposit shall not have been made within Ninety Days next after such Goods shall have been warehoused or lodged as aforesaid, and in case Notice of the Non-payment of the Freight to which the same Goods may be subject or liable shall have been given to the Trustees, it shall be lawful for the Trustees and they are hereby authorized to sell all or any Part of such Goods, and by, with, and out of the Proceeds of such Sale to pay and satisfy in the first place the Duties (if any) payable to the Commissioners of Her Majesty's Customs or Excise in respect of such Goods, and also to retain and pay the Rates, Rents, and Charges payable to the Trustees in respect thereof, and the Expenses of the said Sale, and in the next place to pay and discharge the Freight to which the same Goods may be subject or liable, rendering the Overplus (if any) of the Money arising from such Sale to the Person entitled thereto on Demand, anything in the said recited Acts or this Act or any of them, or any Law, Usage, or Custom, to the contrary thereof in anywise notwithstanding.

The Power of Sale not to be exercised till after Notice.

XLVII. Provided also, That the Trustees shall not sell all or any Part of such Goods until Ten Days previous Notice in Writing of the Claim or Lien for Freight thereon, and of the Intention to sell the same Goods for Satisfaction of the Freight, shall have been given to the Owner or Consignee of such Goods, if the Name of such Owner or Consignee and his Residence or Place of Business shall appear on the Manifest of the Cargo, or shall have been entered in the Books at the Warehouse in which such Goods shall have been deposited, by sending such Notice in a registered Letter by Post to such Residence or Place of Business of such Owner or Consignee, and if such Owner or Consignee shall not be known, then until Ten Days after such Notice shall have been inserted once in some Newspaper published in *London* and in Two Newspapers published in *Liverpool*, and also posted in the Exchange News-room at *Liverpool*, if practicable; and the Trustees shall not sell a greater Portion of such Goods than shall in their Judgment be sufficient to cover the Amount of the said Duties, Rates, Rents, Charges, and Expenses, and of the said Freight.

XLVIII. That

Trustees to have Power to interplead in all Cases.

XLVIII. That in case any Claim or Demand has already been or hereafter shall be made upon the Trustees in respect of any such Deposit or Payment as aforesaid, or in respect of any such Claim or Lien for Freight as aforesaid, or in respect of any Goods or other Effects, Monies, or Securities for Money warehoused by, or lodged or deposited with, or in any Manner and for any Purpose coming or which shall have come into the Possession or under the Control of the Trustees, or any Part thereof, or the Proceeds of any Goods or other Effects or any Part thereof, if sold by the Trustees under the Powers conferred upon them by the said recited Acts or this Act or any of them, then and in every such Case it shall be lawful for the Trustees at any Time after such Claim or Demand made as aforesaid, and whether an Action or other legal Proceeding has been commenced or not, to call upon all the Parties of whose Claims they shall have had Notice, by Rule of One of the Superior Courts, or by Summons before any of the Judges thereof, to interplead, and notwithstanding the Claim of One of the said Parties may be in respect of the said Goods or other Property as aforesaid, and the Claim of the other Party may be in respect of the Value of such Goods or other Property as aforesaid, or in respect of the Proceeds thereof or any Part thereof; and thereupon the said Court or Judge shall and they are respectively hereby empowered to exercise and apply to such Cases respectively all the Powers and Authorities vested in them respectively by a certain Act of Parliament passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, Chapter Fifty-eight, enabling Courts of Law to give Relief against adverse Claims made upon Persons having no Interest in the Subject of such Claims, as far as such Powers and Authorities may be applicable, or to make any other Rule or Order for the Purpose of bringing to a Decision the Claims of the Parties respectively, as such Court or Judge shall think proper; and the said Court or Judge shall be entitled, and are hereby respectively empowered (and whether any other Rule or Order shall be made or not in the Matter), to bar the Claims of all the said Parties who shall so be called before such Court or Judge as aforesaid as against the Trustees, and a Rule or Order to that Effect shall be a Release and Discharge to the Trustees from all such Claims accordingly, both at Law and in Equity; and in every such Case the Trustees shall be entitled to their Costs of and occasioned by all such Proceedings, and shall have a Lien for the same on the said Goods or other Property as aforesaid, or be entitled to deduct the same from the said Deposit, or the Proceeds of the Sale of the said Goods or other Property as aforesaid, or from any other Monies deposited with them, or coming or which shall have come into their Possession as aforesaid; and such Costs so paid to the Trustees may be recovered afterwards from the unsuccessful Party in the Suit or Action or Issue or other legal Proceeding

ceeding to which the said Claims shall give rise; and the Lien or Claim of the said Trustees for such Costs, or for their Rates, Rents, Charges, or Expenses as aforesaid, shall not in any way interfere with or prejudice their Right to interplead under the Provisions of this Act.

Collectors of Tonnage Rates to refuse Entry when previous Rates are unpaid.

XLIX. That when any of the several Rates or Duties of Tonnage or Graving Dock Rates or Dues by the said recited Acts or any of them imposed shall remain unpaid in respect of any Vessel liable thereto, the Collector of such Rates, Duties, and Dues respectively is hereby required to refuse to receive any further or other Entry in respect of any such Vessel, until all Rates, Duties, and Dues previously payable to the Trustees on or in respect of the Use by such Vessel of any Dock, Graving Dock, Basin, Graving Block, Patent Slip, Gridiron, or other Work belonging to the Trustees, shall have been duly paid and satisfied,

For facilitating Transfers of Dock Bonds.

L. And whereas under the said recited Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, Chapter One hundred and eighty-seven, the Trustees were empowered to raise Money upon Bonds under their Common Seal, and Provisions are contained therein with reference to the Registration of Transfers of such Bonds, but no express Power of transferring such Bonds is given by the said Act, and Doubts may arise whether the Bonds of the Trustees are so transferable at Law as to enable the Assignee or Transferee to receive, sue for, and recover the Amount thereof in his own Name, and it is expedient that such Doubts should be removed: Be it therefore enacted, That the Obligee of any Bond already granted or issued, or hereafter to be granted or issued by the Trustees in pursuance or in exercise of the Power vested in or conferred upon them by the said recited Acts, or any of them, or this Act, or the Transferee or Assignee of any such Bond, may from Time to Time, by Deed duly stamped, in which the Consideration for the same shall be fully and truly stated and set forth, transfer or assign his Right and Interest in such Bond to any other Person, and every such Transferee or Assignee shall be entitled to the same Rights and Remedies to enforce Payment of such Bond, and for all other Purposes, as the original Obligee named in such Bond.

Trustees may demise Warehouses for the Purpose of an Emigrants Home.

LI. That it shall be lawful for the Trustees, if they shall think fit, to demise or let any One or more of the Warehouses authorized to be constructed under the Provisions of the recited Acts or any of them for the Purpose of being used as a Home for Emigrants, under such Regulations and Restrictions as to the Trustees shall seem fit.

LII. And

Recital of Agreement to demise Land to the Board of Ordnance.

LII. And whereas by Articles of Agreement entered into on the Twenty-seventh Day of *September* One thousand eight hundred and fifty, between the Trustees of the One Part and the Principal Officers of Her Majesty's Ordnance of the other Part, the Trustees have entered into an Engagement with the said Principal Officers (provided the Sanction of Parliament can be obtained) to demise and assure to them and their Successors, for the Term of One thousand Years from the Date of such Agreement, in trust for Her Majesty, Her Heirs and Successors, and as and for the Site of a Battery of not less than Thirteen Guns, a certain Piece or Parcel of Land situate in the said Town and Borough of *Liverpool*, being formerly Part of the Strand of the River *Mersey*, and lately enclosed from the said River, and containing in the whole by Admeasurement Seven thousand Square Yards or thereabouts, as the same is more particularly delineated in the Plan drawn on the Margin of the said Articles of Agreement: And whereas it is expedient that the said Agreement should be confirmed, and that the Trustees should be enabled to complete and fully carry out the same: Be it therefore enacted, That the said recited Articles of Agreement shall be and the same are hereby confirmed, and that it shall and may be lawful for the Trustees to grant unto the Principal Officers of Her Majesty's Ordnance and their Successors, for the Term of One thousand Years, to be computed from the Twenty-seventh Day of *September* One thousand eight hundred and fifty, in trust for Her Majesty, Her Heirs and Successors, the said Piece or Parcel of Land, and generally to carry out all the several Matters, Articles, and Agreements comprised in the said recited Articles of Agreement as fully and effectually to all Intents and Purposes, and in the same Manner and in all respects, as if such Agreement had been expressly authorized by and had been entered into by the Trustees in pursuance of the Provisions contained in this Act.

Confirmation of Agreement.

Construction of Terms.

LIII. That in the Construction of this Act the Expression "Dock Ratepayer" shall mean Merchants, Owners, or Part Owners of Ships, and other Persons, being Principals residing within the Borough of *Liverpool* or within Eight Miles thereof, or being Agents residing within the Borough of *Liverpool* or within Eight Miles thereof for Principals residing more than Eight Miles from the said Town, who shall have paid, either as Principals or Agents as aforesaid, any Rates and Duties by the said recited Acts of the Fifty-first Year of the Reign of King *Georĝe* the Third, and of the Sixth Year of the Reign of King *George* the Fourth, authorized to be raised, levied, and collected, and shall have been duly registered as such:

The Word "Committee" shall mean "the Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks:"

The Word "Council" shall mean "the Council of the Borough of *Liverpool*:"

The Word "Trustees" shall mean the Trustees of the *Liverpool* Docks.

Expenses of Act.

LIV. That out of the First Monies to be received or raised by the Trustees in pursuance and under the Authority of any of the said recited Acts, the Trustees shall in the first place pay and discharge all Costs, Charges, and Expenses incurred in applying for, obtaining, and passing this Act, and repay all Monies advanced by any Person for such Purposes.

Short Title.

LV. That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The *Liverpool* Dock Act, 1851."

Commencement of Act.

LVI. That this Act shall commence and come into operation on the First Day of *August* One thousand eight hundred and fifty-one.

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