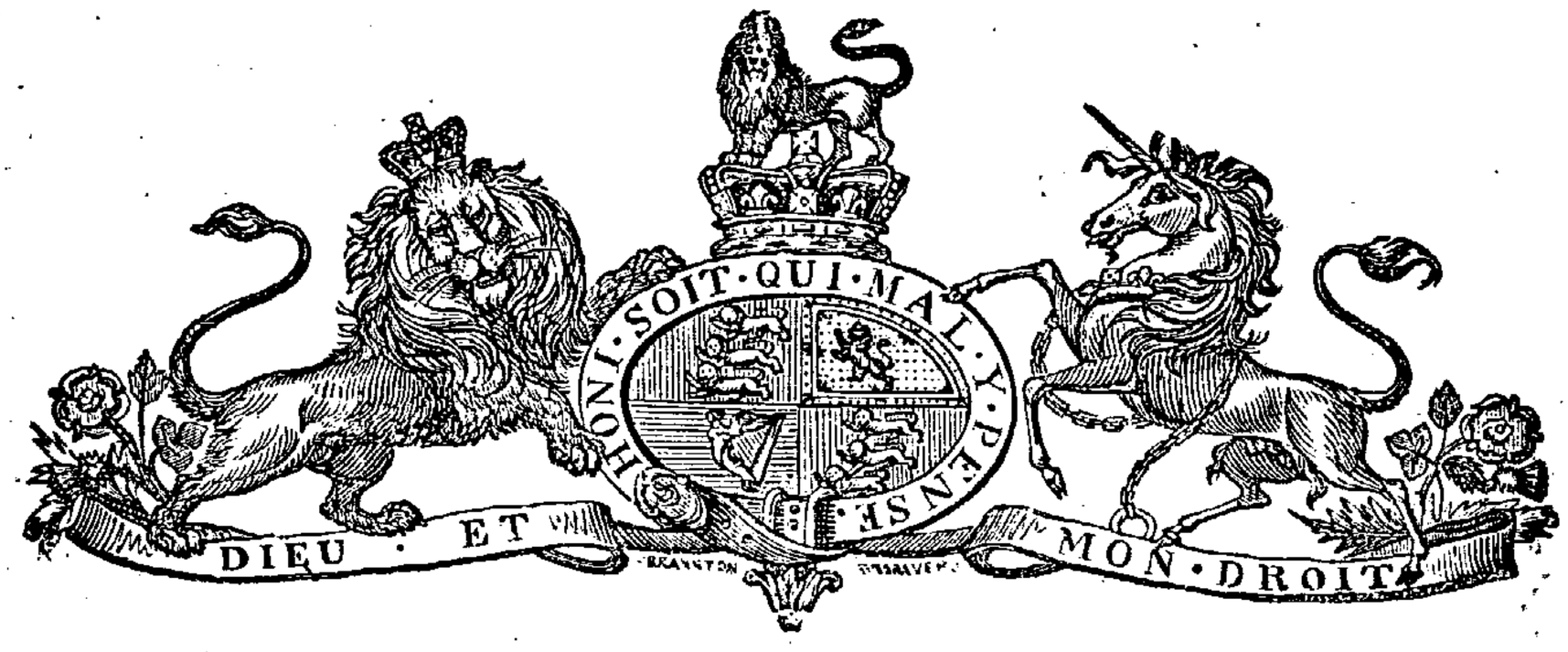


ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

***

'*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 additional Dock and building a Pier in the open Harbour there, and for enlightening the said Dock:* And whereas an Act was passed in the Second Year of the Reign of His Majesty King *George* the Third,
2 G. 3. c. 86. 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* Liverpool, *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* Liverpool: And whereas an Act was passed in the Twenty-fifth Year of the Reign of His Majesty King *George* the
25 G. 3. c. 15. Third, intituled *An Act to enlarge the Terms 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: And whereas an Act was passed in the Thirty-ninth Year of the Reign of
39 G. 3. c. 59. His Majesty 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:* And whereas an Act was passed in the Fifty-first Year of the Reign of His Majesty King
51 G. 3. c. 143. *George* the Third, intituled *An Act for the Improvement of the Port and Town of* Liverpool, *and amending the several Acts relating to the Docks, Quays, and other Works belonging to the said Port:*
53 G. 3. c. 156. And whereas an Act was passed in the Fifty-third Year of the Reign of His Majesty 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:* And whereas an Act was passed in the Fifty-ninth Year of the Reign of His
59 G. 3. c. 30. Majesty 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: And whereas an Act was passed in the Sixth Year of the Reign of His Majesty King *George*
6 G. 4. c. 187. 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:* And whereas an Act was passed in the Ninth Year of the Reign of His Majesty King *George*
9 G. 4. c. 55. the Fourth, intituled *An Act to enable the Trustees of the* Liverpool *Docks to raise a further Sum of Money:* And whereas an Act was passed in the Ninth Year of the Reign of His Majesty King *George*
9 G. 4. c. 114. 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 and Town of* Liverpool, *and to authorize the Trustees of the* Liverpool *Docks to pay for certain Lands and Hereditaments purchased under the same Acts:* And whereas an Act was passed in the Session held in the Eleventh Year

of

of the Reign of His Majesty King *George* the Fourth and the First Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for extending and amending the several Acts relating to the Docks and Harbour of* Liverpool: And whereas an Act was passed in the Fourth Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for enabling the Trustees of the* Liverpool *Docks to erect Transit Sheds on the West Quay of the* Prince's Dock, *to make a Wet Dock with Warehouses on the Quays, and to construct other Works, and to raise a further Sum of Money, and for enlarging the Powers of the Acts relating to the Docks and Harbour of* Liverpool, *and for other Purposes relating thereto:* And whereas an Act was passed in the Session held in the Sixth and Seventh Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to alter and amend certain Provisions of the Acts relating to the Docks and Harbour of* Liverpool: And whereas considerable Progress has been made in the Construction of the Docks, Warehouses, and other Works required by the said recited Act of the Fourth Year of the Reign of Her present Majesty to be constructed and built, and the said Trustees have constructed all the other Docks, Basins, and Works authorized by the said recited Acts to be constructed and made: And whereas the increasing Commerce of the Town and Port of *Liverpool* requires that additional Docks, Basins, and other Works should be forthwith provided for the further Accommodation of Vessels trading to and from the said Town and Port: And whereas it would greatly facilitate the Transit of Merchandize to and from the Docks of the said Trustees if they were empowered to construct a navigable Cut from their said Docks, to communicate with the *Leeds* and *Liverpool* Canal: And whereas the Company of Proprietors of the said Canal are willing to contribute towards the Expence of constructing the said navigable Cut: And whereas certain Parts of the Lands and Hereditaments intended to be used for the Purposes of this Act are included in the Estate of the said Trustees, vested in them by the said recited Acts, and other Parts of the Lands and Hereditaments required for the Purposes of this Act, and proposed to be purchased by the said Trustees under the Authority of this Act, are the Property of the Mayor, Aldermen, and Burgesses, and of the *Harrington* Dock Company, and of the various Persons, Owners, Lessees, or Occupiers, named in Schedules (A.) and (B.) hereunto annexed: And whereas it is expedient that the said Trustees should be authorized for the Purposes of this Act to purchase from the Mayor, Aldermen, and Burgesses all their Estate and Interest in the Land and Strand situate in the Parish of *Liverpool* aforesaid, extending from the Northern Limit of the Estate of the said Trustees northwards to *Beacon Gutter*, as the same anciently flowed and was the Boundary of the Borough of *Liverpool*, as such Borough was limited before the Act passed in the Session of the Fifth and Sixth Years of the Reign of King *William* the Fourth, for the better Regulation of Municipal Corporations in *England* and *Wales*, bounded on the East by *Regent Road*, and thence extending westwardly into the River *Mersey*, with the Dock or Basin thereon, and the Quays thereunto belonging, constructed on Part thereof, and the Houses and Buildings erected on other Part thereof; and also the Strand situate in the Parish of *Walton-on-the-Hill* in the said County of *Lancaster*, extending from the

11 G. 4. & 1 W. 4. c. 14.

4 & 5 Vict. c. 30.

6 & 7 Vict. c. 98.

the first-mentioned Land and Strand northwards, to the South-west Angle of the Road called *Sand Hills Lane*, and bounded on the East by the proposed Extension of *Regent Road*, and thence extending westwardly into the River *Mersey*, and which Lands and Strand are comprised in Schedule (A.) hereunto annexed; and also to purchase from the *Harrington* Dock Company such Part of the Estate of the said Company called the *Harrington* Dock Estate, and the Docks, Basins, and Quays constructed thereon, as is situate on the West Side of *Sefton Street* in the extra-parochial Place of *Toxteth Park* in the said County of *Lancaster*, and as the same extends westwardly into the said River, and which last-mentioned Lands are comprised in Schedule (B.) hereunto annexed; and also to purchase from all and every or any other Person or Persons, Bodies Politic or Corporate, interested therein respectively, all their several and respective Estates and Interests in the Lands comprised in Schedules (A.) and (B.) hereunto annexed: And whereas the Mayor, Aldermen, and Burgesses are willing to sell and alienate all their Estate and Interest in the Lands and Strand comprised in Schedule (A.) hereunto annexed, for a Sum to be estimated and agreed upon, or to be ascertained by Arbitrators or by the Verdict of a Jury under the Provisions of this Act; and the said *Harrington* Dock Company are also willing to sell and alienate all their Estate and Interest in the Lands and Strand comprised in Schedule (B.) hereunto annexed, for a Sum to be estimated and agreed upon, or to be ascertained by Arbitrators or by the Verdict of a Jury under the Provisions of this Act: And whereas, for the Purpose of improving the Navigation of the said River, and securing and preserving the Works to be constructed by the said Trustees under the Provisions of this Act, it is desirable that the said Trustees should, in the event of the said Purchase from the Mayor, Aldermen, and Burgesses being completed, erect a new River Wall and Embankment at the Elevation of Twenty-six Feet above the Level of the old Dock Sill (as preserved at the *Canning* Dock in *Liverpool* aforesaid), from the North-west Angle of the Estate of the said Trustees to the extreme Point northwards of the said secondly-mentioned Strand of the Mayor, Aldermen, and Burgesses; and also, in the event of the Purchase of such Part of the *Harrington* Dock Estate as herein-before mentioned being completed, erect, complete, and finish the River Wall and Embankment already formed and in part constructed by the *Harrington* Dock Company on the River Front of the said Estate, along the Strand northwards until it shall join the River Wall at the South-west Angle of the Southern Boundary of the Estate of the said Trustees, such new River Wall or Embankment to be constructed in the Line herein-after mentioned, with such Entrances into the Docks and Basins of the said Trustees as may from Time to Time be required: And whereas for effecting the several Purposes aforesaid it is expedient that the said Trustees should be authorized to raise a further Sum of Money in addition to the Sums which by the said recited Acts they are authorized to raise: And whereas it is expedient that the said recited Acts should be amended and extended, and that further and additional Powers should be given to the said Trustees; but the same cannot be done without the Aid and 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

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 the said recited Acts, and all the Powers, Provisions, Rates, Penalties, Payments, Exemptions, Remedies, Matters, and Things therein respectively contained (so far as the same are now in force, and are not altered, varied, or repealed by this Act), shall extend to this Act, and shall be in force with respect to this Act as fully as if the same were repeated in the Body of this Act; and the said several recited Acts and this Act shall be construed together as one Act.

Recited Acts, except where altered, extended to this Act, and the whole to be construed as one Act.

II. And be it enacted, That the said Trustees shall and they are hereby authorized to purchase from the Mayor, Aldermen, and Burgesses, and the Mayor, Aldermen, and Burgesses shall and they are hereby authorized to sell and alienate to the said Trustees, all their Estate and Interest in the Lands and Strand comprised in Schedule (A.) hereunto annexed, at or for a Price or Sum to be agreed upon or to be ascertained by Arbitrators or by the Verdict of a Jury in the Manner herein-after directed, and to be paid by the said Trustees to the Mayor, Aldermen, and Burgesses at such Days or Times and in such Manner as the said Trustees and the Mayor, Aldermen, and Burgesses shall mutually fix and determine.

The Trustees authorized to purchase, and the Corporation of the Borough to sell, their Interest in the Lands and Strand comprised in Schedule (A.)

III. And be it enacted, That the said Trustees shall and they are hereby authorized to purchase from the *Harrington* Dock Company, and the Directors for the Time being of the said Company, or the major Part of them, shall and they are hereby authorized to sell to the said Trustees, all the Estate and Interest of the said Company in such Part of the said Estate called the *Harrington* Dock Estate, and the Docks, Basins, Quays, and River Wall constructed thereon, as are situate on the West Side of *Sefton Street* in *Toxteth Park* aforesaid, being Part of the Lands described in Schedule (B.) hereunto annexed, at or for a Price or Sum to be agreed upon or to be ascertained by Arbitrators or by the Verdict of a Jury in the Manner herein-after directed, and to be paid or secured to be paid by the said Trustees to the Trustees for the Time being of the said Company at such Days or Times and in such Manner as the said Trustees of the *Liverpool* Docks and the Directors for the Time being of the said Company shall mutually fix and determine.

The Trustees authorized to purchase from the Harrington Dock Company their Interest in the Land and Strand comprised in Schedule (B.)

IV. And be it enacted, That when the Price or Sum so to be agreed upon or to be ascertained as aforesaid shall have been paid or secured to be paid to the Trustees for the Time being of the *Harrington* Dock Company, the Trustees of the said Company shall and they are hereby required to convey to the Trustees of the *Liverpool* Docks all the Estate and Interest of the said Company in such Part of the Estate called the *Harrington* Dock Estate as shall have been so purchased or contracted to be purchased by the Trustees of the *Liverpool* Docks.

Trustees of Harrington Dock Company to convey to the Dock Trustees so much of the Dock Estate as shall be purchased by them.

V. And be it enacted, That the Receipt of the Trustees, or of the Persons for the Time being acting as the Trustees, of the *Harrington* Dock Company shall be an effectual Discharge to the Trustees of the

The Receipt of the Trustees of the Harrington Dock Com-

pany to be a good Discharge to the Trustees of the Liverpool Docks.

the *Liverpool* Docks for so much Money as in any such Receipt shall be expressed or be acknowledged to be received, and shall wholly exonerate and discharge the Trustees of the *Liverpool* Docks, or other the Persons paying the same, from seeing to the Application thereof, and from being answerable or accountable for the Loss, Misapplication, or Nonapplication thereof, and from inquiring whether the Persons acting as the Trustees of the said Company have been legally or duly appointed or constituted the Trustees thereof.

The Trustees authorized to purchase from other Persons their Interest in Lands comprised in Schedules (A.) and (B.)

VI. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the said Trustees of the *Liverpool* Docks to agree with the Owners of the Lands comprised in Schedules (A.) and (B.) to this Act annexed for the absolute Purchase, for a Consideration in Money, of all or any of such Lands or such Parts thereof as the said Trustees may think proper, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all other Estates or Interests in such Lands, of what Nature or Kind soever.

Parties under Disability enabled to sell and convey.

VII. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed, or entitled to any such Lands, or any such Estate or Interest therein as aforesaid, to sell and dispose, and convey or release the same unto the said Trustees, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail or for any other partial or qualified Estate or Interest, married Women seised in their own Right or entitled to Dower, Guardians, Committees of Lunatics and Idiots, Trustees or Feoffees in trust for charitable or other Purposes, Executors and Administrators; and the Power so to sell and convey as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in reversion, remainder, or expectancy after them, and as to such married Women as if they were sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of their Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees and Executors and Administrators on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and that to the same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

Parties under Disabilities to exercise other Powers.

VIII. And be it enacted, That the Power herein-after given to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent, Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of or convey and release Lands to the said Trustees.

IX. And

Consideration to be in a gross Sum.

IX. And be it enacted, That the Consideration to be paid for the Purchase of any such Lands, or for any Damage done thereto, shall be in a gross Sum.

Acceptance of Compensation for Price of or Damage to Lands.

X. And be it enacted, That the Owners of any such Lands, or of any such Estate or Interest therein as aforesaid, and all Parties by this Act enabled to convey any such Lands, may agree to accept, and, subject to the Restrictions in this Act contained as to the Payment thereof, may accept, Satisfaction for the Value of such Lands or any Interest therein to which such Party shall be entitled; and in addition to Compensation for the Value of such Lands, or of the Interest therein to be so conveyed, such Parties shall be entitled to and may in like Manner accept Compensation for any Damage by them sustained owing to the Exercise of the Powers of this Act.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

XI. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey except under the Provisions in this Act contained, and the Compensation Money to be paid for any permanent Damage or Injury to any such Lands, be it enacted, That such Consideration Money or Compensation shall not (except where the same shall have been determined by the Verdict of a Jury under the Provisions herein-after contained) be less than shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the said Trustees, and the other by the other Party; and if Two such Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not, then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Compensation to absent Parties to be ascertained by Valuation.

XII. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party who by reason of Absence, or from any other Incapacity or Accident, is prevented from treating or cannot be found, and the Compensation Money to be paid for any permanent Injury to such Lands, be it enacted, That such Consideration or Compensation shall not be less than shall be determined by the Valuation of such able practical Surveyor as Two Justices shall nominate for that Purpose, and such Surveyor shall annex to the Valuation a Declaration of the Correctness thereof.

Form of Conveyances.

XIII. And be it enacted, That all Conveyances of Lands so to be purchased as aforesaid may be according to the Form in Schedule (C.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit, unless where the Trustees are advised that the same is not applicable to the Circumstances of the Case, or where it may be necessary to insert particular Covenants, Conditions, or Agreements; and all such Conveyances shall be effectual to vest the Lands thereby conveyed in the Trustees, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, except where the said Trustees shall have express Assignments or other Dispositions made of such Terms for their Benefit, and to bar and destroy

destroy all such Estates Tail, and all such other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever, of and in the Lands comprised in such Conveyances as shall have been purchased or compensated for by the Consideration therein mentioned.

Costs of Conveyance.

XIV. And with respect to the Costs of the Conveyance of any such Lands purchased or taken by the said Trustees, be it enacted, That all such Costs shall be borne by the said Trustees, and such Costs shall include all Charges and Expences incurred on the Part as well of the Seller as the Purchaser of all Conveyances and Assurances of any such Lands, and of any outstanding Terms or Interests therein, and of deducing, evidencing, and verifying the Title to such Lands, Terms, or Interests, and of making out and furnishing such Abstracts and attested Copies as the said Trustees may require, and all other Expences incident to the Investigation, Deduction, and Verification of such Title; and before the said Trustees enter into possession of the Lands so purchased or taken they shall pay the Amount of such Costs; and if there be any Dispute about the same they shall obtain an Order for the Taxation thereof as herein-after provided; nevertheless, if within Seven Days after Notice in Writing from the said Trustees the Parties from whom such Lands shall have been purchased do not deliver a Bill of their Costs to the Solicitor to the said Trustees, then the said Trustees shall not be prevented from entering into possession of such Lands by reason of the Nonpayment of such Costs, or by reason of such Order for Taxation thereof not having been obtained: Provided also, that in case the said Trustees shall not require the making out or furnishing of such Abstracts of Title as aforesaid, but shall be satisfied with an Inspection of or an Extract from the Title Deeds of the Owner of the Lands purchased or taken, such Owner shall be bound, at the Expence of the said Trustees, to produce or cause the Production of the Title Deeds relating to the said Lands when required by the Solicitor or Agent of the said Trustees so to do, without furnishing any Abstract of his Title.

Taxation of Costs.

XV. And be it enacted, That if the said Trustees and the Party entitled to any such Costs shall not agree as to the Amount thereof, such Costs shall be ascertained by the Court of Chancery, and for that Purpose either Party may apply to the Court by Petition, and thereupon the Court shall order such Costs to be referred to One of the Masters to be taxed in the usual Manner; and upon Proof of such Service the Master shall proceed to tax such Costs accordingly, Notice of such Taxation being given to the other Party; and after the Taxation thereof it shall be lawful for the Court to order the Amount at which the same shall be so taxed, together with the Costs of Taxation, or so much of the same as shall be payable by the said Trustees, to be paid to the Party entitled thereto, and the same shall be paid accordingly; and the Expence of taxing such Costs, and of obtaining the Order referring the same to be taxed, shall be borne by the said Trustees, unless on the Taxation One Sixth Part of the Costs be disallowed, in which Case the Expence shall be borne by the Party from whom the Lands shall have been purchased or taken.

XVI. And

Purchase Money payable to Parties under Disability amounting to 200*l.* to be deposited in Bank of England.

XVI. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Lands, or any Interest therein, which any Corporation, Tenant for Life or for any other partial or qualified Interest, married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor, or Administrator, or Person under any Disability, shall be entitled to, and shall under the Powers of this Act be enabled to convey or dispose of, the same shall, if it amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* "the Trustees of the *Liverpool* Docks," pursuant to the Method prescribed by an Act of the Twelfth Year of the Reign of His Majesty King *George* the First, intituled *An Act for the better securing the Monies, and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds and Endorsements thereon, as likewise Endorsements on* South Sea *Bonds*, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Courts, for the Ease of the said Suitors, by applying the Interest therefrom for answering the Charges of the Office of the Accountant General of the said Court;* and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,)

12 G. 1. c. 32.

12 G. 2. c. 24.

Application of Monies deposited.

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Lands in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of any other Lands to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands in respect of which such Money shall have been paid stood settled; or,

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Chancery shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

Order for Application.

XVII. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like

like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold or converted into Money for the Purposes aforesaid, the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands, and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition.

Sums from *20l.* to *200l.* to be deposited, or vested in Trustees.

XVIII. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *England*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees, to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified by Writing under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last Application of the Monies shall not be made unless the said Trustees of the *Liverpool* Docks approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under the Common Seal of the said Trustees of the *Liverpool* Docks; and the Money so paid to the Trustees so named, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein-before directed with respect to Money paid into the Bank of *England*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

Sums not exceeding *20l.* to be paid to Parties.

XIX. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable, for their own Use and Benefit; or in case of the Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity of any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Person.

Where Parties refuse to convey, or do not show Title, the Purchase Money to be deposited.

XX. And for the Purpose of providing for the Payment and Application in certain Cases of the Purchase Money or Compensation to be paid in respect of any such Lands not belonging to Parties under Disability, be it enacted, That in the following Cases, (that is to say,) if the Owner of any such Lands, or of any Interest therein, on Tender of the Purchase Money or Compensation either agreed or awarded to be paid, refuse to accept the same, or if any such Person fail to make out a Title to the Lands in respect whereof such Purchase

chase Money or Compensation shall be payable, or to the Interest therein claimed by him, to the Satisfaction of the said Trustees, or if such Owner be gone out of the Kingdom, or cannot be found, or be not known, or refuse to convey or release such Lands as directed by the said Trustees, it shall be lawful for the said Trustees to deposit the Purchase Money or Compensation payable in respect of such Lands or any Interest therein in the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Parties interested in such Lands (describing such Parties so far as the said Trustees can do), subject to the Control and Disposition of the said Court; and upon Receipt of such Money the Cashier of such Bank shall give to the said Trustees, or to the Party paying in such Money, a Receipt for such Money, specifying therein for what and for whose Use (described as aforesaid) the same shall have been received, and in respect of what Purchase the same shall have been paid in; and thereupon all the Interest in such Lands in respect whereof such Purchase Money or Compensation shall have been deposited shall vest absolutely in the said Trustees.

Application of Monies so deposited.

XXI. And be it enacted, That upon the Application by Petition of any Party making claim to the Money so deposited as last aforesaid or any Part thereof, or to the Lands purchased or taken by the said Trustees or any Part thereof, or any Interest in the same, the said Court of Chancery may in a summary Way, as to such Court shall seem fit, order such Money to be laid out or invested in the Public Funds, or may order Distribution thereof or Payment of the Dividends thereof according to the respective Estates, Titles, or Interests of the Parties making claim to such Money or Lands or any Part thereof, and may make such other Order in the Premises as to such Court shall seem fit.

Court of Chancery may direct Investment or Payment of Money in respect of Leases for Lives, Years, &c., or Reversions.

XXII. Provided always, and be it enacted, That where any Purchase Money or Compensation paid into the Court of Chancery under the Provisions of this Act shall have been paid in respect of any Lease for Lives or Years, or any Estate in Lands less than the whole Fee Simple thereof, or of any Reversion dependent on any such Lease or Estate, it shall be lawful for the Court of Chancery, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid in such Manner as the said Court may consider will give to the Parties interested in such Money the same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be.

Party in possession deemed to be the Owner.

XXIII. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Monies shall have been so paid or deposited as aforesaid, the Parties respectively in possession or receipt of the Rents of such Lands at the Time of such Lands being purchased or taken shall be deemed to have been lawfully entitled to such Lands, until the contrary be shown to the Satisfaction of the Court; and unless the contrary be shown as aforesaid, the Parties

so

so in possession, and all Parties claiming under them or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly.

Costs in Cases of Money deposited.

XXIV. And, with respect to Costs in Cases of Monies deposited in the Bank of *England*, be it enacted, that the Court of Chancery may in all such Cases, except where Monies shall have been so deposited by reason of the wilful Refusal of any Party entitled thereto to receive the same, or to convey or release the Lands in respect whereof the same shall be payable, order the Costs of the following Matters, including therein all reasonable Charges and Expences incident thereto, to be paid by the said Trustees; (that is to say,) the Costs of the Purchase or of the taking or using of the Lands, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for, and the Costs of the Investment of such Monies in Government or Real Securities, and of the Re-investment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands, and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of the Orders for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Monies shall be invested, and for the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities whereon the same shall be invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants.

Payment of Price to be made previous to Entry, except to survey.

XXV. And be it enacted, That the said Trustees shall not, except by the Consent of the Owner and Occupier, enter upon any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, until they shall either have paid to every Party having any Interest in such Land, or deposited in the Bank of *England*, in the Manner herein mentioned, the Purchase Money or Compensation agreed or awarded to be paid to such Parties respectively for their respective Interests therein: Provided always, that for the Purpose merely of surveying or taking Levels of such Lands it shall be lawful for the said Trustees to enter upon the same without the previous Consent of the Owners or Occupiers, making Compensation for any Damage thereby occasioned to the Owners or Occupiers of such Lands.

Penalty on Trustees, &c. entering upon Lands without Consent before Payment of the Purchase Money.

XXVI. And be it enacted, That if the said Trustees or any of their Contractors shall, except as aforesaid, wilfully enter upon and take possession of any Lands which shall be required to be purchased for the Purposes of this Act, without such Consent as aforesaid, or without having made such Payment or Deposit as aforesaid, the said Trustees shall forfeit to the Party in possession of such Lands the Sum of Ten Pounds over and above the Amount of any Damage done to such Lands by reason of such Entry and taking possession as aforesaid, such Penalty and Damage respectively to be recovered before Two Justices; and if the said Trustees or their Contractors shall,

shall, after Conviction in such Penalty as aforesaid, or after Notice from the Party in possession of such Lands, continue in unlawful possession of any such Lands, the said Trustees shall be liable to forfeit the Sum of Twenty-five Pounds for every Day they or their Contractors shall so remain in possession as aforesaid, such Penalty to be recoverable by the Party in possession of such Lands, with full Costs of Suit, in any of the Superior Courts: Provided always, that nothing herein contained shall be held to subject the said Trustees to the Payment of any such Penalties as aforesaid, if they shall *bonâ fide* and without Collusion have paid or deposited the Compensation agreed or awarded to be paid in respect of the said Lands to any Person whom the said Trustees may have reasonably believed to be entitled thereto, although such Person may not have been legally entitled thereto.

Decision of Justices not conclusive as to Right of Entry.

XXVII. And be it enacted, That on the Trial of any Action for any such Penalty as aforesaid the Decision of the Justices, under the Provision herein-before contained, shall not be held conclusive as to the Right of Entry on any such Lands by the said Trustees.

Notice of Intention to take Land.

XXVIII. And be it enacted, That when the said Trustees shall require to purchase any of the Lands which by this Act they are authorized to purchase or take they shall give Notice thereof to all the Parties interested in such Lands, or enabled by this Act to sell and convey or release the same, or such of them as shall be known to the said Trustees, and by such Notice shall demand from such Parties the Particulars of their Estate and Interest in such Lands, and of the Claims made by them in respect thereof; and every such Notice shall be in Writing, signed by the Solicitor to the said Trustees, and shall state the Particulars of the Lands so required, and shall state that the said Trustees are willing to treat for the Purchase of the Interest of such Party in such Lands, and as to the Compensation to be made for the Damage that may be sustained by such Party by reason of taking the same for the Purposes of this Act.

Parties interested in Lands to state their Claims.

XXIX. And be it enacted, That if for One Month after the Receipt of such Notice any such Party shall fail to state the Particulars of his Claim in respect of any such Lands, or to treat with the said Trustees in respect of his Interest therein, or if such Party and the said Trustees shall differ as to the Amount of the Compensation to be paid to such Party for any such Interest, or for any Damage that may be sustained by him by reason of the Execution of the Powers of this Act, the Amount of such Compensation shall be settled in the Manner herein-after provided for settling Cases of disputed Compensation.

Proceedings in case of Refusal to deliver Possession of Lands.

XXX. And be it enacted, That where, according to the Provisions of this Act, the said Trustees are authorized to enter upon and take possession of any Lands required for the Purposes of this Act, if the Owner or Occupier of any such Lands or any other Person refuse to give

give up possession thereof, or hinder the said Trustees from entering upon or taking possession of the same, it shall be lawful for the said Trustees to issue their Precept under their Common Seal to the Sheriff to deliver possession of the same to the Person appointed in such Precept to receive the same, and upon the Receipt of such Precept the said Sheriff shall deliver possession of any such Lands accordingly; and the Costs accruing by reason of the issuing and Execution of such Precept, to be settled by the Sheriff, shall be paid by the Persons refusing to give possession, and such Costs, if not paid on Demand, shall be levied by Distress and Sale, and the Sheriff shall issue his Warrant accordingly.

Dispute as to Compensation to be settled by a Jury.

XXXI. And for the Purpose of making Provision for settling Cases of disputed Compensation arising under this Act, be it enacted, That if any Difference shall arise or if no Agreement can be come to between the said Trustees and the Owners of any Lands, or of any Interest in any such Lands, taken or required for or injuriously affected by the Execution of any of the Powers of this Act (including among such Owners all Parties by this Act enabled to sell or convey Lands), as to the Value of such Lands, or of any Interest therein, or as to the Compensation to be made in respect thereof, or if by reason of Absence any such Owner be prevented from treating, or if any such Owner fail to disclose or prove his Title to any such Lands or any Interest therein, or if by reason of any Impediment or Disability any such Owner be incapable of making any Agreement, Conveyance, or Release necessary for enabling the said Trustees to take such Lands or to proceed in the Execution of the Powers of this Act, or if any such Difference arise as to the Amount of the Damages occasioned to any Lands in exercise of the Powers given by this Act, and for which any Party may be entitled to demand Compensation according to the Provisions of this Act, the Amount of the Compensation to be paid by the said Trustees in every such Case shall, at the Election of the Owners, be settled by the Verdict of a Jury or by Arbitration in Manner herein-after mentioned.

Claims under 50*l.* to be settled by Two Justices.

XXXII. Provided always, and be it enacted, That if the Compensation claimed in any of the Cases mentioned in the preceding Enactment shall not exceed Fifty Pounds, the same shall be settled by Two Justices.

Notice by Trustees, &c. of Intention to have Jury summoned.

XXXIII. And be it enacted, That where it shall be necessary to refer any such Question to the Determination of a Jury, by reason of any such Difference as aforesaid, then, One Month at the least before issuing their Warrant for summoning a Jury as herein-after provided, the said Trustees shall give Notice in Writing to the Party with whom such Difference shall have arisen of their Intention to cause such Jury to be summoned; and in such Notice the said Trustees shall state what Sum of Money they are willing to give such Party for his Interest in such Lands, and for the Damage to be sustained by him by the Execution of the Powers of this Act.

XXXIV. And

Requisition by Party claiming Compensation to have a Jury summoned.

XXXIV. And be it enacted, That if any Party who shall be entitled to any Consideration Money or Compensation in respect of any Lands, or of any Interest therein, taken for or injuriously affected by the Execution of any of the Powers of this Act, shall desire the Amount thereof to be determined by a Jury or by Arbitration, it shall be lawful for such Party to give Notice in Writing to the said Trustees of such his Desire, and he shall in such Notice state the Nature of the Interest claimed by him in such Lands, and the Amount of the Consideration Money and Compensation claimed by him in respect thereof; and unless the said Trustees be willing to pay the Amount so claimed, and shall enter into a written Agreement for that Purpose, then within Twenty-one Days after the Receipt of any such Notice from any Party so entitled they shall issue a Warrant under their Common Seal to the Sheriff to summon a Jury accordingly in the Manner herein mentioned, unless such Party shall have required that such Consideration Money or Compensation shall be determined by Arbitration, in which Case Arbitrators shall be appointed in the Manner herein-after directed.

Warrant for summoning Jury to be addressed to the Sheriff.

XXXV. And be it enacted, That in every Case in which any such Question of disputed Compensation shall be required to be determined by the Verdict of a Jury, the said Trustees shall issue their Warrant to the Sheriff, under their Common Seal, requiring him to summon a Jury for that Purpose; and if such Sheriff shall be interested in the Matter in question, such Warrant shall be directed to some Coroner of the County not interested as aforesaid; and if all the Coroners of the County be so interested, such Warrant may be addressed to some Person having filled the Office of Sheriff or Coroner in such County, and who shall be then living there, and who shall not be interested in the Matter in dispute; and with respect to the Persons last mentioned, Preference shall be given to one who shall have most recently served either of the said Offices.

Provisions applicable to Sheriff to apply to Coroner.

XXXVI. And be it enacted, That throughout the Enactments contained in this Act relating to the Reference to a Jury, where the Term "Sheriff" is used, the Provisions applicable thereto shall be held to apply to every Coroner or other Person lawfully acting in his Place; and in every Case in which any such Warrant shall have been directed to any other Person than the Sheriff, such Sheriff shall, immediately on receiving Notice of the Delivery of the Warrant, deliver over, on Application for that Purpose, to the Person to whom the same shall have been directed, or to any Person appointed by him to receive the same, the Jurors Book and Special Jury List belonging to the County.

Summoning of Jurymen.

XXXVII. And be it enacted, That upon the Receipt of such Warrant the Sheriff shall summon a Jury of Twenty-four indifferent Persons, duly qualified to act as Common Jurymen in the Court of Common Pleas at *Lancaster*, to meet at the Time and Place named in the Warrant for that Purpose.

XXXVIII. And

Impannelling of Jury.

XXXVIII. And be it enacted, That out of the Jurors appearing upon such Summons a Jury of Twelve Persons shall be drawn by the Sheriff, in such Manner as Juries for Trials of Issues joined in the Court of Common Pleas at *Lancaster* are by Law required to be drawn; and if a sufficient Number of Jurymen do not appear in obedience to such Summons, the Sheriff shall return other indifferent Men, duly qualified as aforesaid, of the Bystanders or others that can speedily be procured, to make up the Jury to the Number aforesaid; and all Parties concerned may have their lawful Challenges against any of the Jurymen, but no such Party shall challenge the Array.

Notice of Inquiry.

XXXIX. And be it enacted, That One Month's Notice of the Time and Place of the Inquiry shall be given in Writing by the said Trustees to the other Party.

Sheriff to preside;

Witnesses to be summoned.

XL. And be it enacted, That the Sheriff shall preside on the said Inquiry, and the Party claiming Compensation shall be deemed the Plaintiff, and shall have all such Rights and Privileges as the Plaintiff is entitled to in the Trial of Actions at Law; and, if either Party so request in Writing, the Sheriff shall summon before him any Person considered necessary to be examined as a Witness touching the Matters in question; and on the like Request the Sheriff shall order the Jury, or any Six or more of them, to view the Place or Matter in controversy, in like Manner as Views may be had on the Trial of Actions in the Superior Courts: Provided always, that if either of the Parties to the said Inquiry fail to appear at the Time and Place appointed for holding the same, the Sheriff may proceed therein *ex parte*.

Oath of Jurymen.

XLI. And be it enacted, That before the Jury proceed to inquire of and assess the Compensation or Damage in respect of which their Verdict is to be given they shall make Oath that they will truly and faithfully inquire of and assess such Compensation or Damage; and the Sheriff shall administer such Oaths, as well as the Oaths of all Persons called upon to give Evidence.

Verdict of Jury to be for Purchase of Lands and for Damage, assessed separately.

XLII. And be it enacted, That such Jury shall deliver their Verdict for the Sum of Money to be paid for the Purchase of the Lands required for the Purposes of this Act, or of any Interest therein, belonging to the Party with whom such Questions of disputed Compensation shall so have arisen, and also the Sums of Money to be paid by way of Compensation for the Damage occasioned to any such Lands by the Execution of the Powers of this Act, whether it be for Damage sustained before the Time of the Inquiry, or for future Damage, either temporary or permanent, or for any recurring Damage of which the Cause is then only in part obviated, and which cannot or will not be further obviated by the said Trustees; and the Sums of Money to be paid by way of Compensation for any such Damage as aforesaid shall in every Case be assessed separately from the Value of the Lands, or the Sum to be paid for the Purchase thereof, or of any Interest therein.

XLIII. And

XLIII. And be it enacted, That in assessing the Sum of Money to be paid for the Purchase of any such Lands, the Value of any Interest in such Lands as shall have been heretofore rightfully purchased by the said Trustees shall be first deducted.

Value of Interest previously purchased to be deducted.

XLIV. And be it enacted, That the Sheriff before whom any such Inquiry shall be held shall give Judgment for the Purchase Money or Compensation assessed by such Jury, and the said Verdict and Judgment shall be signed by the Sheriff, and, being so signed, shall be kept by the Clerk of the Peace among the Records of the Quarter Sessions of the County, and such Verdicts and Judgments shall be deemed Records, and the same or true Copies thereof shall be good Evidence in all Courts and elsewhere; and all Persons may inspect the said Verdicts and Judgments, and may have Copies thereof or Extracts therefrom, on paying for each Inspection thereof One Shilling, and for every One hundred Words copied or extracted therefrom Sixpence.

Verdict and Judgment to be recorded.

XLV. And be it enacted, That on every such Inquiry before a Jury, where the Verdict of the Jury shall be given for the same or a greater Sum than the Sum previously offered by the Trustees, all the Costs of such Inquiry shall be borne by the said Trustees; but if the Verdict of the Jury shall be given for a less Sum than the Sum previously offered by the said Trustees, one Half of the Costs shall be defrayed by the Owner of the Lands, and the other Half by the said Trustees: Provided always, that in all Cases in which a Special Jury, or any Adjournment of any Inquiry before a Special Jury, or the Appointment of an Assessor, shall be required by the Parties on either Side, or any of them, the additional Costs on the Matters aforesaid thereby occasioned shall be severally borne by the Party requiring such Special Jury, Adjournment, or Assessor respectively, and shall be retained as is herein directed as to the other Costs of such Inquiry, unless the Party on the other Side shall join in the Request for such Special Jury, Adjournment, or Assessor respectively, or the Sheriff shall at the Time of pronouncing Judgment declare that the Inquiry was proper to be taken before a Special Jury, or that it was proper that such Adjournment should take place, or that it was proper that an Assessor should be appointed, in which Cases such respective Costs shall be severally borne, and may be retained as herein directed with respect to the other Costs of the said Inquiry; provided also, that in every Case where by reason of Absence in Foreign Parts, or of any Disability, the Owner of the Lands shall have been prevented from treating with the said Trustees, all the Costs shall be borne by the said Trustees.

Costs of the Inquiry.

Costs of special Jury, Assessor, &c.

XLVI. And be it enacted, That such Costs shall be settled by the Sheriff, and such Costs shall include all reasonable Costs, Charges, and Expences incurred in summoning, impannelling, and returning the Jury, taking the Inquiry, the Attendance of Witnesses, the Employment of Counsel, recording the Verdict and Judgment thereon, and otherwise incident to such Inquiry, and also the Expences of the Bond, if any, given by the Party at whose Instance the Inquiry shall have been taken for prosecuting his Claim, and securing the Costs of such

Particulars of the Costs.

such Inquiry; and with respect to any such Costs payable by the said Trustees, if within Seven Days after Demand such Costs be not paid to the Party entitled to receive the same, the same shall be recoverable by Distress and Sale of any Goods and Chattels of the said Trustees, and on Application to any Justice he shall give his Warrant accordingly; and with respect to any Costs payable by the Owner of the Lands, or of any Interest therein, the same may be deducted out of any Money awarded by the Jury to be paid to such Owner as so much Money advanced for his Use, and the Payment of the Remainder of such Money shall be a good Payment and Satisfaction of the Whole thereof.

Penalty on Sheriff and Jury for Default.

XLVII. And be it enacted, That if the Sheriff make default in any of the Matters herein-before required to be done by him in relation to any such Trial or Inquiry he shall forfeit Fifty Pounds for every such Offence; and if any Person summoned and returned upon any Jury under this Act, whether common or special, do not appear, or appear but refuse to make Oath, or in any other Manner unlawfully neglect his Duty, he shall, unless he show reasonable Excuse to the Satisfaction of the Sheriff, forfeit a Sum not exceeding Twenty Pounds; and every such Penalty payable by a Sheriff or a Juryman shall be applied in satisfaction of the Costs of the Inquiry, so far as the same will extend; and, in addition to the Penalty hereby imposed, every such Juryman shall be subject to the same Regulations, Pains, and Penalties as if such Jury had been returned for the Trial of any Issue joined in any of the Superior Courts.

Penalty on Witnesses making Default.

XLVIII. And be it enacted, That if any Person duly summoned to give Evidence upon any such Inquiry, and to whom a Tender of his reasonable Expences shall have been made, fail to appear at the Time and Place specified in the Summons, without sufficient Cause, or if any Person, whether summoned or not, who shall appear as a Witness, refuse to be examined on Oath touching the Subject Matter in question, every Person so offending shall forfeit a Sum not exceeding Ten Pounds.

Special Jurymen to to be summoned at the Request of either Party.

XLIX. And be it enacted, That if either Party require any such Question of disputed Compensation as aforesaid to be tried before any Special Jury, and before the said Trustees have issued their Warrant to the Sheriff shall give Notice in Writing of such Desire, such Question shall be so tried, and for that Purpose the said Trustees shall, by their Warrant to the Sheriff under their Common Seal, require him to nominate a Special Jury for such Trial; and thereupon the Sheriff shall, as soon as conveniently may be after the Receipt of such Warrant, summon both the Parties to appear before him, by themselves or their Attornies, at some convenient Time and Place (not being less than Five Days from the Service of such Summons) appointed by him, for the Purpose of nominating a Special Jury; and at the Place and Time so appointed the Sheriff shall proceed to nominate and strike a Special Jury in the Manner in which such Juries shall be required by the Laws for the Time being in force to be nominated or struck by the proper Officer of the Court of Common Pleas

Pleas at *Lancaster;* and the Sheriff shall appoint a Day for the Parties or their Agents to appear before him to reduce the Number of such Jury, and thereof shall give Four Days Notice to the Parties; and on the Day so appointed the Sheriff shall proceed to reduce the said Special Jury to the Number of Twenty-four, in the Manner used and accustomed by the proper Officers of the Court of Common Pleas at *Lancaster*.

Deficiency of Jurymen.

L. And be it enacted, That the Special Jury on such Inquiry shall consist of Twelve of the said Twenty-four who shall first appear on the Names being called over, the Parties having their lawful Challenges against any of the said Jurymen; and if a full Jury do not appear, or if after such Challenges a full Jury do not remain, then upon the Application of either Party the Sheriff shall add to the List of such Jury the Names of any other disinterested Persons qualified to act as Special or Common Jurymen who shall not have been previously struck off the aforesaid List, and who may then be attending the Court or can speedily be procured, so as to complete such Jury, all Parties having their lawful Challenges against such Persons; and the Sheriff shall proceed to the Trial and Adjudication of the Matters in question by such Jury, and such Trial shall be attended in all respects with the like Incidents and Consequences as hereinbefore provided in case of Trial by Common Jury.

Inquiry may be adjourned.

LI. Provided always, and be it enacted, That in any Case in which a Special Jury shall be required as aforesaid, if a sufficient Number of Special Jurymen shall not attend at the Time and Place appointed for holding any Inquiry, and if either of the Parties to such Inquiry, or his Counsel or Attorney, shall on that ground request the said Inquiry to be adjourned, the Sheriff shall adjourn the same to such Place and to such Time, not being, unless with the Consent of both Parties, their Counsel or Attornies, less than Twenty-one Days or more than Forty-two Days thereafter, as he shall think proper; and in such Case the like Proceedings for striking and summoning a Special Jury shall take place for such adjourned Inquiry as are herein-before directed with respect to the Inquiry first appointed; provided that no second or further Adjournment shall take place for want of Special Jurymen, unless with the Consent of the Parties on both Sides, their Counsel or Attornies, or without such Consent, unless the Sheriff shall not be enabled, by the Addition of Bystanders qualified to serve as aforesaid, to fill up the List of Jurymen after all lawful Challenges.

Parties may require an Assessor to be appointed.

LII. Provided also, and be it enacted, That in case the Parties on either Side, on any Inquiry to take place before any special or other Jury, shall require the same, the Sheriff shall be assisted by an Assessor, who shall be a Barrister of not less than Seven Years standing, to be appointed by the Sheriff, and to be chosen by him, in case the Parties on both Sides shall not themselves agree upon some Barrister of such standing as aforesaid to act as such Assessor; and the Parties shall by their Attornies give such Requisition in Writing to the Sheriff Three Days at least before the Day appointed for the Inquiry.

LIII. And

Other Inquiries before same Jury by Consent.

LIII. And be it enacted, That any other Inquiry than that for the Trial of which such Special Jury may have been struck and reduced as aforesaid may be tried by such Jury, provided the Parties thereto respectively shall give their Consent to such Trial.

Jurymen not to attend more than once.

LIV. And be it enacted, That no Special Juryman shall, without his Consent, be summoned or required to attend any such Proceeding as aforesaid more than once in any Year.

Arbitrators how to be appointed.

LV. And for the Purpose of providing as to the Determination of any Dispute authorized or directed by this Act to be settled by Arbitration, be it enacted, That such Matters in difference may be referred to Three Arbitrators, one to be appointed by the said Trustees, another by the Owner, Occupier, or other Person with whom any such Dispute may have arisen, and the Third by any Justice not interested in the Matter in question, within Twenty-one Days after Notice in Writing to be given by such Owner, Occupier, or other Person to the said Trustees.

In case of Inability to act.

LVI. And be it enacted, That in case of the Death or Incapacity to act of any of the said Arbitrators another shall be appointed in his Stead by the Party by whom or in whose Behalf he was so appointed, within Twenty-one Days next after Notice thereof; and the said Arbitrators or any Two of them shall and they are hereby required to hear, settle, and determine the Matter in question, and to make their Award therein by Writing under their Hands or under the Hands of any Two of them.

Appointment of Third Arbitrator.

LVII. And be it enacted, That in case either of the said Parties shall not appoint One Arbitrator for the Purposes aforesaid, or having appointed One who shall afterwards die, then in case the Party whose Arbitrator shall have died shall not appoint another Arbitrator for the Purposes aforesaid within Twenty-one Days after being thereunto required by Writing, to be delivered to the Party by whom or on whose Behalf any such Arbitrator shall not have been appointed as aforesaid within the Time herein-before limited for that Purpose, or if the Arbitrator appointed by or on behalf of either of the said Parties shall refuse or neglect to act in the Premises, or, having acted, shall refuse or neglect to proceed by the Space of Thirty Days, then such Matter may be settled and determined as soon as conveniently may be by the Arbitrator appointed by or on behalf of the other of the said Parties and such Third Arbitrator, and the Determination to be had and made by such One Arbitrator and such Third Arbitrator shall be final and binding on both Parties; but if both of such first-named Arbitrators shall neglect or refuse to act any further, then and in such Case the Matter may be settled and determined as conveniently may be by such Third Arbitrator, and the Determination to be had and made by such Third Arbitrator shall be final and binding on both Parties.

Power of Arbitrator to call for Books, &c.

LVIII. And be it enacted, That such Arbitrators or any Two of them may require the Production of any Books, Title Deeds, and Documents

Documents in the Possession or Power of either Party which they may think necessary for determining the Question in dispute, and may examine the Parties or their Witnesses on Oath, and administer the Oaths necessary for that Purpose.

Arbitrators may proceed after Notice;

LIX. And be it enacted, That if either of the Parties to the said Reference shall neglect or refuse to produce to such Arbitrators, or any Two of them, any Books, Title Deeds, or Documents which they may require to be produced, or if either of the said Parties shall, for the Space of Seven Days after Notice in Writing for such Purpose given by the said Arbitrators, or any Two of them, either personally or by leaving the same at the last known Place of Abode of the Party for whom such Notice is intended, neglect or refuse to proceed in the said Reference, then and in either of the said Cases it shall be lawful for the said Arbitrators to proceed in the said Reference *ex parte*, and to make their Award therein, which shall be final and conclusive upon all Parties.

Costs of Reference.

LX. And be it enacted, That the Costs incurred in and about such Reference, and the making of such Award as aforesaid, shall be apportionable, payable, and recoverable on such and the like Conditions, and in such and the like Manner, as herein provided in case of the Purchase Money or Compensation being settled by a Jury.

Reference to Justices of Disputes as to Compensation.

LXI. And with respect to any such Question of disputed Compensation or other Matter of Difference by this Act authorized to be referred to the Determination of Two Justices, be it enacted, That either Party may apply to such Justices in respect to any such Matter, and thereupon such Justices, in presence of the Parties or such of them as shall appear (being duly summoned for that Purpose), shall examine into the Matter in dispute, and shall award such an Amount of Compensation, or shall make such Determination in respect of the Matter so referred to them, as to them shall seem fit; and the Costs of every such Inquiry shall be in the Discretion of such Justices, and they shall settle the Amount thereof; and in default of Payment of such Costs as directed by such Justices the same shall be levied by Distress and Sale, and the said Justices shall issue their Warrant accordingly.

Trustees empowered to purchase the Interest in Lands the Purchase whereof may have been omitted by Mistake.

LXII. And be it enacted, That if at any Time after the said Trustees shall have entered upon any Lands which under the Provisions of this Act they were authorized to purchase, and which shall be permanently required for the Purposes of this Act, any Party shall appear to be entitled to any Estate, Right, or Interest in or Charge affecting such Lands which the said Trustees shall have failed or omitted duly to purchase or to pay Compensation for, then, whether the Period granted for the Purchase of Lands shall have expired or not, the Trustees shall remain in the undisturbed Possession of such Lands; provided, within Six Calendar Months after Notice of such Estate, Right, Interest, or Charge, in case the same shall not be disputed by the said Trustees, or in case the same shall be disputed,

puted, then within Six Months after the Right thereto shall have been finally established by Law in favour of the Party claiming the same, the said Trustees shall purchase or pay Compensation for the same, and shall also pay to such Party, or to any Party who may establish a Right thereto, full Compensation for the mesne Profits or Interest which would have accrued to such Parties respectively in respect thereof during the Interval between the Entry of the said Trustees thereon and the Time of the Payment of such Purchase Money or Compensation by the said Trustees, so far as such mesne Profits or Interest may be recoverable in Law or Equity; and such Purchase Money or Compensation shall be agreed on or awarded and paid in like Manner as according to the Provisions of this Act the same respectively would have been agreed on or awarded and paid in case the said Trustees had purchased such Estate, Right, Interest, or Charge before entering upon such Lands, or as near thereto as Circumstances will admit.

How Value of such Lands to be estimated.

LXIII. And be it enacted, That in estimating any Compensation to be given for any such last-mentioned Lands, or any Estate or Interest in the same, or for any mesne Profits thereon, the Jury shall assess the same at such Price as they shall find to be the Value of such Lands, Estate or Interest, and Profits, without regard to any Improvements or Alterations made in the said Lands by the said Trustees, and as though such Improvement or Alteration had not been made.

Trustees to pay the Costs of Litigation as to such Lands.

LXIV. And be it enacted, That in addition to the said Purchase Money, Compensation, or Satisfaction, and before the said Trustees shall become absolutely entitled to any such Estate, Interest, or Charge, or to have the same merged or extinguished for their Benefit, they shall, when the Right to any such Estate, Interest, or Charge shall be disputed by them, pay the full Costs and Expences of any Proceedings at Law or in Equity for the Recovery of the same to the Parties with whom any Litigation in respect thereof shall have taken place; and such Costs and Expences shall, in case the same shall be disputed, be settled by the proper Officer of the Court in which such Litigation took place.

Parties not compelled to sell Parts of Lands.

LXV. And be it enacted, That no Party shall at any Time be required to sell or convey to the said Trustees a Part only of any Lands comprised in Schedules (A.) and (B.) hereunto annexed, if such Party be willing to sell and convey the whole thereof.

Power to redeem Mortgages.

LXVI. And with respect to any such Lands which shall be subject to any Mortgage, be it enacted, That the said Trustees may purchase or redeem the Interest of the Mortgagee of such Lands, and that whether they shall have previously purchased the Equity of Redemption of such Lands or not, and whether the Mortgagee thereof be entitled thereto in his own Right or in trust for any other Party, and whether he be in possession of such Lands by virtue of such Mortgage or not, and whether such Mortgage affect such Lands solely or jointly with any other Lands not required for the Purposes of this Act; and in order

order thereto the said Trustees may pay or tender to such Mortgagee the Principal and Interest due on such Mortgage, together with his Costs and Charges, if any, and also Six Months additional Interest; and thereupon such Mortgagee shall immediately deliver the Title Deeds of such Lands to the said Trustees, and shall convey his Interest in the Lands comprised in such Mortgage to the said Trustees, or as they shall direct; or the said Trustees may give Notice in Writing to such Mortgagee that they will pay off the Principal and Interest due on such Mortgage at the End of Six Months computed from the Day of giving such Notice; and if they shall have given such Notice, or if the Party entitled to the Equity of Redemption of any such Lands shall have given Six Months Notice of his Intention to redeem the same, then at the Expiration of either of such Notices, or at any intermediate Period, upon Payment or Tender by the said Trustees to the Mortgagee of the Principal Money due on such Mortgage, and the Interest which would become due at the End of Six Months from the Time of giving either of such Notices, together with his Costs and Expences (if any), such Mortgagee shall deliver the Title Deeds of such Lands to the said Trustees, and convey or release his Interest in the Lands comprised in such Mortgage to the said Trustees, or as they shall direct.

Deposit of Mortgage Money on Refusal to accept Redemption.

LXVII. And be it enacted, That if in either of the Cases aforesaid, upon such Payment or Tender, any Mortgagee shall fail to convey or release his Interest in such Mortgage, as directed by the said Trustees, or if he fail to adduce a good Title thereto to their Satisfaction, then it shall be lawful for the said Trustees, at any Time after such Failure, to pay into the Bank of *England*, in the Manner provided by this Act in Cases of Money directed to be deposited in such Bank, the Principal and Interest, together with the Costs, if any, due on such Mortgage, and also, if such Payment be made before the Expiration of Six Months Notice as aforesaid, such further Interest as would at that Time become due; and thereupon, as well as upon such Conveyance by the Mortgagee, if any such be made, all the Estate and Interest of such Mortgagee, and of all Persons in trust for him or for whom he may be a Trustee in such Lands, shall vest in the said Trustees, and they shall be deemed to be in the actual Possession thereof in case such Mortgagee were himself entitled to such Possession.

Sum to be paid when Mortgage exceeds Value of Lands.

LXVIII. And with respect to any such mortgaged Land which shall be of less Value than the Principal, Interest, and Costs secured thereon, be it enacted, That the Value of such Lands, or the Compensation to be made by the said Trustees in respect thereof, shall be settled by Agreement between the Mortgagee of such Lands and the Party entitled to the Equity of Redemption thereof on the one Part, and the said Trustees on the other Part, and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the said Trustees to the Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and upon Payment or Tender thereof the Mortgagee shall

shall convey or release all his Interest in such mortgaged Lands to the said Trustees, or as they shall direct.

Deposit of such Mortgage Money in the Bank.

LXIX. And be it enacted, That if upon such Payment or Tender as aforesaid being made any such Mortgagee shall fail so to convey his Interest in such Mortgage, or to deduce a Title thereto to the Satisfaction of the said Trustees, then they may pay the Amount of such Value or Compensation into the Bank of *England*, in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and every such Payment or Deposit shall be accepted by the Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and shall be a full Discharge of such mortgaged Lands from all Money due thereon; and thereupon such Lands, as to all such Estate and Interest as were then vested in the Mortgagee or any Person in trust for him, shall become absolutely vested in the said Trustees, and they shall be deemed to be in the actual Possession thereof in case such Mortgagee were himself entitled to the Possession thereof; nevertheless, all Rights and Remedies possessed by the Mortgagee against the Mortgagor by virtue of any Bond or Covenant or other Obligation, other than the Right to such Lands, shall remain in force in respect of so much of the Mortgage Debt as shall not have been satisfied by such Payment or Deposit.

Sum to be paid where Part only of mortgaged Lands taken.

LXX. And with respect to any such mortgaged Lands of which only a Part shall be required for the Purposes of this Act, be it enacted, That if the Part so required be of less Value than the Principal Money, Interest, and Costs secured on such Lands, and the Mortgagee shall not consider the remaining Part of such Lands a sufficient Security for the Money charged thereon, or be not willing to release the Part so required, then the Value of such Part, and also the Compensation (if any) to be paid in respect of the Severance thereof or otherwise, shall be settled by Agreement between the Mortgagee and the Party entitled to the Equity of Redemption of such Lands on the one Part, and the said Trustees on the other Part; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation the same shall be determined as in other Cases of disputed Compensation, and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the said Trustees to such Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and thereupon such Mortgagee shall convey or release to them, or as they shall direct, all his Interest in such mortgaged Lands the Value whereof shall have been so paid; and a Memorandum of what shall have been so paid shall be indorsed on the Deed creating such Mortgage, and shall be signed by the Mortgagee, and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Trustees, at their Expence, to the Party entitled to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

Deposit of such Money when refused on Tender.

LXXI. And be it enacted, That if upon Payment or Tender to any such Mortgagee of the Amount of the Value or Compensation so agreed upon or determined such Mortgagee shall fail to convey or release

release to the said Trustees, or as they shall direct, his Interest in the Lands in respect of which such Compensation shall so have been paid or tendered, or if he shall fail to deduce a good Title thereto to the Satisfaction of the said Trustees, it shall be lawful for the said Trustees to pay the Amount of such Value or Compensation into the Bank of *England* in the Manner provided by this Act in case of Monies required to be deposited in such Bank; and such Payment or Deposit shall be accepted by such Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and shall be a full Discharge of the Portion of the mortgaged Lands so required from all Money due thereon, and thereupon such Lands shall become absolutely vested in the said Trustees as to all such Estate and Interest as were then vested in the Mortgagee or any Person in trust for him, and in case such Mortgagee were himself entitled to such Possession the said Trustees shall be deemed to be in the actual Possession thereof; nevertheless, every such Mortgagee shall have the same Powers and Remedies for recovering and compelling Payment of the Mortgage Money, or the Residue thereof (as the Case may be), and the Interest thereof respectively, upon and out of the Residue of such mortgaged Lands, or the Portion thereof not required for the Purposes of this Act, as he would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage.

Release of Lands from Rent-charge.

LXXII. And with respect to any such Lands which shall be charged with any Rent Service, Rent-charge, or chief or other Rent, or other Payment or Incumbrance, be it enacted, That if any Difference shall arise between the said Trustees and the Party entitled to any such Charge respecting the Consideration to be paid for the Release of such Lands therefrom, or from the Portion thereof affecting the Lands required for the Purposes of this Act, the same shall be determined as in other Cases of disputed Compensation.

Release of Part of Lands from Charge.

LXXIII. And be it enacted, That if Part only of the Lands charged with any such Rent Service, Rent-charge, chief or other Rent, Payment or Incumbrance, be required to be taken for the Purposes of this Act, the Apportionment of any such Charge may be settled by Agreement between the Party entitled to such Charge and the Owner of the Lands on the one Part, and the said Trustees on the other Part, and if such Apportionment be not so settled by Agreement the same shall be settled by Two Justices; but if the remaining Part of the Lands so jointly subject be a sufficient Security for such Charge, then, with the Consent of the Owner of the Lands so jointly subject, such Owner not being under legal Disability or Incapacity, the Party entitled to such Charge may release therefrom the Lands required, on condition or in consideration of such other Lands remaining exclusively subject to the whole thereof.

Deposit in case of Refusal to release.

LXXIV. And be it enacted, That upon Payment or Tender of the Compensation so agreed upon or determined to the Party entitled to any such Charge as aforesaid such Party shall execute to the said Trustees a Release of such Charge, and if he fail so to do, or if he fail to deduce a good Title to such Charge to the Satisfaction of

the said Trustees, they shall pay the Amount of such Compensation into the Bank of *England* in the Manner provided by this Act in the like Cases of Monies required to be deposited in such Bank; and thereupon the Rent Service, Rent-charge, chief or other Rent, Payment or Incumbrance, or the Portion thereof in respect whereof such Compensation shall so have been paid, shall cease and be extinguished.

Charge to continue on Lands not taken.

LXXV. And be it enacted, That if any such Lands be so released from any such Charge or Incumbrance or Portion thereof to which they were subject jointly with other Lands, such last-mentioned Lands shall alone be charged with the whole of such Charge, or with the Remainder thereof, as the Case may be, and the Party entitled to the Charge shall have all the same Rights and Remedies over such last-mentioned Lands, for the whole or for the Remainder of the Charge, as the Case may be, as he had previously over the whole of the Lands subject to such Charge; and if upon such Charge or Portion of Charge being so released the Deed or Instrument creating or transferring such Charge be tendered to the said Trustees for the Purpose, they shall affix their Seal to a Memorandum of such Release indorsed on such Deed or Instrument, declaring what Part of the Lands originally subject to such Charge shall have been purchased by the said Trustees by virtue of this Act, and, if the Lands be released from Part of such Charge, what Proportion of such Charge shall have been released, and how much thereof continues payable, or if the Lands so required shall have been released from the whole of such Charge, then that the remaining Lands are thenceforward to remain exclusively charged therewith; and such Memorandum shall be made and executed at the Expence of the said Trustees, and shall be Evidence in all Courts and elsewhere of the Facts therein stated, but not so as to exclude any other Evidence of the same Facts.

Where Part only of Lands under Lease taken, the Rent to be apportioned.

LXXVI. And with respect to any such Land which shall be comprised in a Lease for a Term of Years unexpired, Part only of which Lands shall be required for the Purposes of this Act, be it enacted, That the Rent payable in respect of the Lands comprised in such Lease shall be apportioned between the Lands so required and the Residue of such Lands, and such Apportionment may be settled by Agreement between the Lessor and the Lessee of such Lands on the one Part and the said Trustees on the other Part, and if such Apportionment be not so settled by Agreement between the Parties such Apportionment shall be settled by Two Justices; and after such Apportionment the Lessee of such Land shall, as to all future accruing Rent, be liable only to so much of the Rent as shall be so apportioned in respect of the Land not required for the Purposes of this Act, and the Lessor shall have all the same Rights and Remedies for the Recovery of such Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to that Part of the Land which shall not be required for the Purposes of this Act, in the same Manner as they would have done in case such Part only of the Land had been included in the Lease.

LXXVII. And

Tenants to be compensated.

LXXVII. And be it enacted, That every such Lessee as last aforesaid shall be entitled to receive from the said Trustees Compensation for the Damage done to him in his Tenancy by reason of the Severance of the Lands required from those not required, or otherwise by reason of the Execution of any of the Powers of this Act.

Tenants at Will or from Year to Year to cede Possession on Six Months Notice.

LXXVIII. And with respect to any such Lands which shall be in the Possession of any Person having no greater Interest therein than as Tenant at Will, or Lessee for a Year or from Year to Year, be it enacted, That at the Expiration of Six Months after receiving Notice to that Effect from the said Trustees, or at any other Time when required after the Expiration of that Period, all such Persons shall respectively deliver up to the said Trustees, or to the Person appointed by them to take possession thereof, any such Lands in their Possession required for the Purposes of this Act; and any such Notice shall be effectual, whether it be given with reference to the Time of the Commencement of such Tenant's holding or not, and whether such be given before or after the Purchase of such Lands by the said Trustees.

Compensation to such Tenants.

LXXIX. Provided always, and be it enacted, That if any such Person as last aforesaid be required to give up Possession of any Lands so occupied by him before the Expiration of his Term or Interest therein, he shall be entitled to Compensation for the Value of his unexpired Term or Interest in such Lands, or, if a Part only of such Lands be required, Compensation for the Damage done to him in his Tenancy by the Severance of the Lands required from those not required, and the Amount of such Compensation shall be determined by Two Justices in case the Parties differ about the same.

On Refusal to give Possession.

LXXX. And be it enacted, That if any such Person refuse to give up such Possession it shall be lawful for the said Trustees, after making Payment or Tender of such Compensation as herein-before mentioned, but not otherwise, to issue their Precept under their Common Seal to the Sheriff, to deliver up Possession of such Lands to the Person in such Precept nominated to receive the same; and upon the Receipt of such Precept the Sheriff shall deliver Possession of such Lands in obedience thereto, and the Party so refusing to give up Possession shall pay the Costs incurred in the issuing or Execution of such Precept, to be settled by the Sheriff; and if on Demand he fail to pay the same, they shall be levied by Distress, and the Sheriff shall issue his Warrant accordingly.

Production of Leases.

LXXXI. And be it enacted, That if any Party claim Compensation in respect of any unexpired Term or Interest under any Lease or Grant of any such Lands, the said Trustees may require such Party to produce to their Solicitor the Lease or Grant in respect of which such Claim shall be made, or the best Evidence thereof in his Power; and if, after Demand made in Writing by the Trustees, such Lease or Grant, or the best Evidence thereof, be not produced within a reasonable Time, the Party so claiming Compensation shall be considered as a Tenant holding only from Year or Year, and be entitled to Compensation accordingly.

LXXXII. Pro-

Time limited for Purchases.

LXXXII. Provided always, and be it enacted, That if the said Trustees shall not within the Space of Seven Years next after the passing of this Act agree for and purchase, by virtue of the Powers and Authorities in this Act contained, the Lands and Hereditaments which they are by this Act authorized to purchase as aforesaid, and the several Estates, Rights, and Interests therein, then and thenceforth all such Right of compelling the Owners of such Lands and Hereditaments to sell the same as aforesaid shall cease, determine, and be utterly void and of no effect, any thing herein contained to the contrary notwithstanding: Provided also, that nothing in this Act contained shall authorize the said Trustees to purchase by Compulsion any Lands not mentioned or referred to in the Schedules (A.) and (B.) to this Act annexed, or one of them.

Restrictions as to emptying Mud, &c. into the River.

LXXXIII. And whereas by the said recited Act of the Sixth Year of the Reign of King *George* the Fourth it is enacted, that if any Person shall throw, cast, or empty any Ballast, Ashes, or other Rubbish out of any Vessel into the River *Mersey*, or the Channels therein mentioned, or from any of the Piers or Wharves of any of the Docks or Basins of the said Trustees into such Docks or Basins, or into the said River, except such Mud or Rubbish as may be taken out of the said Docks and Basins in cleansing the same, such Person shall forfeit and pay a Sum not exceeding Ten Pounds for each Offence; be it enacted, That during the Space of Seven Years from and after the passing of this Act it shall not be lawful for the said Trustees, or any Persons whomsoever, to cast, throw, or empty into the River *Mersey*, except into the Mid-channel thereof, between *Seacombe* and *Egremont* Ferries, any Mud, Sand, Clay, or other Rubbish which may be taken out of the Docks of the said Trustees in cleansing the same, nor to empty any such Mud, Sand, Clay, or other Rubbish from any Flat, Lighter, or other Vessel into the Mid-channel of the said River, between *Seacombe* and *Egremont* Ferries, except only during the first Quarter Ebb of the Tide, nor to empty more than One such Flat, Lighter, or other Vessel at one and the same Spot; and if any Person whomsoever shall cast, throw, or empty any Mud, Sand, Clay, or other Rubbish which may be taken out of the said Docks aforesaid contrary to the Provisions of this Act, he shall for every such Offence forfeit and pay a Sum not less than One Pound and not exceeding One hundred Pounds: Provided always, that if at the End of the said Period of Seven Years it shall appear to the Commissioners for executing the Office of Lord High Admiral and the Commissioners for the Conservancy of the said River *Mersey* that the Mode of emptying into the said River such Mud, Sand, Clay, or other Rubbish is not prejudicial to the Navigation of the said River, then it shall be lawful for the said Trustees to continue the Mode herein-before authorized of emptying the same into the said River, but if, One Year before the Expiration of the said Period, the said Commissioners for executing the said Office of Lord High Admiral and the Commissioners for the Conservancy of the said River shall be of opinion that such Mode as aforesaid is prejudicial to the said Navigation, and shall give to the said Trustees Twelve Months Notice in Writing of such their Opinion, then and in such Case the said Trustees shall at the Expiration of such Notice discontinue such Mode or any other Mode of emptying such

such Mud, Sand, Clay, or Rubbish into the said River which the said Commissioners respectively may consider prejudicial to the said Navigation, unless on Application to Parliament it shall be otherwise determined.

Trustees not to cast Soil into the River.

LXXXIV. And be it enacted, That nothing herein or in the said recited Acts contained shall authorize the said Trustees, or any other Persons with their Authority, to cast any Soil, Stone, Rubbish, or Material of any Description excavated in making the Docks or Basins by this Act authorized, into the Tidal Waters of the said River *Mersey*.

Power to construct additional Docks and other Works.

LXXXV. And be it enacted, That it shall be lawful for the said Trustees to construct, in and upon the Site denoted in the Plan deposited as herein-after mentioned, and in and upon the Land and Strand in the Parishes of *Liverpool* and *Walton-on-the-Hill* aforesaid which may be purchased by them under the Authority of this Act, or in and upon any Part thereof, such Wet Docks and Basins for Vessels, with proper Piers, Jetties, Quays, Wharves, Walls, Sea Walls, Embankments, Locks, Bridges, Weirs, Sluices, Tunnels, Cuts, Channels, and other Works necessary to support and complete the same, with Entrances into and from the same to communicate as well with the River *Mersey* as with the adjoining Docks or Basins of the said Trustees or any of them, and also such Graving or Repairing Docks, and Inclined Planes or Patent Slips, and Graving Blocks, for the Accommodation of the Trade of the Town and Port of *Liverpool*, according to such Forms and Plans, and of such Dimensions and of such Materials, and with such surrounding Walls and other Conveniences, as to the said Trustees shall seem necessary and proper; and also to design, lay out, and excavate, construct, erect, build, and finish, in and upon the Site denoted in the said Plan, and in and upon the Land and Strand in the extra-parochial Place of *Toxteth Park* aforesaid, now vested in them, and which may be purchased by them under the Authority of this Act, or in and upon any Part thereof, such Wet Docks and Basins for Vessels, with proper Piers, Jetties, Quays, Wharves, Walls, Sea Walls, Embankments, Locks, Bridges, Weirs, Sluices, Tunnels, Cuts, Channels, and other Works necessary to support and complete the same, with Entrances into and from the same to communicate as well with the River *Mersey* as with the adjoining Docks or Basins of the said Trustees or any of them; and also such Graving and Repairing Docks, and Inclined Planes or Patent Slips, and Graving Blocks, for the Accommodation of the Trade of the Town and Port of *Liverpool*, according to such Forms and Plans, and of such Dimensions and of such Materials, and with such surrounding Walls and other Conveniences, as to the said Trustees shall seem necessary and proper.

Power for the Trustees to alter the Docks.

LXXXVI. And be it enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to widen, deepen, extend, enlarge, and otherwise alter, upon the Site denoted in the said Plan, all or any of the Docks, Basins, Piers, and other Works which may be purchased by them under the Authority of this Act, and also any of the present and future Docks, Basins, Piers, and

other Works of the said Trustees, and the Entrances thereto respectively, and to make additional Entrances, and to widen, enlarge, or otherwise alter the Quays thereof respectively, to such Extent and in such Manner as the said Trustees shall deem proper.

Docks may be inclosed by Walls.

LXXXVII. And be it enacted, That it shall be lawful for the said Trustees, if they shall think fit, to inclose all or any of the present or intended Wet Docks, Basins, Quays, Graving Docks, and other Works of the said Trustees, in such Manner as they shall deem necessary and proper, by Walls of Brick or Stone, or both, as they shall think fit, with Gates therein for Entrances.

Huts to be provided for Revenue Officers.

LXXXVIII. And be it enacted, That proper Huts for the Officers of the Revenue, and all fit and necessary Weighing Materials, shall be provided by the said Trustees, and shall be maintained and kept in good and sufficient Repair by the said Trustees.

Power to make a navigable Cut.

LXXXIX. And be it enacted, That it shall be lawful for the said Trustees and they are hereby required, within Three Years after the Deed herein-after mentioned shall have been executed by the Company of Proprietors of the *Leeds* and *Liverpool* Canal, to construct, on the Site denoted in the said Plan, and in and upon the Lands comprised in Schedule (A.) hereunto annexed, and which may be purchased under the Authority of this Act, or any Part of such Lands, a navigable Cut from the Docks and Basins of the said Trustees, to communicate with the *Leeds* and *Liverpool* Canal, and to construct the same, with such Locks, Basins, Wharves, Walls, Banks, Weirs, Sluices, Channels, Bridges, and other Works, as the said Trustees may think necessary and proper.

Trustees to erect a Cottage for Lock-keeper.

XC. And be it enacted, That it shall be lawful for the said Trustees and they are hereby required to construct in and upon the Lands so to be purchased as aforesaid, and near the Junction of the said navigable Cut with the *Leeds* and *Liverpool* Canal, a Cottage, with proper Conveniences, for the Use of the Keeper of the Locks upon the said navigable Cut.

The Cut to be supplied with Water from the Leeds and Liverpool Canal.

XCI. And be it enacted, That when and so soon as the said navigable Cut authorized to be made and constructed under the Authority of this Act, and the Basins, Locks, and other Works connected therewith, shall have been made, it shall be lawful for the said Company of Proprietors of the *Leeds* and *Liverpool* Canal to cause a sufficient Quantity of Water to flow and pass from Time to Time and at all Times during the Day and Night from and out of the said Canal into the said Cut, so as to provide for the working of the said Cut, and of the Basins, Locks, and other Works connected therewith.

A Waste Weir to be constructed, and the Level of the present Weirs along the Line of

XCII. And be it enacted, That for the Purpose of keeping and preserving such Quantity of Water in the said Canal as shall at all Times be sufficient for the Purposes of the said Cut, the said Company of Proprietors shall supply all the Water which can be spared from the said Canal between *Appley* Lock and *Liverpool*, and the said Trustees shall and they are hereby required, at their own Expence, in the Construction

Construction of the said navigable Cut and other Works, to erect and build Two substantial Waste Weirs, of such Capacity as shall with Facility convey all the waste Water which shall pass or flow out of the said Canal; and the said Company of Proprietors shall not allow any waste Water to escape from the said Canal which can reasonably be prevented.

the Leeds and Liverpool Canal to be raised.

XCIII. And be it enacted, That the said Trustees shall and they are hereby required to excavate and build under and through such Part of the Land to be purchased by the said Trustees under the Authority of this Act, as they shall think proper, a Culvert for conveying and carrying away into the present or future Docks of the said Trustees, or into the River *Mersey*, at Low-water Mark, as the said Trustees shall think proper, all the Water which shall not be required for the Purposes of the said navigable Cut; and that it shall be lawful for the said Trustees to carry such Culvert under *Great Howard Street* and *Regent Road* aforesaid, or either of them, provided that such Culvert shall not interfere with the public Sewers now made or hereafter to be made under the said Streets.

The Trustees to cause the waste Water to be carried away.

XCIV. And be it enacted, That the said Company of Proprietors shall and they are hereby required to employ at their own Expence fit and proper Persons to superintend, direct, and manage the Admission of the Water from the said Canal into the said Cut, and also to superintend and direct and manage the Lockage of Vessels into and out of the said Canal from and into the said Cut.

Canal Company to appoint Persons to admit the Water into the Cut, &c.

XCV. And be it enacted, That it shall be lawful for the said Trustees to form and construct the said navigable Cut across the said Streets called *Great Howard Street* and *Regent Road*, and so much of the said Streets as shall form Part of the said navigable Cut shall be vested in the said Trustees for the Purposes of the said recited Acts and this Act.

The Cut to be made across Great Howard Street and Regent Road.

XCVI. And be it enacted, That it shall be lawful for the said Company of Proprietors of the *Leeds* and *Liverpool* Canal to bind themselves, by Deed under their Common Seal, to pay to the said Trustees the Sum of Fifty thousand Pounds towards the Expence of making, constructing, and finishing the said navigable Cut and the other Works connected therewith; and the said Sum of Fifty thousand Pounds shall be paid by Four Instalments, in the Sums and at the Times following; (that is to say,) the Sum of Four thousand four hundred Pounds, being the First of the said Instalments, within Seven Days after the passing of this Act, the Sum of Twenty-eight thousand Pounds, being the Second of the said Instalments, when and so soon as the said Trustees shall have purchased or agreed for and obtained Possession of the Lands necessary for making the said Cut, the Sum of Eight thousand eight hundred Pounds, being the Third of the said Instalments, when the said navigable Cut and Works shall be certified by any Justices, upon the Evidence of some credible Witness, to have been half completed, and the Sum of Eight thousand eight hundred Pounds, being the Fourth and last of the said Instalments, when the said navigable Cut and Works shall, in the Manner herein-

Canal Company to secure 50,000*l.* by Deed under their Common Seal.

herein-before directed, be certified to have been completed; and in the meantime the said Sum, or so much thereof as for the Time being shall remain unpaid, shall be a Charge upon all the Property of the said Company, and the said Trustees shall not be required to commence the said Cut until the said Sum of Fifty thousand Pounds shall have been secured by Deed under the Common Seal of the said Company; but no Payment of any Part of the said Sum of Fifty thousand Pounds shall be made, nor shall any Deed securing the same be entered into between the said Company and the said Trustees, unless by the Authority of the Votes of Three Fifths at least of the said Company present personally or by Proxy at some Special General Meeting of the Company called for the Purpose, and convened by Advertisement inserted for Four successive Weeks in some Newspaper or Newspapers published in each of the Counties of *Lancaster* and *York*, and which Meeting shall be held not sooner than Seven Days after the Appearance of the last of such Notices in any such Newspapers.

Trustees to convey Part of Cut between the West Side of Great Howard Street and the Canal.

XCVII. And be it enacted, That when and so soon as the said navigable Cut, and the Works connected therewith, shall have been completed and finished, and the said Cut supplied with Water, and the whole of the said Sum of Fifty thousand Pounds shall have been fully paid by the said Company of Proprietors, it shall be lawful for the said Trustees and they are hereby required, by Deed under their Common Seal, to convey to the said Company of Proprietors the whole of the said navigable Cut, and the Works connected therewith, which shall lie or be formed between the West Side of *Regent Road* and the said *Leeds* and *Liverpool* Canal, or so much of the said navigable Cut, and the Works connected therewith, as shall lie or be formed between the West Side of *Great Howard Street* and the said *Leeds* and *Liverpool* Canal, in case the said Trustees shall, as hereinafter mentioned, elect to retain or to acquire that Portion of the said navigable Cut and of the Works connected therewith, which shall lie or be formed between the West Side of *Great Howard Street* and the Docks of the said Trustees.

Portion of Cut when conveyed to be deemed Part of Canal.

XCVIII. And be it enacted, That so much of the said navigable Cut, and of the Works connected therewith, as shall be conveyed by the said Trustees to the said Company of Proprietors of the *Leeds* and *Liverpool* Canal, shall, from and after the Conveyance thereof to the said Company, be and be deemed Part of the *Leeds* and *Liverpool* Canal, and be subject to all the Provisions contained in the several Acts of Parliament relating to the said Canal, and to all the Bye Laws, Rules, and Regulations which have been or may be made by virtue thereof.

Trustees empowered to retain or purchase from Canal Company so much of Cut as lies on the West Side.

XCIX. And be it enacted, That if the said Trustees shall wish to retain, or shall at any Time hereafter be desirous of acquiring, that Portion of the said navigable Cut, and of the Works connected therewith, which shall lie or be formed between the West Side of *Great Howard Street* and the Docks of the said Trustees, then and in such Case it shall be lawful for the said Trustees to pay to the said Company of Proprietors of the *Leeds* and *Liverpool* Canal such Sum of Money as shall be equal to the Amount of the Sum paid by the said Trustees

Trustees for the Purchase of the Land on which the said Portion of the said Cut shall have been constructed; and if the said Portion of the said Cut and Works shall not then have been conveyed by the said Trustees to the said Company of Proprietors in pursuance of the Directions of this Act, then from and after the said Payment by the said Trustees to the said Company of Proprietors the Portion of the said Cut and Works in respect of which such Payment shall have been made to the said Company shall continue vested in the said Trustees, discharged from all Liability on their Part to convey the same to the said Company; but if the said Portion of the said Cut, and the Works in respect of which such Sum shall have been paid by the said Trustees to the said Company of Proprietors, shall have been actually conveyed to them by the said Trustees in pursuance of the Directions of this Act, then from and immediately after such Payment by the said Trustees the said Company of Proprietors shall and they are hereby authorized and required, by Deed under their Common Seal, to be prepared by and at the Expence of the said Trustees, to convey to the said Trustees so much of the said Cut and Works as shall lie or be formed between the West Side of *Great Howard Street* and the Docks and Works of the said Trustees.

of Great Howard Street.

C. And be it enacted, That so much of the said navigable Cut, and of the Works connected therewith, as shall for the Time being belong to and be vested in the said Trustees, and every Bridge over the same, shall be kept in good Repair by and at the Expence of the said Trustees.

Part of Cut vested in Trustees to be kept in repair by them.

CI. And be it enacted, That after the said navigable Cut shall have been completed and supplied with Water all Vessels trading between the said Canal, the River *Mersey*, and the Docks of the said Trustees, shall have full Liberty at all Times to pass through the same, subject to the Bye Laws and Regulations of the said Trustees, on Payment of the Rates hereby authorized to be taken by the said Trustees.

Free Passage to be allowed through the Cut.

CII. And be it enacted, That the said navigable Cut, and the Works connected therewith, during the Formation thereof, and so much thereof as after the Formation thereof shall for the Time being belong to and be vested in the said Trustees, shall be and be deemed Part of the *Liverpool* Docks, and be subject to all the Provisions contained in the several Acts of Parliament relating to the said Docks, and to all the Bye Laws, Rules, and Regulations which have been or may be made in pursuance thereof.

Cut to be Part of the Docks.

CIII. And be it enacted, That so much of the said navigable Cut, and of the Works connected therewith, as shall for the Time being belong to and be vested in the said Company of Proprietors of the *Leeds* and *Liverpool* Canal by virtue of this Act, and any Conveyance to be made to them in pursuance thereof, and every Bridge over the same, shall be kept in good Repair by and at the Expence of said Company of Proprietors.

Part of Cut vested in Canal Company to be kept in repair by them.

Goods passing from or into the Cut to pay Rates;

CIV. And be it enacted, That there shall be payable and paid to the said Trustees, by the Owner or Consignee of any Goods, Wares, Merchandize, or other Commodities, conveyed by any Vessel passing from the River *Mersey*, or from any Dock or Basin of the said Trustees, into the said Cut, or passing from the said Cut into the River *Mersey* or into any Dock or Basin of the said Trustees, a Rate or Duty of One Penny Halfpenny *per* Ton for and upon all such Goods, Wares, Merchandize, or other Commodities, and so in proportion for any greater or less Quantity than a Ton: Provided always, that if any such Goods shall be exported out of the said Port of *Liverpool*, and the Rates payable by the said recited Acts in respect of Goods exported shall have been paid in respect of such Goods to the said Trustees, then and in every such Case the Money which shall have been received by the said Trustees in respect of the said Rate of One Penny Halfpenny *per* Ton on such Goods shall be returned by the said Trustees to the Person who shall have paid the same.

but if exported, Money paid to be returned.

Power to alter Rates on Goods passing from or into the Cut.

CV. And be it enacted, That it shall be lawful for the said Trustees, from Time to Time when and as they shall think proper so to do, to lower all or any of the Rates hereby made payable to the said Trustees on Goods, Wares, Merchandize, or other Commodities conveyed by any Vessel passing from or into the said Cut as aforesaid, in such Manner as they shall deem expedient, and the same Rates again from Time to Time in like Manner to advance and revive, so as that the said Rates, when so advanced and raised again, shall not exceed the said Rates hereby made payable as aforesaid: Provided always, that such Rates shall be charged equally to all Persons and Companies, and without Favour or Preference.

Power to block up Streets whilst the Cut is being made.

CVI. And be it enacted, That it shall be lawful for the said Trustees, during the Construction of the said navigable Cut, and other Works connected therewith, to block up so much of the said respective Streets called *Great Howard Street* and *Regent Road* as shall be required for conveniently carrying on the said Works: Provided always, that before either of the said Streets or any Part thereof respectively shall be blocked up or cut through the said Trustees shall, to the Satisfaction of the Commissioners for the better paving and Sewerage of the Town of *Liverpool*, cause a temporary Road to be made in the Line or Direction of each of the said Streets, for the passing and repassing of Foot Passengers, and Carts, Carriages, and Horses, and shall keep such Road open and in repair until such Cut and other Works adjoining thereto shall have been completed and finished; and when such Cut and other Works adjoining thereto shall have been so completed, the said Trustees shall at their Expence cause the said Streets to be restored, to the Satisfaction of the said Commissioners.

Trustees to erect Bridges across the Cut.

CVII. And be it enacted, That the said Trustees shall and they are hereby required to erect a substantial fixed Bridge of Stone or Iron over the said Cut where the same shall intersect *Great Howard Street*, and a substantial Iron Swivel-Bridge over the said Cut where the same shall intersect *Regent Road*, for the Accommodation and Use of all Foot Passengers, Carts, Carriages, and Horses passing along the

the said Street and Road; and each of such Bridges shall be constructed with a sufficient Carriage-way and sufficient Footways over and across the same: Provided always, that it shall be lawful for the said Trustees to cause the said Iron Swivel Bridge to be raised when and so often as it shall be necessary for Vessels to pass along the said Cut, occasioning thereby as little Obstruction to Foot Passengers, Carts, Carriages, and Horses passing along *Regent Road* as Circumstances will permit.

Alterations consequent upon Change of Level of Streets to be made by the Trustees.

CVIII. And be it enacted, That if in consequence of the Works by this Act authorized the Levels of the said Streets called *Great Howard Street* and *Regent Road*, or either of them, shall be raised or otherwise changed by the said Trustees, any Alteration of any Steps, Doors, or Entrances into any Houses or Buildings, or of any Pavement, Sewer, or Drain adjoining or belonging to any Property, shall be rendered necessary, such Alteration shall be made by and at the Expence of the said Trustees to the Satisfaction of the said Commissioners.

Roads, &c. may be inclosed and used by the Trustees.

CIX. And whereas there are or may be certain Roads or Rights of Way upon and across the Lands hereby authorized to be purchased, which Roads or Rights of Way will become useless for the Purposes for which the same are now used when the same Lands shall have become vested in the said Trustees for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Trustees to stop up, inclose, or use, as the Case may be, all such Streets, Ways, Roads, and Passages as are situate and lie within the Limits of the Lands which shall be purchased, taken, or used under the Authority of this Act, and the Ground and Soil of such Streets, Ways, and Passages, (including such Parts of *Great Howard Street* and *Regent Road* aforesaid as may be used for the said navigable Cut,) shall be thenceforth vested in the said Trustees for the Purposes of the said recited Acts and this Act: Provided always, that it shall be lawful for any Person aggrieved by the stopping up of any such Streets, Ways, Roads, and Passages, at any Time within Three Months after the same shall have been stopped up, to appeal to the Court of Quarter Sessions for the Borough of *Liverpool* against the stopping up of the same, and it shall be lawful for the said Court to make such Order therein as they shall think fit.

Intercepted Sewers to be carried to Low-water Mark.

CX. And whereas the making of the said Docks, navigable Cut, and other Works in the said Parish of *Liverpool* may interrupt the Course of the Sewers in and under *Great Howard Street* and *Regent Road* aforesaid, and also the Course of *Beacon Gutter* aforesaid, which now empty themselves upon the Strand whereon the said Docks and other Works are intended to be constructed; be it therefore enacted, That the said Trustees shall and they are hereby required to alter and divert the Course of the said Sewers and *Beacon Gutter*, and also to construct a new Sewer in *Battery Lane*, according to Plans and Specifications to be previously submitted to and approved by the Commissioners for the better paving and Sewerage of the Town of *Liverpool*, for the Purpose of carrying off the Water from the Sewers of the said Commissioners into the present or future

Docks

Docks or Basins of the said Trustees, or into the River *Mersey* at Low-water Mark; and the Sewers so to be altered, diverted, and made by the said Trustees shall be constructed and made so as effectually to drain and carry off the Water into the said Docks or Basins, or into the said River, from the Sewers or Drains belonging to the said Commissioners; and the said Commissioners shall, from Time to Time and at all Times, have Liberty to carry and conduct any Sewers or Drains made or to be made by them into the said Sewers so to be altered, diverted, and made by the said Trustees.

River Wall to be constructed along the Strand when purchased from the Mayor, Aldermen, and Burgesses.

CXI. And be it enacted, That in case the Purchase from the Mayor, Aldermen, and Burgesses of the Land and Strand hereinbefore mentioned shall be completed, it shall be lawful for the said Trustees and they are hereby required to erect a new River Wall with an Embankment, at the Elevation of Twenty-six Feet above the said Level of the Old Dock Sill as preserved at the *Canning* Dock in *Liverpool* aforesaid, to extend northward from the North-west Angle of the Northern Boundary of the Estate of the said Trustees to the extreme Point Northwards of the said Strand to the North of *Beacon Gutter*, agreed to be purchased by the said Trustees from the Mayor, Aldermen, and Burgesses, and according to the Line laid down on the Map or Plan lodged with the Hydrographer to the Admiralty, and approved by the said Hydrographer, and also by *George Evans* Esquire, the acting Conservator of the said River; and the said River Wall shall be well and sufficiently backed up, and the whole of the Spaces inclosed shall be filled up and levelled to the Height of Twenty-six Feet above the said Level of the Old Dock Sill; and the said Walls shall have all such Entrances into the Docks and Basins of the said Trustees as the said Trustees shall think proper, and also shall be formed with such Slips and Stairs for Landing Places as are hereinafter mentioned, and the said River Wall and Embankments, Slips, and Stairs shall at all Times thereafter be maintained and kept in good Repair by and at the Expence of the said Trustees.

River Wall to be constructed along the River Front of the Harrington Dock Estate, when purchased by the Trustees.

CXII. And be it enacted, That it shall be lawful for the said Trustees and they are hereby authorized, when and so soon as they shall have purchased the said *Harrington* Dock Estate, to erect, complete, and finish the River Wall and Embankment already formed and in part constructed by the said *Harrington* Dock Company, on the River Front of the said Estate; and the same River Wall shall extend along the said Strand northward, in such Line as shall be approved of by the Commissioners for the Conservancy of the River *Mersey*, until the same shall join the River Wall at the South-west Angle of the Southern Boundary of the Estate of the said Trustees in the extra-parochial Place of *Toxteth Park*, and the said Wall shall be well and sufficiently backed up, and the Openings behind the same filled up as the Work proceeds; and the whole of the Spaces inclosed shall be filled up and levelled to the Height of Twenty-six Feet above the said Level of the Old Dock Sill, and shall have all such Entrances into the Docks and Basins of the said Trustees as the said Trustees shall think proper, and also shall be formed with such Slips and Stairs for Landing Places as are herein-after mentioned; and the said River Wall and Embankment, Slips, and Stairs shall at all Times thereafter

thereafter be maintained and kept in good Repair by and at the Expence of the said Trustees.

Trustees to make Slips and Stairs in River Wall.

CXIII. And be it enacted, That the said Trustees shall and they are hereby required, in constructing the River Wall to be erected under the Provisions of this Act northwards from the North-west Angle of the Northern Boundary of the Estate of the said Trustees, to make therein Three several and distinct Slips or Flights of Stairs, in such Parts of the said Wall as they shall think proper, and which Slips and Stairs shall not be less than One hundred Yards apart; and also, in constructing the River Wall to be erected, completed, and finished under the Provisions of this Act on the Front of the *Harrington* Dock Estate, to make therein Two several and distinct Slips or Flights of Stairs, in such Parts of the said last-mentioned Wall as they shall think proper, and which last-mentioned Slips and Stairs shall not be less than One hundred Yards apart, all which said Slips and Stairs shall be Landing Places for the general Accommodation of the Public, and shall respectively be not less than Six Feet wide, and of easy Ascent, and the Public shall have free Access thereto in the same Manner as to the other Slips and Stairs in the present Docks and Basins of the said Trustees.

Trustees to maintain a Landing Slip at St. George's Pier.

CXIV. And be it enacted, That the said Trustees shall, within Twelve Months from the passing of this Act, construct at *Saint George*'s Pier in the said Town a Slip not less than Fourteen Feet wide, with an Inclination of not more than One Inch vertical for every Twelve Inches horizontal, and shall construct and place at the Foot of such Slip a moveable Landing Stage of Fourteen Feet wide, with sufficient Rails or Chains, or other Protection for Passengers on the Sides thereof, and shall place the said Stage so that Steam Boats drawing not more than Six Feet Water may at all Times of the Tide have convenient Access thereto, and so that Passengers, Carriages, and Horses may be conveniently thereby landed and embarked; and the said Trustees shall provide the said Landing Stage with a sufficient Number of Men and work the same, and shall for ever keep and maintain the said Slip and a Landing Stage as aforesaid in good working Order and Condition.

Trustees to make Two Flights of Stairs in Wall of St. George's Pier.

CXV. And be it enacted, That the said Trustees shall construct and form, within the Space of Twelve Months from the passing of this Act, Two Flights of Stairs in the Face of the present Wall of *Saint George*'s Pier in the said Town, at an easy Inclination, and of not less than Twelve Feet in Breadth, and maintain the same in good Order and Condition.

Plan deposited with the Clerk of the Peace to remain in his Custody for public Inspection.

CXVI. And whereas a Plan, describing the Site of the said intended Wet Docks and other Works hereby authorized to be made and constructed, has been deposited at the Office of the Clerk of the Peace of the said County of *Lancaster*; be it enacted, That the said Plan shall remain in the Custody of the Clerk of the Peace aforesaid, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same, and to take Copies thereof and Extracts therefrom at their Will and Pleasure, paying to the Clerk of the Peace

for the Time being of the said County One Shilling for every such Inspection, and the Sum of Five Shillings for every Copy of the said Plan or of any Part thereof which shall be made or taken, and at the Rate of Sixpence for every One hundred Words which shall be copied or extracted from the said Plan.

Copy to be deposited in the Town Hall and in the Dock Office.

CXVII. And be it enacted, That one Copy of such Plan shall be deposited in the Town Hall, and another Copy in the Dock Office in *Liverpool*, and shall be open for the Inspection of all Owners or Part Owners of Vessels, and of all other Persons paying Rates and Duties to the said Trustees, at all reasonable Hours, without any Expence or Charge for the same.

Inaccuracy of Description, Misnomer, or Omission not to retard the Execution of the Act.

CXVIII. Provided always, and be it enacted, That if any of the Lands comprised in Schedules (A.) and (B.) to this Act annexed shall happen to be inaccurately described, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner, Lessee, or Tenant thereof, shall happen to be misnamed, or if any Messuage, Building, or other Erection shall be omitted in the same Schedules, or either of them, such inaccurate Description, Misnomer, or Omission shall not prevent or retard the Execution of this Act, provided it shall appear to any Justice that such Misnomer, Omission, or inaccurate Description has proceeded from Mistake, and the same Premises and every Part thereof shall and may be purchased by and sold and conveyed to the said Trustees, and used and applied to and for the Purposes of this Act, as fully and effectually to all Intents and Purposes as if the same or any Part thereof, or the Lessee, Tenant, or Owner thereof, had not been misnamed, omitted, or inaccurately described, any thing herein contained to the contrary notwithstanding.

Graving Dock Rates to be paid for the Use of new Graving Docks.

CXIX. And be it enacted, That there shall be payable and paid to the said Trustees by the Master or Owner of any Vessel going into or upon or using any of the Graving Docks, Inclined Planes or Patent Slips, and Graving Blocks authorized by this Act to be made and constructed, or using any of the Inclined Planes or Patent Slips and Graving Blocks heretofore made and constructed by the said Trustees for the Use and Occupation of the same, according to the Tonnage of such Vessels, the same Rates and Duties as are payable to the said Trustees in respect of any Graving Docks of the said Trustees.

Rates granted by former Acts to be paid on Vessels using the new Docks; and all Rates to be granted and collected in the same Manner as former Rates.

CXX. And be it enacted, That the Rates and Duties granted by the said recited Acts and this Act shall be paid to the said Trustees in respect of all Vessels using the said Docks, Basins, Entrances, Quays, Piers, or other Works which may be constructed or purchased under the Powers and Authorities of this Act, and also in respect of all Goods, Wares, and Merchandize imported or exported or conveyed in such Vessels, or any of them; and that the Rates hereby made payable to the said Trustees on Goods, Wares, Merchandize, or other Commodities conveyed by any Vessel from or into the said Cut as aforesaid, and also all the before-mentioned Rates and Duties granted by the said recited Acts and this Act, shall be collected, levied,

levied, paid, and accounted for in the same Manner as the Rates and Duties granted by the said recited Acts or any of them are directed to be collected, levied, paid, and accounted for; and that all the Powers, Authorities, Penalties, Forfeitures, Clauses, and Provisions contained in the said recited Acts or any of them relating to the Rates and Duties thereby granted, and the collecting, levying, paying, and accounting for the same Rates and Duties, shall, so far as the same are applicable to the Rates and Duties hereby granted, or hereby authorized to be collected, levied, and received, be and they are hereby declared to be in full Force, and shall be applied and used in the same Manner, to all Intents and Purposes, in relation to the Rates and Duties granted or authorized to be collected, levied, and received by this Act, as if they had been particularly and severally inserted and re-enacted in and by and as if they had formed Part of this Act.

Power to reduce and again to revive the Rates on Vessels performing any particular Class of Voyages.

CXXI. And whereas by the said Act of the Fifty-first Year of the Reign of His Majesty King *George* the Third certain Tonnage Rates and Duties are to be paid to the said Trustees according to certain Classes of Voyages therein described, and by the said Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth the said Trustees are authorized, from Time to Time when and as they shall deem necessary, to lower the said Tonnage Rates and Duties in such Manner as to them shall seem expedient, and the same again to advance and revive in such Manner as they may judge proper, so that the same, when so advanced and revived, shall not exceed the Rates by the said Acts authorized to be collected, levied, and received: And whereas it is desirable that the said Trustees should have the Power of lowering, and again of advancing and reviving, the Tonnage Rates and Duties payable in respect of Vessels performing any particular Class of Voyages mentioned in the said Act of the Fifty-first Year of the Reign of His Majesty King *George* the Third; be it enacted, That it shall be lawful for the said Trustees, from Time to Time when and as they shall deem necessary, to lower and reduce the Tonnage Rates and Duties payable in respect of Vessels performing any One or more of the Classes of Voyages described in the said Act of the Fifty-first Year of the Reign of His Majesty King *George* the Third to or from the said Docks of the said Trustees, and any One or more of the particular Places mentioned and described in the same Act, and again from Time to Time to advance the same Rates and Duties, as the said Trustees shall deem proper: Provided always, that the said Rates and Duties when so advanced and revived shall not exceed the Rates authorized by the said recited Acts or any of them to be collected, levied, and received.

Rates to be charged equally.

CXXII. Provided always, and be it enacted, That the several Rates authorized to be taken by this Act shall at all Times be charged without Favour or Partiality after the same Rate in respect of the same Description of Vessel and Goods.

Rates on Foreign Vessels to be reduced to

CXXIII. Provided always, and be it enacted, That any Duties, Rates, or Charges chargeable by this Act upon Vessels not entitled to the Privileges of a *British* Ship, or upon Goods imported or exported

the Rates on British Ships where Reciprocity Treaties shall be entered into with Foreign Countries.

ported in such Vessels, shall not be applicable to Vessels belonging to Countries with which Treaties of Reciprocity have been concluded or may hereafter be concluded, so long as such Treaties shall continue in force, nor to the Goods exported or imported therein, but the same Duties, Rates, or Charges shall be levied upon the Vessels of such Countries during such Period as aforesaid, and upon the Goods imported or exported therein, as may be from Time to Time payable by this Act upon Vessels entitled to the Privileges of *British* Ships, or upon Goods imported or exported in such Vessels.

Rates on Goods to be fixed and collected according to the Description, &c. in the Tariff of Customs Duties.

CXXIV. And whereas by the said recited Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth it is enacted, that there shall be payable and paid unto the said Trustees, or their Collector or Collectors, Deputy or Deputies, to be appointed from Time to Time, for and upon all Goods, Wares, Merchandize, and Commodities whatsoever imported from Parts beyond the Seas, or brought Coastwise into the said Port of *Liverpool*, or exported to Parts beyond the Seas from the said Port of *Liverpool*, by the Owner or Owners, Consignee or Consignees of such Goods, Wares, Merchandize, or other Commodities, the several Rates and Duties particularly specified and set forth in Schedule (G.) to the same Act annexed, as far as such Goods, Wares, Merchandize, and Commodities which shall or may be imported or exported as aforesaid are particularized in the said Schedule; and that all Goods, Wares, Merchandize, and Commodities which are not particularized and set forth in the said Schedule of Rates shall be charged and chargeable with and shall pay a Rate or Duty on their being so imported or exported into or out of the said Port of *Liverpool* equal to the Rate and Duty rated or affixed on Goods, Wares, and Merchandize of a similar Nature, Package, Value, and Quality in and by the said Schedule of Rates: And whereas the said Rates or Duties are collected, levied, paid, and accounted for in the Manner, and by, under, and subject to the Rules and Regulations, as to the Collection thereof, prescribed by the said recited Act of the Fifty-first Year of the Reign of His Majesty King *George* the Third, whereby, amongst other things, it is enacted, that an Entry of each Parcel of Goods, Wares, and Merchandize imported into the said Port from any Foreign Port or Country, or any *British* Colony or Settlement abroad, shall be first exhibited to the Collector or Collectors of the said Dock Rates on Goods, Wares, and Merchandize, or in his Absence to his Deputy or Deputies, and that the Dockage Rates payable on the Goods as specified in such Entry shall be paid according to the Quantities or Number or Description of the Package, as the Case may be, expressed therein, which the said Collector or Collectors, or his Deputy or Deputies, shall attest on such Entry to have been so paid, all which shall be done before the Collector of the Customs of the said Port shall permit each such Entry to be passed for the Payment of the Queen's Customs, or for landing of the said Goods: And whereas the said Schedule was framed so as to correspond with the Entry of Goods made according to the then existing Tariff of Duties payable to the Commissioners of Her Majesty's Customs, and the Entry of Goods being now made according to the present Tariff of Duties, the Quantity, Number, or Description of Goods specified in the said Schedule

is different from the Quantity, Number, or Description of the same Goods expressed in the present Entry thereof, and the Rates payable to the said Trustees on the said Goods according to the said Schedule cannot be collected and paid as required by the said last-mentioned Act, according to the Quantity or Number or Description of such Goods expressed in the said Entry: And whereas it is expedient to adapt the Collection and Payment of the said Rates to the present or any future Tariff of Duties payable to Her Majesty: Be it therefore enacted, That it shall be lawful for the Mayor of *Liverpool* and the Chairman of the Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks for the Time being, from Time to Time as Occasion may require, to adapt the Rates payable on any particular Quantity or Number or Description of Goods, Wares, or Merchandize mentioned in the said Schedule to the Quantity or Number or Description of the same Goods, Wares, and Merchandize expressed in the Entry thereof to be from Time to Time passed for Payment of the Customs Duties in the said Port of *Liverpool*, or for the landing thereof, or as near thereto as Circumstances will permit; and that the Rates, when so adapted, shall be fixed and determined by the said Mayor and Chairman of the said Committee for the Time being, and shall be payable and paid to the said Trustees according to such Quantity or Number or Description from Time to Time expressed in such Entry: Provided always, that such Rates shall in no Case exceed the relative Proportion of Rates payable according to the said Schedule upon the respective Goods, Wares, and Merchandize on which the Rates to be so adapted shall have been fixed and determined as aforesaid.

Trustees may raise a further Sum of Money.

CXXV. And be it enacted, That it shall be lawful for the said Trustees to borrow, raise, and take up at Interest, by Sale by Auction (in the Manner and under the Regulations specified in the said recited Acts) of Assignments of the Rates and Duties by the said former Acts and this Act authorized to be collected and received, or upon Security of the Bonds of the said Trustees, or by granting Annuities as in the said recited Acts is provided, a further Sum of Money not exceeding One million five hundred thousand Pounds, in addition to and exclusive of the Sum which the said Trustees are authorized to raise and take up at Interest by virtue of the said recited Acts, which said Sum, together with the Sum which the said Trustees are authorized to raise and take up at Interest by virtue of the said recited Acts, shall be the Extent of the Debt authorized to be due and owing on Security of the said Rates and Duties at any one and the same Period of Time, except in the Event in this Act afterwards mentioned.

Mortgages to be stamped.

CXXVI. Provided always, and be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Mortgage, Bond, or other Security for Money, to be granted or made by virtue of the said recited Acts or this Act, shall be by Deed duly stamped, wherein the Consideration shall be truly stated, any thing herein or in the said Acts contained to the contrary notwithstanding.

Application of Monies.

CXXVII. And be it enacted, That all the Monies which shall be collected, levied, borrowed, or raised under and by virtue of the said recited

recited Acts and this Act shall be applied first in and towards the Payment of all Expences of and attending the passing of this Act, and then in and towards the Completion of the several Docks and other Works by the said recited Acts and this Act authorized to be made and constructed, and for and towards the several Objects and Purposes in the said recited Acts and this Act mentioned, and in the general Management and conducting of the said Trust Estate, and carrying into execution the Provisions of the said recited Acts and this Act, and for the general Improvement and Reparation of the several Docks and other Works of the said Trustees.

Trustees may borrow in lieu of Sums to be paid off.

CXXVIII. Provided always, and be it enacted, That in case any Part of the said Debt shall at any Time be called in and required to be paid off and discharged, it shall be lawful for the said Trustees from Time to Time to borrow, raise, and take up at Interest on Credit of the said Rates and Duties, and either upon Security of the Bonds of the said Trustees or by the granting of Annuities, or by the Sale of Assignments of the same Rates, in the Manner and under the Regulations specified in the said recited Acts, any Sum in lieu or instead of such Part of the said Debt as shall have been so called in and required to be paid off and discharged.

Trustees may make Bye Laws.

CXXIX. And be it enacted, That it shall be lawful for the said Trustees from Time to Time to make, ordain, and establish such Orders, Rules, Regulations, and Bye Laws for the better regulating, governing, and managing the present and intended Docks, Basins, Piers, Entrances, Wharfs, Quays, Embankments, Bridges, Graving Docks, Patent Slips or Inclined Planes, and Graving Blocks, and other Works of the said Trustees which may be erected, constructed, or made under the Authority of the said recited Acts and this Act, and also that Portion of the said navigable Cut and Works connected therewith which shall be retained by or conveyed to the said Trustees, and also from Time to Time as Occasion may require to repeal, annul, amend, add to, or alter such Orders, Rules, Regulations, and Bye Laws as to the said Trustees shall seem proper, and to affix and appoint reasonable pecuniary Penalties, not exceeding Five Pounds for any One Offence, for the Nonobservance, Nonperformance, or Breach of any such Rules, Orders, Regulations, or Bye Laws.

Such Bye Laws shall not be contrary to existing Laws.

CXXX. And be it enacted, That the Rules, Orders, Regulations, or Bye Laws which shall be made by the said Trustees under or by virtue of this Act shall not be contrary to the existing Statutes or Laws of the United Kingdom, and shall not extend to any Street, Highway, or public Passage along, through, or over any of the Quays, Wharfs, Piers, or other Works of the said Trustees, or any other Street, Highway, or public Passage of the Borough; nor shall the same extend to the Admission of Fires or Lights on board of Ships or Vessels lying and being in any of the Docks or Basins, except only as herein particularly mentioned; and nothing herein contained shall prejudice or affect the Power of the Council of the Borough of *Liverpool*, or any Committee of the Council appointed for the Purpose, to make any Bye Laws which the said Council now have Power to make under or by virtue of any public or local Act of Parliament; provided

Reserving the Power of the Council of the Borough to make Bye Laws.

vided that all Bye Laws of the Council now subject to Confirmation shall remain subject thereto in like Manner as heretofore.

The Committee authorized to appoint Sub-Committees.

CXXXI. And whereas it is expedient that the Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks should be authorized to appoint Sub-Committees to assist in the Management and conducting of the Dock Trust; be it enacted, That it shall be lawful for the said Committee to appoint out of their own Body, from Time to Time, such and so many Sub-Committees, either of a general or special Nature, and consisting of such Number of Persons, and during such Period, and for such Purposes relating to the said Trust, as the said Committee shall direct; and all and every the Proceedings of the Sub-Committees shall be entered in proper Books, and such Books shall from Time to Time be laid before the next Meeting of the Committee, for the Approval or Disapproval of the Proceedings from Time to Time entered therein; and all and every the Proceedings of the Sub-Committees which shall not be so entered, and be so laid before the next Meeting thereafter of the Committee, or which shall not be approved by the Committee at such next Meeting thereafter, or at some Meeting to be held within One Week after such next Meeting, or within such further Time as shall not prevent the same being laid before the next usual Monthly Council after such One Week, shall be null and void; and all and every the Proceedings of the Sub-Committees which shall be so approved shall be forthwith transcribed into the Book of Proceedings for the Time being of the Committee, together with the Approval thereof; and all and every such Proceedings of the Sub-Committee, so approved, together with the Approval thereof, shall, for Confirmation or Rejection, be laid before the Trustees executing their Powers by the Council of the Borough under the Act passed in the Session of the Fifth and Sixth Years of the Reign of King *William* the Fourth, for the Regulation of Municipal Corporations in *England* and *Wales*, and such Proceedings shall be so submitted to the Trustees at such usual Monthly Council or such Special Meeting, and be annulled or made void by the Trustees, or otherwise be final and conclusive, in like Manner as by the said Act passed in the Sixth Year of the Reign of King *George* the Fourth is provided and directed concerning the general Proceedings of the said Committee.

The Committee may hold Meetings notwithstanding Vacancies.

CXXXII. And whereas by the said last-mentioned Act it is provided that the said Committee shall consist of Twenty-one Persons, to be elected, nominated, and appointed in manner therein mentioned: And whereas in the event of a Vacancy in the said Committee, occasioned by the Retirement, Death, Resignation, Election into the Council of the Borough, or lawful Removal of any Member of the said Committee, such Vacancy is by the said Act directed to be filled up by the Election of another Member of the said Committee in manner therein mentioned: And whereas Doubts are entertained whether the continuing Members of the said Committee can previously to any Vacancy being filled up lawfully exercise any of the Powers vested in the said Committee, and it is desirable that such Doubts should be removed; be it enacted, That it shall be lawful for the continuing Members of the said Committee (the Number not being

being reduced by the Means aforesaid to less than Seven), and they are hereby authorized, notwithstanding the Retirement, Death, Resignation, Election into the Council of the Borough, or lawful Removal of any One or more of the Members of the said Committee, to assemble previously to the Election of any Person or Persons to be a Member or Members of the said Committee in lieu of any Member or Members whose Retirement, Death, Resignation, Election into the Council of the Borough, or lawful Removal shall have caused such Vacancy in the said Committee, and that when so assembled the continuing Members of the said Committee (not being less than Seven), or any Seven or more of them, including the Chairman or Deputy Chairman, shall have, use, and exercise all the Powers and Authorities which are by the said Act given to and vested in the said Committee of Twenty-one Persons when duly elected, nominated, and appointed in the Manner in the same Act particularly mentioned and set forth, any thing in the said Act contained to the contrary thereof in anywise notwithstanding.

A Candle or Lamp may be authorized to be used in Vessels lying in or near the Docks.

CXXXIII. And whereas by the said recited Act of the Fifty-first Year of the Reign of His Majesty King *George* the Third it is enacted, that if any Fire, Candle, or Lamp shall be found lighted or burning on board any Ship or Vessel lying within any of the said Docks, Basins, or Piers of the said Trustees, the Master or Person having the Care or Command of any such Ship or Vessel shall for every Offence forfeit a Sum not exceeding Ten Pounds; and it is provided by the said Act, that such Restrictions shall not extend to certain Officers and other Persons therein mentioned: And whereas it is desirable that in particular Cases and under particular Circumstances a Fire, Candle, or Lamp should be allowed to be lighted and used on board any such Vessel; be it enacted, That it shall be lawful for any Justice of the Borough, or the Chairman or Deputy Chairman for the Time being of the Committee for the Affairs of the Estate of the Trustees of the *Liverpool* Docks, on Application made to him for such Purpose by such Master or other Person having the Care or Command of any Vessel lying within or near the Docks, Basins, or Piers of the said Trustees, and upon taking into consideration the Certificate herein-after mentioned, and on making further Inquiry if he should deem the same requisite, to give Licence or Authority in Writing under his Hand, if in his Discretion he shall think proper so to do, but not otherwise, for lighting and using, in the Presence of a Constable of the Borough, a Fire, Candle, or Lamp on board such Vessel, for such Space of Time between such Hours and for such Purpose as shall be specified in such Licence or Authority, or for lighting and using Fire on board such Vessel for such Space of Time and between such Hours as shall be specified in the Authority, but only while such last-mentioned Vessel shall be in some Graving Dock, or on some Patent Slip, or on some Graving Block, and not otherwise; and in either or any of such Cases the said Master or other Person so lighting or using the said Fire, Candle, or Lamp shall not, while in the Execution of the Purpose authorized, and for a reasonable Time afterwards for removing or extinguishing the said Fire, Candle, or Lamp respectively, the whole being within the Time allowed by such Licence or Authority, be liable to

to the said Forfeiture or Penalty mentioned in the said last-mentioned Act: Provided always, that no such Licence or Authority shall be granted except upon the Certificate in Writing under the Hand of the proper Harbour Master as to the Docks, Basins, Graving Docks, Patent Slips, or Graving Blocks within his Charge, or the proper Dock Master as to the Dock or Basin or Graving Block under his Charge, declaring therein the Purpose for which such Licence or Authority is required; provided that no such Fire, Candle, or Lamp shall be lighted or used on board any such Vessel for any Purpose other than such as shall be allowed by some Order, Regulation, or Bye Law made by the Trustees under the Power for making Orders, Regulations, and Bye Laws herein-before contained, and in force for the Time being, nor shall any Fire be allowed to be lighted or used on board any such Vessel except for the Purpose of smoking or fumigating the Vessel; and provided that it shall be lawful for the said Justice, Chairman, or Deputy Chairman giving such Licence or Authority to revoke the same, if he shall deem it expedient, previously to the Expiration of the Time specified therein; provided that the Mode in which every Fire, Candle, or Lamp to be so lighted or used as aforesaid shall be had and taken on board any such Vessel shall be subject to any Bye Law of the Council or any Committee thereof under their Power regulating and fixing the Times when, and the Modes in which Fires and Lights shall be had and taken on board Ships or Vessels: Provided always, that such Master or other Person so applying shall pay such Sum for the Attendance of such Constable, according to such Rule as the Watch Committee of the Borough shall deem reasonable and shall appoint for the Attendance of a Constable on such Occasion, which Sum may be recovered, with Costs, by and in the Name of the Head Constable of the Borough before any Justice, in like Manner as any Penalty is recoverable under the said recited Acts or this Act, and the Amount so paid or recovered shall be paid to the Treasurer of the Borough on account of the Borough Fund.

Disorderly or suspicious Persons may be excluded from inclosed Docks and Graving Docks, and searched on leaving the Docks.

CXXXIV. And whereas by the said recited Acts free Access to such of the Docks of the said Trustees as are surrounded by Walls is reserved for the Despatch of Business at such Hours as may be necessary and proper for the Purpose: And whereas the Business of the said Docks is obstructed by the indiscriminate Admission of the Public thereto, and Thefts are committed in the said Docks; be it therefore enacted, That it shall be lawful for any Officer of the said Trustees, or Police Officer, to prevent any disorderly or suspicious Person having Access to any of the present or future inclosed Docks, or Graving Docks, Inclined Planes, or Patent Slips of the said Trustees, or the Quays thereof respectively, and also to detain and search, on his leaving the said Docks, any such Person having gained Admission thereto, provided such Officer shall have reasonable Cause for suspecting that such Person may have fraudulently secreted any Goods taken from the said Docks or the Quays thereof.

Power to remove Vessels.

CXXXV. And be it enacted, That whenever the Despatch of Business, or the repairing or cleansing of the present or future Docks of the said Trustees, shall be obstructed by reason of any Vessel lying in any

any of the present or future Docks of the said Trustees, whether the Cargo of any such Vessel shall or shall not have been discharged or liable to be discharged, it shall be lawful for the said Trustees to cause any such Vessel to be removed into any other of the present or future Docks of the said Trustees into which such Vessel can be removed without being taken into the River; and that in case the Master, Owner, or Consignee of such Vessel shall within Three Days next after Notice to such Effect, signed by one of the Harbour Masters, shall have been left on board such Vessel, neglect to remove such Vessel, then and in every such Case the Master, Owner, or Consignee of such Vessel shall disburse or shall repay to the said Trustees the Costs and Charges of and attending such Removal; provided, that in case of the Removal of any Vessel for any other Cause than on account of the repairing or cleansing of the Dock, if at the Expiration of the said Three Days any such Vessel shall have commenced and not have completed the loading of Cargo to be taken on board such Vessel in the said Docks, or the Discharge of Cargo to be delivered from such Vessel at the said Docks, the Expence of the Removal of such Vessel, if the same be caused and shall take place before the Completion of such loading or discharging respectively, shall be borne by the said Trustees, so that nevertheless if such Removal shall be made by the Master, Owner, or Consignee of the Vessel, the Trustees shall not be required to pay for the Costs and Charges thereof any greater Sum than Forty Shillings.

The Trustees and the Mayor, Aldermen, and Burgesses, authorized to effect mutual Transfers of certain Parts of their Estates.

CXXXVI. And whereas by the said recited Act of the Fourth Year of the Reign of Her present Majesty Queen *Victoria*, it is recited, that it is expedient that the precise Limits of the Estates of the Mayor, Aldermen, and Burgesses, and of the Estates of the said Trustees, should, so far as may concern the Interests of both Estates, be defined and recorded; and it is by the same Act enacted, that the precise Limits of such Estates, so far as aforesaid, shall be set out and defined to the Satisfaction of the Mayor, Aldermen, and Burgesses, and the said Trustees; and it is provided that in case any Difference shall arise concerning such Limits of the said Estates, it shall be lawful for the Mayor, Aldermen, and Burgesses, and the said Trustees, if both in their several Discretions shall so determine, but not otherwise, to agree to submit such Difference to Arbitration in the Manner mentioned in the same Act; and it is by the same Act directed, that when and so soon as such Limits shall have been ascertained and determined by the Parties themselves, or by such Award, the same shall be defined and exhibited upon Two Maps or Plans, to be authenticated and deposited in the Manner therein mentioned, and that such Maps or Plans shall be conclusive Evidence of such Limits of the Two Estates: And whereas various small Parts of the said respective Estates are detached or separate from other Portions of the said respective Estates to which they respectively belong, or otherwise might with more Advantage belong to the other Estate; and it is desirable that such Parts should be added to such other of the Estates to which the same Parts are contiguous, and that the same should be mutually bought, sold, or exchanged by and between the said Trustees, and the Mayor, Aldermen, and Burgesses; be it enacted, That it shall be lawful for the said Trustees, and for the Mayor, Aldermen, and

and Burgesses, and they are hereby authorized, respectively to sell, purchase, or exchange (as the Case may be) to, from, or with the others of them the said Trustees and the Mayor, Aldermen, and Burgesses, such and so many Parts of their respective Estates as are detached or separate from other Portions of the said respective Estates, or as otherwise might with more Advantage belong to the other Estate, and which the said Trustees and the Mayor, Aldermen, and Burgesses may in their Discretion mutually consider desirable and proper to be so sold, purchased, or exchanged; and for such Purpose it shall be lawful for the said Trustees, and the Mayor, Aldermen, and Burgesses respectively, to give and receive such Sum or Sums of Money for Equality of Exchange, as they may respectively consider just and reasonable; and in case any Difference shall arise concerning the Sums so to be paid for such Purchase or Equality of Exchange, the same shall, if the said Parties shall so agree, but not otherwise, be settled by the Award and Determination of any Two Persons to be appointed, one by the said Trustees, and the other by the Mayor, Aldermen, and Burgesses, with Power for such Two Persons to appoint a Third Person; and the said Three Persons, or any Two of them, shall have Power to examine Witnesses on Oath, and the Determination of any Two of such Persons shall be final and conclusive, and shall be binding on the said Trustees, and on the Mayor, Aldermen, and Burgesses: Provided always, that the said Trustees shall apply all Sums which may be received by them for such Purchase or Equality of Exchange as aforesaid in the like Manner and for the like Purposes as the Rates and Duties payable to the said Trustees under and by virtue of the said recited Acts and this Act are directed to be applied.

The Trustees authorized to purchase by Agreement, and the Corporation of the Borough to sell their Interest in Portions of the said Strand of the Mersey not comprised in Schedule (A)

CXXXVII. And whereas it is expedient that the said Trustees, in addition to the Powers hereby given, should be enabled to purchase from the Mayor, Aldermen, and Burgesses, and that the said Mayor, Aldermen, and Burgesses should be enabled to sell, all their Estate and Interest in the Land and Strand to the North of the Land or Strand comprised in Schedule (A.) hereunto annexed; be it therefore enacted, That it shall be lawful for the said Trustees and they are hereby authorized to purchase from the Mayor, Aldermen, and Burgesses, and it shall be lawful for the Mayor, Aldermen, and Burgesses, and they are hereby authorized, if they shall think proper so to do, but not otherwise, to sell and alienate to the said Trustees all the Estate and Interest of the said Mayor, Aldermen, and Burgesses in all or any Part of the Land and Strand in the Parish of *Walton-on-the-Hill* aforesaid situated to the North of the Land and Strand authorized to be purchased by the said Trustees from the Mayor, Aldermen, and Burgesses as hereinbefore mentioned, and extending westwardly into the River *Mersey*, at or for such Price or Sum or Sums of Money and other Considerations as shall be agreed upon between the said Trustees and the Mayor, Aldermen, and Burgesses, and to be paid by the said Trustees to the Mayor, Aldermen, and Burgesses at such Days or Times and in such Manner as the said Trustees and the Mayor, Aldermen, and Burgesses shall mutually fix and determine.

CXXXVIII. And

The Chancellor and Council of the Duchy of Lancaster may contract with the Trustees, or with the Corporation of Liverpool, for the Sale of the Rights of Her Majesty in the Strand of the Mersey, for One thousand Yards North of Beacon's Gutter.

CXXXVIII. And whereas the Queen's most Excellent Majesty, in right of Her Duchy of *Lancaster*, has or claims to have some Right over that Portion of the Strand or Shore of the River *Mersey*, to the Northward of *Beacon Gutter*, which by the Provisions of this Act the Mayor, Aldermen, and Burgesses are enabled to sell to the said Trustees: And whereas it is expedient that the Chancellor and Council of the Duchy of *Lancaster* should be authorized and empowered to sell and relinquish to the said Trustees, or to the said Mayor, Aldermen, and Burgesses, all Her Majesty's Right over that Portion of the Strand or Shore of the River *Mersey*, to the Northward of *Beacon's Gutter*, which the said Mayor, Aldermen, and Burgesses are by the Provisions of this Act enabled to sell and alienate to the said Trustees; be it therefore enacted, That it shall be lawful for the Chancellor and Council of Her Majesty's Duchy of *Lancaster* for the Time being to contract and agree with the said Trustees, or with the Mayor, Aldermen, and Burgesses, for the Sale to them of all the Rights of Her Majesty and of Her Heirs and Successors in right of Her said Duchy over the Shore or Strand of the River *Mersey*, and in or to the Ground and Soil thereof, to the Extent of One thousand Yards, measuring northwardly from *Beacon's Gutter*, at or for such Price and upon such Terms and Conditions as shall be settled and agreed upon between the said Chancellor and Council and the said Trustees, or between the said Chancellor and Council and the Mayor, Aldermen, and Burgesses; and upon Payment of such Sums of Money as shall be so settled and agreed upon it shall be lawful for the Chancellor and Council of the said Duchy for the Time being, by any Deed or Writing under the Seal of the said Duchy, and under the Seal of the County Palatine of *Lancaster*, in the Name of Her Majesty, Her Heirs and Successors, to grant and convey all the Rights of Her Majesty over the Strand or Shore of the River *Mersey*, to the Northward of *Beacon Gutter*, to the Extent aforesaid, and all the Estate and Interest of Her Majesty, Her Heirs and Successors, in the Ground or Soil thereof, to the said Trustees, or to the Mayor, Aldermen, and Burgesses, for the Uses and Purposes of this Act, which said Deed or Writing under the Seals of the said Duchy and County Palatine, being enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof, shall be sufficient and effectual to vest in the said Trustees, or in the said Mayor, Aldermen, and Burgesses, all the Rights of Her Majesty in so much of the Strand or Shore of the said River, and of the Ground or Soil thereof, to the Extent aforesaid, as shall be described or comprised in any such Deed, and as shall be thereby expressed to be sold and conveyed to the said Trustees, or to the Mayor, Aldermen, and Burgesses, for the Uses and Purposes of this Act, any thing contained in the Act passed in the First Year of Queen *Anne*, intituled *An Act for the better Support of Her Majesty's Household, and the Honour and Dignity of the Crown*, or in any other Act, to the contrary thereof in anywise notwithstanding; and all Sums of Money to be paid as or for the Purchase or Consideration Money for the Rights of Her Majesty in the said Strand or Shore, and in the Ground or Soil thereof, to the Extent aforesaid, under and by virtue of this Act, shall be paid by the said Trustees, or by the Mayor, Aldermen, and Burgesses, into the Hands of the Receiver General of the said Duchy for the Time being or his Deputy, and shall be

1 Ann. c. 7.

be by him paid, applied, and disposed of according to the Provisions and Regulations contained in an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to improve the Land Revenue of the Crown in* England, *and also of His Majesty's Duchy of* Lancaster, or any other Act or Acts now in force for that Purpose. 48 G. 3. c. 73.

Power to sell Land not required for the Purposes of the Acts.

CXXXIX. And be it enacted, That it shall be lawful for the said Trustees, from Time to Time as they may think fit, absolutely, or subject to such Conditions as they may think proper, to sell and dispose of, and, either at a reserved Rent or a Fine or both as the Trustees shall think fit, to let or demise to any Body Politic or Corporate, or any Person or Persons, for any Term not exceeding Twenty-one Years, any Part of the Lands by the said recited Acts vested in the said Trustees, or which may be purchased by the said Trustees under the Authority of this Act, or which may be purchased or taken in exchange by the said Trustees under this present Power, and which may not be required for the Purposes of the said recited Acts or this Act, or which consistently therewith may be used and enjoyed by the Purchasers, Lessees, or Tenants thereof; and also, from Time to Time as the said Trustees may think fit, to exchange any Part of the before-mentioned Lands not required as aforesaid, or which may be used and enjoyed as aforesaid, with any Body Politic or Corporate, or any Person or Persons, in lieu of other Lands in the said Parishes of *Liverpool* and *Walton-on-the-Hill*, and in the extra-parochial Place of *Toxteth Park* aforesaid, all which Lands so purchased or taken in exchange by the said Trustees as aforesaid shall vest in the said Trustees for the Purposes of the said recited Acts and this Act; and all the Money to arise from any such Sale, Exchange, Letting, or Demise shall be applied by the said Trustees in like Manner and for the like Purposes as the Rates and Duties payable to the said Trustees under and by virtue of the said recited Acts and this Act are directed to be applied.

The Docks and Works to be within the Borough of Liverpool.

CXL. And be it enacted, That all and every the Lands and Strand now belonging to the said Trustees, and which may be purchased or acquired by them under the Authority of this Act, and all the Docks, Basins, Quays, and other Works now belonging or which at any Time hereafter shall or may belong to the said Trustees, shall, for all the Purposes of the said recited Acts and of this Act, and 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 Borough of *Liverpool*, be and be deemed and taken to be within and shall be Part of the Borough of *Liverpool*, anything in the said Act for the regulating of Municipal Corporations in *England* and *Wales*, or the said Act for settling the Divisions of Counties and the Limits of Cities and Boroughs in *England* and *Wales*, to the contrary thereof in anywise notwithstanding: Provided always, that nothing herein contained shall extend to confer any 2 & 3 W. 4. c. 64.

elective or other Franchise in respect of any Lands or Property which under this Act may become so included within the Limits of the said Borough, but which previously to the passing of this Act was not so included.

The Jurisdiction of the Justices of the Borough of Liverpool extended over the Docks, &c. of the Trustees in Toxteth Park.

CXLI. And whereas it is expedient that the Jurisdiction of the Justices of the Borough of *Liverpool*, and of the Court of Quarter Sessions of the said Borough, should be extended to and over the Lands and Strand which the said Trustees are by this Act authorized to purchase, and over all the Docks, Basins, Quays, and other Works which now are or at any Time hereafter shall or may belong to the said Trustees; be it enacted, That all Offences and all other Matters cognizable by Her Majesty's Justices of the Peace of the said Borough of *Liverpool*, or the Court of Quarter Sessions of the said Borough, by Common Law, or by Statute, or by or under the said recited Acts or this Act, if committed upon any of the Lands and Strand which shall be purchased by the said Trustees under the Powers of this Act, and within or upon any of the Lands, Docks, Basins, Quays, or other Works which now are or at any Time hereafter shall or may belong to the said Trustees, may be heard, adjudged, and determined by the said Justices, or Court of Quarter Sessions of the said Borough respectively, in as full and ample a Manner as if the same had been committed or had arisen within any Part of the said Borough of *Liverpool;* and all the Powers and Provisions in the said recited Acts or any of them contained in relation to Offences and other Matters aforesaid in the Borough of *Liverpool* shall extend, and be deemed, taken, and construed to extend, to the Lands and Strand which may be purchased by the said Trustees under the Powers and Authorities of this Act, and to the Lands, Docks, Basins, Quays, or other Works which now are or may hereafter belong to the said Trustees; provided that nothing herein contained shall vary, alter, diminish, or exclude the Power of Jurisdiction of the Justices of the Peace of the said County Palatine of *Lancaster*, in, over, or upon the said Lands, Strand, Docks, Basins, Quays, or other Works, any thing herein contained to the contrary thereof in anywise notwithstanding.

Repeal of certain Parts of 3 & 4 Vict. c. 121.

CXLII. And whereas an Act was passed in the Session held in the Third and Fourth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *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*: And whereas it is expedient that so soon as the said Trustees shall have purchased the said *Harrington* Dock Estate certain Parts of the said last-mentioned Act should be repealed: Be it therefore enacted, that from and after the Day of the Date of the Conveyance of the said Part of the said *Harrington* Dock Estate to the said Trustees, under the Authority of this Act, so much and such Parts of the said last-mentioned Act as relate to or concern the Rates, Tolls, or Charges on Vessels using the Docks, Cuts, Basins, or other Works of the said Company, or on Goods shipped or unloaded thereat, and also so much and such Parts of the same

same Act as relate to the Restrictions and Obligations by the said Act imposed on the said Company, as to the Completion or Mode of Completion of the Works mentioned in the said Act, which said Parts are included in the Sixteenth and following Sections of the said Act as printed by Authority by the Printers to the Queen's most Excellent Majesty, up to and including the Twenty-ninth Section, shall be and the same are hereby declared to be repealed.

The Mayor, Aldermen, and Burgesses not to alienate or exchange without Consent of the Lords of the Treasury.

CXLIII. Provided always, and be it enacted, That nothing in this Act shall extend or be construed to extend to enable the Mayor, Aldermen, and Burgesses to take, appropriate, purchase, use, sell, demise, mortgage, grant, exchange, or alienate for the Purposes of this Act, without the Approbation of the Lords Commissioners of Her Majesty's Treasury or any Three of them, any Docks, Basins, Messuages, Lands, Strand, Tenements, or Hereditaments which they could not have taken, appropriated, used, sold, demised, mortgaged, or alienated without such Approbation before the passing of this Act, any thing in this Act contained to the contrary notwithstanding.

Works beyond the Line of High-water Mark not to be constructed without the Consent of the Commissioners for the Conservancy of the River Mersey.

CXLIV. And whereas by an Act passed in the Sixth Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for better preserving the Navigation of the River* Mersey, it is enacted, that the Conservancy of the said River and of the Banks and Shores thereof from *Warrington* and *Frodsham* Bridges to the Sea, and of the Entrances to the said River in the Sea, now being or which may hereafter be formed or made, and of the Navigation thereof respectively below the said Bridges, and within the Tide of all Rivers, Pools, Creeks, and Inlets communicating therewith, and of all other Tidal Waters of or flowing into the said River within the Limit aforesaid, as the same Conservancy is vested in Her Majesty the Queen in right of Her Crown and of Her Duchy of *Lancaster*, or in the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral in the United Kingdom, but not further or otherwise, shall be and the same are thereby vested in Three Commissioners; (that is to say,) the First Commissioner for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being, the Chancellor of the Duchy of *Lancaster* for the Time being, and the Chief Commissioner of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Time being, who shall be entitled "Commissioners for the Conservancy of the River *Mersey*;" be it therefore enacted, That nothing herein contained shall extend or be construed to extend to authorize the said Trustees or any other Person or Persons, nor shall it be lawful for them to make, construct, or erect any Pier, Quay, Wharf, Jetty, Breast, Embankment, or other Work in or adjoining to the said River *Mersey*, or any of the Land which may be purchased under the Authority of this Act, either below or which shall extend beyond the Line of the High-water Mark of a Tide uninfluenced by the Wind, of the Height of Twenty-one Feet as measured from the said Old Dock Sill according to the Datum mentioned in the said Act, without the previous Consent of the Commissioners for the Conservancy of the said River, to be signified in Writing under the Hand of the acting Conservator appointed for the Purposes of the said Act, and then only under such Limitations

and

and Restrictions as the said Commissioners shall deem expedient for the Convenience and Safety of the Navigation of the said River; and to enable the said Commissioners to form a due Judgment thereon, the said Trustees shall, at least Two Calendar Months previously to commencing such Works, deposit in the Hydrographer's Office in the Admiralty a Plan describing the Position and Dimensions of all and every such proposed Works, the Materials of which they are to be constructed, and the Extent to which they are in every Part thereof intended to be carried beyond such High-water Mark, and so from Time to Time as often as it shall be judged fit or necessary to alter or improve any of such Works.

Interpretation of Act.

CXLV. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person," or the Word "Persons," shall include Corporations, whether aggregate or sole:

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*, and the Court of Common Pleas of the County Palatine of *Lancaster*:

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Persons exempted by Law from the Necessity of taking an Oath:

The Word "Lands" shall extend to Messuages, Lands, Strand, Docks, Basins, Quays, Tenements, and Hereditaments of any Tenure, and shall include Trade Buildings and Erections of what Nature soever:

The Word "County" shall mean the County Palatine of *Lancaster*:

The Word "Sheriff" shall mean the Sheriff of the County Palatine of *Lancaster*, and shall include his Under-Sheriff or other legally competent Deputy:

The Word "Justice" shall mean any Justice of the Peace acting in and for the Borough of *Liverpool* or the County Palatine of *Lancaster*:

The Words "Mayor, Aldermen, and Burgesses" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* in the County Palatine of *Lancaster*:

The Word "Vessel" shall mean any Ship, Lighter, Keel, Barge, Boat, Raft, or Craft, or any other Kind of Vessel whatever, whether navigated by Steam or otherwise:

The Word "Master," when used in relation to any Vessel, shall mean any Person, whether the Owner, Master, or other Person, lawfully or wrongfully having or taking the Command, Charge, or Management of the Vessel for the Time being:

The

The Word "Owner," when used in relation to any Goods, Wares, Merchandize, or other Article, on board any Vessel, or upon any Quay, or in any Warehouse, shall include any Consignee or Shipper of Goods, Wares, Merchandize, or Articles, as well as the Owner thereof.

Saving Clause.

CXLVI. Provided always, and be it enacted, That nothing in this Act or in the said recited Acts shall extend or be construed to extend to take away, alter, abridge, lessen, or change, or intrude upon any Power, Jurisdiction, or Authority of the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*.

Saving Rights of Lord Sefton.

CXLVII. And whereas the Right Honourable the Earl of *Sefton* claims certain Rights in and over the Shore of the River *Mersey*, or of Part thereof, included within the Limits of this Act; be it therefore enacted, That nothing herein contained shall in any Manner prejudice or affect the Rights (if any) of the said Earl of *Sefton*, or of his Heirs or Assigns, or of any Person or Persons claiming under him or them.

General Saving.

CXLVIII. Saving always and reserving to the Queen's most Excellent Majesty, and Her Heirs and Successors, in right of her Duchy and County Palatine of *Lancaster*, and also the Mayor, Aldermen, and Burgesses, and to all Lords and Ladies of Manors, and to the Devisees in trust of the late Duke of *Bridgewater*, and their Heirs and Assigns, and to the Master, Wardens, and Assistants of the *Trinity House* of *Deptford Strond*, and to the Company of Proprietors of the Canal Navigation from *Leeds* to *Liverpool*, and to the Company of Proprietors of the *Mersey* and *Irwell* Navigation and of the River *Weaver*, and to the Proprietors of *Sankey Brook* Navigation and of the *Ellesmere* and *Chester* Canal, and to all Owners of ancient Ferries on the River *Mersey*, and to the Commissioners for the better paving and Sewerage of the Town of *Liverpool*, and to the Commissioners for paving and improving the Streets and Highways within the extra-parochial Place of *Toxteth Park*, and to all other Bodies Politic and Corporate, and other Person and Persons, all their several and respective Rights and Interests, in as full and ample a Manner as they or any of them could or might have held or enjoyed the same as if this Act had not been passed (except so far as is by this Act enacted and declared).

Public Act.

CXLIX. And be it 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.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Land and Strand situate in the Parish of Liverpool, extending from the Northern Limit of the Lands of the said Trustees northward to Beacon Gutter, bounded on the East by Regent Road, and thence extending westwardly into the River Mersey, together with the Basin and Quays thereon constructed, and a private Occupation Way or Road called Battery Lane, all which Land and Strand belong, in possession or reversion, to the Mayor, Aldermen, and Burgesses, and Parts thereof are, together with the various Buildings thereon, occupied by Tenants from Year to Year as follows:

Two Dwelling Houses, severally occupied by Robert Rutherford the elder and Robert Rutherford the younger.

A Building used as an Office and Store-room, and a Piece of Land, with the Workshops and Buildings thereon, and Slips for launching Vessels on the West Side thereof, occupied by Thomas Wilson.

A Piece of Land, with the Office, Workshops, Smithies, Furnaces, and Sheds thereon, occupied by Samuel Sandbach, Charles Horsfall the elder, Charles Horsfall the younger, Walter Fergus Macgregor, and Benjamin Hick.

A Dwelling House, occupied by Peter Blundell.

A Piece of Land, with the Office, Workshops, Smithies, Stable, and Sheds erected thereon, and a Slip for launching Vessels at the West Side thereof, and a Saw-pit, occupied by Edward Bury, Timothy Abraham Curtis, James Kennedy, and John Vernon.

Two Dwelling Houses, severally occupied by John Brough and James Bell.

Three several Pieces of Land, with Workshops, Sheds, Smithy, Stable, and other Erections thereon, and a Slip for launching Vessels at the West Side thereof, occupied by Michael Humble and Thomas Milcrist.

Two Dwelling Houses, severally occupied by Peter Edwards and Peter Partridge.

A Piece of Land, with Office, Workshop, and Sheds thereon, occupied by James Hodson and William Blain.

A Cottage and Sheds, occupied by Robert Pritchard.

A Piece of Land, occupied by James Holme and Samuel Holme.

A Cottage, Shed, and Garden, occupied by Peter Johnson.

Three Stables, severally occupied by Edward Holmes, John Pickup, and John Waring.

A Workshop and Stable, occupied by John Waring.

Part of Regent Road in the Parish of Liverpool, vested in the Commissioners for the better paving and Sewerage of the Town of Liverpool.

A Piec

A Piece of Land belonging to the Earl of Derby, John Shaw Leigh, Esquire, and John Plumbe Tempest, Esquire.
A Cottage and Stable thereon occupied by William Scholefield.

The following Premises belong, in possession or reversion, to John Shaw Leigh, Esquire:

Unfinished Houses and Yard, James Thompson, Lessee.
Unfinished Houses and Yard, William Williams, Lessee.
Yard, Office, and Shed, occupied by William Jones.
Unfinished Houses, Joseph Fogg, Lessee.
A Dwelling House, used as a Tavern, James Thompson, Lessee, Samuel Rowlands, Occupier.
Unfinished Houses, John Brough, Lessee.
Unfinished Houses, Andrew Trench, Lessee.

The following Premises belong, in possession or reversion, to the Earl of Derby, and are in Lease to John Bowers and George Murray:

Two Sheds, a Smithy, an Office, and Yard, occupied by John Bowers and George Murray.
A Dwelling House, occupied by John Bell.
A Dwelling House, Yard, Sheds, and Stable, occupied by James Simms.
A Yard, occupied by James Simms, Henry Morecroft, and Joshua Dyson.
Thirty-one Dwelling Houses, adjoining together, and occupied respectively by William Lewis, James Critchley, James Gurning, James Kennedy, Charles Weber, Henry Morecroft, Joshua Dyson, Edward Taylor, Henry Thompson, George Taylor, Thomas Shaw, Joseph Almond, William Davis, Joseph Morris, Robert Smith, Thomas Marsden, Thomas Holland, Samuel Johnson, William Probit, Martin Murphy, Thomas Baseley, Patrick Moore, George Chronshire, Tobias Burke, George Garnett, William Birch, John Hughes, Thomas Rylands, John Gilmore, Robert M'Donald, and Frederick Mathers.
Two Cellars, used as Dwellings, severally occupied by Peter Murphy and Thomas Brewes.
A Dwelling House, Yard, and Sheds, occupied by William Clark.
A Dwelling House, Yard, and Sheds, occupied by Thomas Holland.
A Dwelling House, Yard, and Sheds, unoccupied.
A Dwelling House, Yard, and Sheds, occupied by Thomas Bland.
A Cellar, used as a Dwelling, occupied by Griffith Williams.
A Dwelling House, used as a Tavern, occupied by James Smith.
Part of Great Howard Street in the Parish of Liverpool, vested in the Commissioners for the better paving and Sewerage of the Town of Liverpool.
Two Pieces of Land, John Shaw Leigh, Esquire, Owner, and William Roberts, Occupier.
A Shed, James Spencer, Owner, and Richard Bulphy, Occupier.
A Dwelling House and Shop, James Spencer, Owner and Occupier.
A Dwelling House and Yard, James Spencer, Owner, and Griffith Jones, Occupier.
Two Houses, Outbuildings, and Sheds, James Spencer, Owner.

Unfinished

Unfinished Houses and Shop, belonging in reversion to the Earl of Derby, and in Lease to James Atkins.

Two Pieces of Land, John Shaw Leigh, Esquire, Owner, William Roberts, Occupier.

A Dwelling House, John Shaw Leigh, Esquire, Owner, and William Roberts and Robert Grimes, Occupiers.

An Occupation Road, John Shaw Leigh, Esquire, Owner.

A Piece of Land, Richard Leyland and John North, Esquires, Devisees in trust of the late Mr. George Rowe, Owners, Henry Haydock and Roger Haydock, Occupiers.

A Piece of Land, Elizabeth Lightbody, Mary Lightbody, Mary Ann Lightbody, Jean Wardrop, Robert Hyde Greg, Adam Hodgson, William Jones, Henry Jones, and Robert Evans, Owners, Henry Jones, Occupier.

A Piece of Land, Elizabeth Lightbody, Mary Lightbody, Mary Ann Lightbody, Jean Wardrop, Robert Hyde Greg, Adam Hodgson, William Jones, Henry Jones, and Robert Evans, Owners, and John Johnson, Occupier.

So much of the Bank and Towing Path of the Leeds and Liverpool Canal on the westerly Side of the said Canal lying between Gerrard Bridge and Lightbody Bridge in the Parish of Liverpool as may be required for the Purposes of this Act.

Land and Strand situate in the Parish of Walton-on-the-Hill in the County of Lancaster, extending northwards from Beacon Gutter 470 Yards or thereabouts, bounded on the East by the Extension of Regent Road, and thence extending westwardly into the River Mersey.

Beacon Gutter, vested in the Commissioners for the better paving and Sewerage of the Town of Liverpool.

SCHEDULE (B.)

The following Lands are vested in the said Trustees.

Sheds and Timber-yard, Edward Chaloner and Quintin Fleming, Occupiers.

Offices and Timber-yard, Robert Dale, Occupier.

Office, Timber-yard, and Sheds, William Duncan and George William Irving, Occupiers.

A Cellar used as a Dwelling, Andrew Allen, Occupier.

An Office, the Commissioners of Her Majesty's Customs and William Nelson, Occupiers.

A Piece of Land, with Office, Sheds, Smithies, Workshops, and Slips for launching Vessels on the West Side thereof, Peter Cato, Occupier.

A Dwelling House, Peter Cato and John Audley, Occupiers.

A Dwelling House, Andrew Morrison, Occupier.

The

The following Lands and Strand belong to the Harrington Dock Company.

A Timber-yard and Stable, Edward Chaloner, Occupier.

Three Occupation Roads, and a Sewer under one of the Roads.

A Timber-yard, James Dempsey, Lawrence Frost, and John Farnworth, Occupiers.

A Timber-yard, Henry Steele, Joseph Brereton, Roger Lyon Jones, and John Thompson, Occupiers.

A Dwelling House, William Thomason, Occupier.

A Piece of Land, Office, Limekiln, Yard, and Shed, Thomas Wyld Gladstone, Occupier.

An Office and Yards, John Sothern, David Bromilow, and William Bretherton, Occupiers.

A Dwelling House and Outhouse, John Makin, Occupier.

A Yard, David M'Iver and Charles M'Iver, Occupiers.

A Yard, John Bellhouse and William Bellhouse, Occupiers.

A Dwelling House, William Bagot, Occupier.

A Yard and Outbuildings, Charles Horsfall, Thomas Batty Horsfall, Robert Horsfall, and Charles Horsfall the younger, Occupiers.

Yards, with Office, Smithies, Workshops, and Outbuildings, Jeremiah Todd Naylor, William Todd Naylor, and William Armstrong, Occupiers.

A Piece of Land and an Office, John Sothern, Thomas Rimmer, John Brittain, and Thomas Wylde Gladstone, Occupiers.

Land unoccupied, with Two Docks or Basins, with Quays, being the Remainder of the Harrington Dock Estate, situate on the West Side of Sefton Street.

A Forge, Furnace-houses, Smithies, Workshops, Offices, and Outbuildings, Joshua Lace, James Dixon, and Edward Henry Roscoe, Owners, and Charles Horsfall the elder and Charles Horsfall the younger, Occupiers.

SCHEDULE (C.)

Form of Conveyance.

I of in consideration of the Sum of Pounds paid to me [*or, as the Case may be*, into the Bank of England, in the Name and with the Privity of the Accountant General of the Court of Chancery, ex parte "The Trustees of the Liverpool Docks," (*or* to *A. B.* and *C. D.* of Two Trustees appointed to receive the same)], pursuant to the Act after mentioned, paid [*or, as the Case may be*, agreed to be paid] by the Trustees of the Liverpool Docks, under the Authority of an Act of Parliament passed in the Seventh Year of the Reign of Her Majesty Queen Victoria, intituled [*here set forth the Title of this Act*], do hereby convey [*or, as the Case may be*, agree to convey] to the said Trustees, their Successors and Assigns, all [*describing the Premises conveyed or agreed to be conveyed*], together

with all Ways, Rights, and Appurtenances thereunto belonging, and all such Estate, Right, Title, and Interest in and to the same and every Part thereof as I am or shall become seised or possessed of, or am by the said Act capacitated or empowered to convey or surrender, to hold the Premises to the said Trustees, their Successors and Assigns, for ever, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal, the Day of in the Year of our Lord

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