ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

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disposed of in manner herein-after mentioned, for the Purposes aforesaid; and it is expedient that Provision should be made for carrying the Intentions of the said Earl into effect, and for making proper Provision for the Reception and Preservation of the said Collection: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in the present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Establishment of Library, Museum, &c.

I. The Council shall establish and maintain a Public Library and Museum, with a Gallery of Arts, and may receive Gifts and make Purchases of Books, Maps, Plans, Pictures, Drawings, Engravings, Sculptures, Specimens of Art or Science, or other Articles which they may deem suitable and proper to be deposited therein, and shall provide and appropriate a proper and sufficient Site and Buildings for such Public Library, Museum, and Gallery of Arts, and may from Time to Time extend or change such Site, and, if necessary for any of the Purposes aforesaid, may purchase or lease Lands or Buildings, and from Time to Time erect, change, alter, and extend Buildings, and shall maintain and keep such Buildings in good Repair.

Power to sell or let Land not wanted for Purposes of the Act.

II. If at any Time hereafter any Land purchased under the Powers of this Act shall not be required for the Purposes of this Act, it shall be lawful for the Council to sell or let on Lease such Land; and the Purchase Money which shall be paid for any Land which shall be so sold shall be applied in the Purchase of other Lands, for the Purposes of this Act, or in discharging any Principal due on Mortgage from the Council under the Powers of this Act, or in effecting Improvements of a permanent Nature upon the Land or Buildings for the Time being vested in the Mayor, Aldermen, and Burgesses under the Powers of this Act, or in purchasing Books, Sculptures, Specimens of Art or Science, or of Natural History, to be deposited in the Museum, Library, or Gallery of Arts to be established under the Provisions of this Act; and the Rent to be received by virtue of any such Lease shall from Time to Time be disposed of in like Manner as the Rates by this Act authorized to be levied may be disposed of, and in aid of such Rates.

Council may appoint a Committee.

III. The Council may from Time to Time appoint a Committee of their own Body, to be called "The Library and Museum Committee," and may delegate and give to such Committee all and every such Powers and Instructions in relation to the Purposes of this Act as the Council may deem proper, and such Committee may at any Time be dissolved by the Council; provided, that the Proceedings of

of such Committee shall be submitted to the Council for Confirmation or Rejection thereof; provided also, that it shall be lawful for the Council, at its Discretion, but not otherwise, to add to such Committee, as Members thereof, such Number of Persons, not being Members of the Council, as the Council may think fit.

Council to provide Necessaries, appoint Officers, &c.

IV. The Council shall from Time to Time purchase and provide such Fuel, Lighting, Fixtures, Furniture, and other Things proper for the convenient Use and Enjoyment of the Library, Museum, and Gallery of Arts respectively, and appoint, and from Time to Time remove, such Officers and Servants, with Salaries and Remuneration, and make such Rules and Regulations for the Safety and Use of the said Library, Museum, and Gallery of Arts, and for the Admission of Visitors and others, as to the Council shall seem fit.

Museum, &c. to be held in trust for the Public.

V. Subject to the Provisions herein-after contained, and applicable to the *Derby* Museum, the Public Library, Museum, and Gallery of Arts, and the Premises from Time to Time used for the Purposes thereof, and all Articles and Specimens therein, shall be vested in and held upon trust by the Mayor, Aldermen, and Burgesses, and shall be managed by the Council, and shall at all Times be kept in fit and proper Order, for the Benefit of the Inhabitants of the Borough of *Liverpool* and Neighbourhood thereof, and others resorting thereto: Provided always, that, subject as aforesaid, the Council may from Time to Time as Occasion may require, and as to them may seem expedient and proper, sell or exchange any Articles or Specimens which may have been purchased by them for the said Public Library, Museum, or Gallery of Arts, but the Money arising from any such Sale shall be applied in the Purchase of other Articles or Specimens, and for no other Use or Purpose whatsoever.

Admission to be free of Charge.

VI. The Admission to the Public Library, Museum, and Gallery of Arts to be established under the Provisions of this Act shall be free of Charge.

Council may provide Lecture Rooms, and establish Lectures on Subjects of Art or Science.

VII. It shall be lawful for the Council to provide, in the Building appropriated for the Public Library and Museum, suitable Rooms for Lectures, and to cause Lectures to be given on Subjects of Science or the Arts in such Building, and to make such reasonable Charges for Admission to such Lectures as to the Council may seem fit; provided, that the Surplus of any Money received for Admission to such Lectures, after defraying the Charges incident thereto, shall be placed to the Credit of the Rate by this Act authorized to be levied.

And with respect to the Collection of stuffed Birds and Animals, and Specimens of Natural History, herein-after referred to as the *Derby* Museum, be it enacted as follows; (that is to say,)

Appointment of Trustees of the Derby Museum.

VIII. The Earl of *Derby* for the Time being, One Person being of the Kindred of the Earl of *Derby* for the Time being, and appointed by him, the Mayor of *Liverpool* for the Time being, the Rectors or Rector of the Parish of *Liverpool* for the Time being, the Vicar of the Parish of *Huyton* for the Time being, and the Incumbent of *Knowsley* for the Time being, shall be *ex-officio* Trustees; and such other Persons (not exceeding Six at any One Time), resident in *Liverpool* or the Neighbourhood thereof, as shall from Time to Time be elected by the *ex-officio* Trustees, shall be additional Trustees; and such *ex-officio* Trustees and additional Trustees (if any) shall be "The Trustees of the *Derby* Museum," and by that Name they and their Successors shall be incorporated, and have perpetual Succession and a Common Seal; and the said *Derby* Museum shall be transferred to and vested in the said Trustees, upon trust for the Purposes and subject to the Provisions of this Act.

Meetings of the Trustees

IX. The Trustees shall, at any Meeting or Meetings to be held by them, make such Byelaws, Rules, and Regulations as they shall think proper, as to the Time and Place of holding their Meetings, and the Mode of convening Meetings, and the Number of Trustees necessary to form a Quorum, and as to Adjournments of Meetings, and for conducting the Business to be transacted at Meetings, and otherwise with respect to the Regulation and Management of their Affairs: Provided always, that a Meeting shall be held once at the least in the course of every Half Year, for the Purpose of visiting and examining the *Derby* Museum; and, except in Cases where it may be otherwise determined by some Byelaw or Rule of the Trustees, the Decision of a Majority of Trustees present at any Meeting duly convened according to such Byelaws, and at which there shall be present the Quorum, if any, prescribed by such Byelaws, upon any Question which may have been duly submitted to the Discretion of the Meeting, shall, until rescinded at a subsequent Meeting, attended by the same or a larger Number of Trustees than were present at the Meeting at which such Decision was given, be binding upon the Trustees.

Derby Museum to be provided by the Council.

X. The *Derby* Museum shall be deposited in some suitable Building within the Borough of *Liverpool* to be from Time to Time provided by the Council, and approved by the Trustees.

Arrangements of the Council to

XI. The Arrangements which the Council shall from Time to Time make for the Reception, safe Custody, Preservation, and Display of

of the *Derby* Museum shall be such in all respects as shall be satisfactory to the Trustees.

be satisfactory to the Trustees.

XII. It shall be lawful for the Trustees, from Time to Time, as often as Occasion shall require, to submit to the Council the Names of Two Persons, whereof One shall be elected by the Council, to be the Keeper of the *Derby* Museum, and the Keeper so elected shall be paid by the Council such reasonable Salary or Remuneration as shall be fixed by the Council, and shall have the Care and Charge of such Museum, but shall be subordinate to any Curator or other chief Officer who may be appointed to the general Superintendence of the Public Museum to be established under the Provisions firstly hereinbefore contained; and such Keeper of the *Derby* Museum shall be removable by the Council, but only upon the Ground of Misconduct or Incapacity; and all other necessary Officers and Servants shall be appointed and paid by the Council.

Keeper of Derby Museum.

XIII. None of the Specimens in the *Derby* Museum shall be sold; but it shall be lawful for the Council, with the Consent of the Trustees, to give Specimens, whereof there may be Duplicates in the said Museum, in exchange for other Specimens which it may be considered desirable to add to the Collection.

Specimens not to be sold, but may be exchanged.

XIV. No Addition which shall at any Time hereafter be made to the *Derby* Museum shall be intermixed with the Specimens forming such Museum, unless with the Consent of the Trustees; and in every Case in which such Intermixture shall be allowed by the Trustees, the Specimen introduced, and not originally belonging to the said Museum, shall be marked in such Manner, to be approved of by the Trustees, as shall distinguish it from the Specimens originally belonging to the said Museum.

Additions to Museum not to be intermixed therewith.

XV. The *Derby* Museum shall be open to the Public, free of Charge, at least Four Days in every Week, and shall also be open, free of Charge, One other Day in every Week to such Naturalists, Artists, and other Persons as shall have previously obtained Permission in Writing under the Hand of One of the Trustees for the Time being or One of the Committee of the Council: Provided always, that it shall be lawful for the Council, with the Consent of the Trustees, to close the *Derby* Museum, for such Period as may be convenient, for Repairs, or upon other necessary or proper Occasions.

Derby Museum to be open to the Public.

XVI. Subject to the Provisions of this Act, the Management of the *Derby* Museum shall be vested in the Council, and the Council shall bear and pay all the Expenses of such Management.

Council to have the Management of Museum.

Matters in dispute to be referred to the Head Curator of British Museum.

XVII. If and whenever any Difference shall arise between the Trustees and the Council upon any Matter relating to the *Derby* Museum, it shall be competent for either of the disputing Parties to refer such Matter to the Decision of the Head Curator or Keeper of the *British* Museum for the Department to which the same relates; and such Head Curator or Keeper shall thereupon examine into such Matter, and make such Inquiries as he shall think proper, and shall decide the point at issue; and his Decision shall be final, and may be enforced, if necessary, as against the Mayor, Aldermen, and Burgesses, or the Council, by Mandamus, or on Petition in a summary Way, by the High Court of Chancery, or the Court of Chancery for the County Palatine of *Lancaster*; and all the Costs, Charges, and Expenses attending such Proceeding, and consequent thereon, shall be borne and paid by the Mayor, Aldermen, and Burgesses, as Expenses incidental to the due carrying into effect the Objects and Purposes of this Act.

And with respect as well to the *Derby* Museum as to the Public Library, Museum, and Gallery of Arts, be it enacted as follows; (that is to say,)

Power to levy Rates.

XVIII. It shall be lawful for the Council, once in every Year, or oftener if they shall think necessary, to make One or more Rate or Rates, to be called "The Library and Museum Rate," for the Purpose of defraying all or any of the Expenses incidental to or necessary for the due carrying into effect the Objects and Purposes of this Act, and also for the Purpose of maintaining and keeping in good Order and Repair the Botanic Garden and Herbarium and other Premises purchased by the Mayor, Aldermen, and Burgesses, under the Authority of the Statute, Eighth and Ninth of *Victoria*, Chapter Forty-three, and for the Purpose of paying the Interest on a Sum of Three thousand eight hundred Pounds, or thereabouts, borrowed for the Purpose of such Purchase, and on any Money borrowed under the Provisions of this Act, and for the Purpose of establishing a Redemption Fund, not exceeding in any One Year One Thirtieth Part of the said Principal Sum of Three thousand eight hundred Pounds, and of any Principal Sum borrowed under the Provisions of this Act, to be from Time to Time applied in paying off such Principal Sums respectively; provided, that the Amount to be levied for all or any of the Purposes aforesaid shall not in any One Year exceed One Penny in the Pound upon the rateable Value of the Property within the Borough liable to such Rate; and every such Rate shall be levied as a separate Rate, and be levied and recovered in like Manner as a Borough Rate is or may by Law be levied and recovered.

Council, with the Approbation of Treasury, may borrow Money.

XIX. For the Purchase or Lease of Lands, or the erecting, extending, altering, or repairing of Buildings, for the Purposes of this Act, the Council may from Time to Time, with the Approval of the Commissioners of Her Majesty's Treasury, borrow at Interest on the Security of the Borough Fund of the said Borough and of the said Rate, or either or both of them, such Sums of Money as may be required for the same; and it shall be lawful for the Council from Time to Time to pay off and reborrow such Sums, or any Part thereof.

Costs of Act.

XX. All the Costs, Charges, and Expenses of and incident to the passing of this Act shall be borne and paid by the Mayor, Aldermen, and Burgesses out of the Borough Fund of the said Borough.

Interpretation of Terms.

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

The Expressions "the Mayor, Aldermen, and Burgesses," and "the Council," shall mean respectively the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*, and the Council of the said Borough:

The Expression "the Trustees" shall mean the Trustees of the *Derby* Museum.

Short Title.

XXII. The Short Title of this Act shall be "The *Liverpool* Library and Museum Act, 1852," which shall be a sufficient Description thereof in all Documents and for all Purposes.

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