ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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Cap. cclxvii.

An Act for constructing a Pier at *New Brighton* in the County of *Chester*. [25th *July* 1864.]

WHEREAS the making of a Pier and Works connected therewith at *New Brighton* in the County of *Chester* as defined in this Act, to be used solely as a Promenade and Place of Recreation, would be of public and local Advantage: And whereas the Persons herein-after named, and others, are willing at their own Expense to carry such Undertaking into execution on being incorporated into a Company (in this Act called "the Company") for the Purpose: And whereas Her Majesty in right of Her Crown claims to be the Owner of the Land or Foreshore on which the said Pier and Works will be constructed, and the *Wallasey* Local Board are Lessees under the Crown of the said Lands and Foreshore, or some Part thereof: And whereas it is expedient that the Powers herein-after contained should be conferred upon the Company with respect to the Pier and Works of the *Wallasey* Local Board: And whereas the Objects of this Act cannot be attained 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 this present Parlia-

ment assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited for all Purposes as "The *New Brighton* Pier Act, 1864."

8 & 9 Vict. cc. 16. & 18., 10 & 11 Vict. c. 27., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 118. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," and Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Land by Agreement only, "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with and form Part of this Act, save and so far as any of the Clauses and Provisions of those Acts and Parts respectively are expressly varied or excepted by or are inconsistent with this Act: Provided nevertheless, that the Sections of the last-mentioned Act numbered 16, 17, 18, 19, and 25 shall not be enforced for the Purposes of this Act, except in so far as the same may be called into operation by the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid.

Same Meaning to Words in incorporated Acts as in this Act.

3. The several Words and Expressions to which by the incorporated Acts or Parts respectively Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context: Provided that the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this or the incorporated Acts, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a Simple Contract Debt, and not a Debt or Demand created by Statute.

Incorporation of Company.

4. *Harold Littledale*, and all other Persons and Corporations who have already subscribed or who shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Pier and Works herein-after described, with all proper Approaches, Roads, Embankments, Works, and Conveniences connected therewith, subject to the Provisions of this Act and the Acts and Parts incorporated herewith; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *New Brighton* Pier Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking within the Restrictions herein and in the said incorporated Acts and Parts contained.

5. The

5. The Capital of the Company shall be Thirty thousand Pounds in Three thousand Shares of Ten Pounds each. Capital.

6. It shall not be lawful for the Company to issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof. Shares not to issue until One Fifth paid up.

7. Three Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and Three Months at the least shall intervene between successive Calls, and not more than Three Fourths of the Amount of a Share shall be called up in One Year on each Share. Calls.

8. It shall be lawful for the Company from Time to Time to borrow on Mortgage of their Undertaking any Sums of Money not exceeding in the whole the Sum of Ten thousand Pounds, but no Part thereof shall be borrowed until the whole of the said Capital of Thirty thousand Pounds is subscribed for *bonâ fide*, and One Half thereof is paid up, and the Company shall have proved to the Justice who is to certify under the 40th Section of "The Companies Clauses Consolidation Act, 1845," that Shares for the whole of the Capital are issued, and that not less than Twenty Pounds *per Centum* has been paid on account of each separate Share on or before the Issue and Acceptance thereof, and that such Shares were taken *bonâ fide* and are held by the Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable, of which Proof having been given the Certificate of such Justice under that Section shall be sufficient Evidence. Power to borrow on Mortgage,

9. All and every Part of the Money raised under this Act, whether by Shares or by borrowing, shall be applied only for the Purposes authorized by this Act. Application of Monies,

10. It shall be lawful for the Mortgagees of the Company to enforce Payment of the Arrears of Interest due on any such Mortgages by the Appointment of a Receiver, and the Amount necessary to authorize the Appointment of a Receiver shall not be less than One thousand Pounds in the whole. Arrears may be enforced by Appointment of a Receiver,

11. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held half-yearly in the Months of *February* and *August*, or in such other Months as shall be from First and other Meetings,

from Time to Time determined by an Extraordinary General Meeting of the Company.

Number and Qualification of Directors.

12. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Six, and the Qualification of a Director shall be the Possession in his own Right of not less than Twenty-five Shares in the Undertaking.

Power to reduce Number of Directors.

13. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the Number be not less than Three.

Election at First Ordinary Meeting.

14. The Directors shall be appointed at the First Ordinary Meeting of the Company to be held after the passing of this Act.

First Directors to continue in Office until First Meeting after passing of Act.

15. At the First Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by proxy, shall elect a new Body of Directors, or Directors to supply the Places of those retiring from Office; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845;" and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in Manner provided by the said last-mentioned Act.

Quorum.

16. The Quorum of a Meeting of Directors shall be Three, and if the Number of Directors shall be reduced to Three the Quorum shall be Two.

Power to make Pier and Works and to take Lands.

17. Subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to make and maintain the Pier and Works herein-after described, and by Agreement to enter upon, take, and use such Lands as shall be necessary for such Purpose, or any Estate, Interest, or Easement in, over, or upon the same.

Description of Works.

18. The Pier by this Act authorized to be constructed shall commence by a Junction with the Pier or Landing Stage of the *Wallasey* Local Board, as the same shall be constructed under the Provisions of an Act promoted by the Local Board in the present Session of Parliament, such Junction to be on the Northern Side of the said Pier of the Local Board, and at such Point as may be fixed by the Local Board, and the Pier so to be constructed shall extend in a Northerly

Northerly Direction from the Pier of the Local Board for a Distance not exceeding Three hundred Yards; and no Part of the said Pier shall approach nearer to Low-water Mark of the River *Mersey* at ordinary Spring Tides than Sixty Yards, and the Levels of the said Pier shall be such as shall be approved of by the Local Board.

Power to deposit Materials on Land within Fifty Yards of Pier on making Satisfaction to Owners.

19. It shall be lawful for the Company and their Agents, Servants, and Workmen from Time to Time and at all Times from and after the passing of this Act, to bring, place, lay, work, and use any Timber, Stone, Bricks, Lime, or other Materials for making or building or for repairing and maintaining the said Pier or Works, or for executing any other of the Purposes of this Act, with the Consent of the *Wallasey* Local Board first obtained, in, upon, through, and over any Lands not being Garden or Pleasure Ground, within Twenty-five Yards of either Side of the said Pier, doing as little Damage and causing as slight Obstruction as may be, and making Satisfaction for such Damage to the Owners and Occupiers of such Lands; and in case of Dispute about the Amount of such Damage and Satisfaction, the same shall be settled by any Two or more Justices of the Peace for the County of *Chester*, and such Justices are hereby authorized and empowered to hear, settle, and determine the same accordingly.

As to settling Disputes.

Power to set out the Pier.

20. It shall be lawful for the Company and their Agents, Servants, and Workmen to enter upon any Lands upon or through which the said Pier or Works are intended to be made or to pass, and also upon any adjoining Lands or Grounds, to examine and survey the same, and to ascertain and set out such Parts thereof as may be thought necessary or convenient for carrying into execution the Purposes of this Act, and also from Time to Time to construct and make all necessary Walls, Arches, Culverts, Ditches, Drains, and Fences, and to do and perform all other Matters and Things which shall be necessary or proper for the making, completing, amending, and maintaining the said Pier and Works, and doing as little Damage as may be, and making full Satisfaction in manner herein-after directed to the respective Owners and Occupiers of all Lands which shall be taken, used, prejudiced, or damaged in the Execution of the Powers hereby granted.

Working Plans to be submitted to the Admiralty before commencing the Pier.

21. Previously to commencing the Pier or the Works connected therewith the Company shall deposit at the Admiralty Office, and at the respective Offices of the *Mersey* Conservancy Board and the *Wallasey* Local Board, Plans, Sections, and Working Drawings of the said Pier and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the

the Hand of the Secretary of the Admiralty, and for the Approval of the said Boards respectively, and such Pier and Works shall be constructed only in accordance with such Approval; and when any such Pier or Works shall have been commenced or constructed, it shall not be lawful for the Company at any Time to alter or extend the same, without obtaining previously to making any such Alteration or Extension the like Consent or Approval; and if any such Pier or Works shall be commenced or completed, or be altered, extended, or constructed contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, or the said Boards respectively, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly with Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Local Survey may be ordered by the Admiralty at Expense of Company.

22. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Side thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and, if not paid upon Demand, may be recovered as a Debt due to the Crown with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

Work if suffered to fall into Decay may be ordered to be removed by Admiralty.

23. If any Work to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and, if not paid upon Demand, may be recovered as a Debt due to the Crown with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Company.

24. The

Period for Completion of Works.

24. The said Pier and Works shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers given by this Act to the Company for executing the same shall cease to be exercised, except as to so much of the said Works as shall then be completed.

Company may erect Toll Gates, &c.

25. The Company may cause to be erected and set up Toll Houses and Toll Gates at or upon the said Pier, and from Time to Time may remove the said Toll Houses and Toll Gates, and erect and set up other Toll Houses and Toll Gates in lieu thereof, and may from Time to Time erect, provide, and maintain such Toll Houses and Toll Gates and other Conveniences adjoining to the same.

Access to Pier to be by means of Pier of Local Board.

26. Except with the Consent of the said Local Board, the Company shall not make by means of Stages, Steps, or otherwise howsoever, any Access to the Pier by this Act authorized, except from the Pier of the said Local Board, nor allow any such Access thereto to be used by any Person whomsoever: Provided, that if the Pier by this Act authorized shall be completed before the Completion of the Pier of the Local Board with which the Pier by this Act authorized is to form a Junction, the Company may construct and use such temporary Means of Access to their Pier from the existing Pier of the Local Board as may be necessary, but shall remove and discontinue the Use thereof on the Completion of the Pier of the Local Board.

Power to use Pier of Local Board.

27. The Company may at all Times use as a Means of Access to their Pier the Pier of the Local Board, and in respect of such Use shall pay the Local Board the Sum of One Farthing for each Person who shall use the Pier of the Company if the Rate charged by the Company for the Use of their Pier shall exceed One Penny for each Person, or the Sum of One Eighth of a Penny if the Rate charged by the Company shall not exceed One Penny, or such smaller Sum as the Company and the Local Board from Time to Time agree; but the Use of the Pier of the Local Board for the Purposes aforesaid shall be subject to the Byelaws, Rules, and Regulations of the Local Board from Time to Time in force in relation to the Pier of the Local Board.

Tolls to be taken by the Company.

28. The Company may demand and receive in respect of the Persons and Things in the Schedule hereto described any Sums not exceeding the Tolls in that Schedule specified: Provided always, that every Policeman going on to or using or passing over the said Pier

Pier in the Discharge of his official Duty shall not be liable to pay to the said Company any Sums whatever.

Exemption from Tolls of Vessels, &c. belonging to Her Majesty, &c.

29. Nothing in this Act contained shall extend to charge with Rates or Duties, or to regulate or subject to any Control, any Vessel or Boat belonging to or employed in the Service of Her Majesty, Her Heirs and Successors, or any Member of the Royal Family, or in the Service of the Admiralty, Coastguard, Customs, or Excise, or of the Corporation of *Trinity House of Deptford Strond*, or the Commissioners of Northern Lights, using the Pier, and not conveying Goods for Hire, or any Packet Boat, or Post Office Packet being a Packet Boat, or Post Office Packet, as defined under the Provisions of any Act relating to the Post Office, or any Post Office Bag of Letters conveyed by any such Packet Boat or Packet, or by any other Vessel whatsoever, or any of the Officers or Persons belonging to Her Majesty's Navy, or employed in the Service of the Admiralty, Coastguard, Ordnance, Customs, Excise, or Post Office, or their Baggage, or any Vessel or Goods being under Seizure by the Officers of the Revenue, or any Naval, Victualling, or Ordnance Stores, or other Stores, Goods, or Supplies for the Service of or being the Property of Her Majesty, or any Marines or Troops landed upon, or delivered, or disembarked from the Pier, or their Baggage; but all such Vessels, Officers, or Persons as aforesaid shall have the free Use of the Pier without any Charge or Rate being made for using the same: Provided always, that if any Person claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Power to Company to contract with Persons for the Use of the Pier.

30. The Company may grant to Passengers and Promenaders Tickets for Use of the Pier on such Terms, and for a Period not exceeding One Year, as may be agreed upon, provided that in granting such Ticket no Preference shall be given to any particular Person, and every Person shall have an equal Right of obtaining the same.

Pass Tickets and Return Tickets not to be transferable.

31. The Pass Tickets from Time to Time granted by the Company shall not be transferable, and shall not be used by or be available to any Person except the Party who has paid for the same, nor shall any Pass Ticket be used by any Holder thereof after the Period limited by such Ticket for the Use thereof; and any Party acting in any way contrary to or contravening these Provisions, or using or attempting to use any false or counterfeit Ticket, shall be liable, besides forfeiting any existing Ticket, to a Penalty not exceeding Twenty Shillings for each Offence, to be recovered as Penalties are recoverable under "The Companies Clauses Act, 1845."

32. All

Tolls to be paid to Collector.

32. All Tolls and Sums of Money payable under the Provisions of this Act shall be paid to the Collector or Person appointed by the Company in such Manner as the Company shall appoint.

Power to stop any Person refusing to pay Toll.

33. If any Person subject to the Payment of the Tolls hereby made payable shall, after Demand made thereof by any Collector appointed to receive the same, neglect or refuse to pay the same, it shall be lawful for such Collector by himself, or taking such Assistance as he shall think necessary, to stop and prevent the Passage of the Person so neglecting or refusing until full Payment thereof, and if any Person shall fraudulently or forcibly pass over the said Pier, or through any or either of the said Toll Gates, without having paid the said Toll, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, every Person offending in any of such Cases shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to vary the Tolls.

34. It shall be lawful for the Company from Time to Time, at any General or Special General Meeting to be held in pursuance of this Act, to lessen or reduce the Tolls hereby granted for such Time as they shall think proper, and to raise again the Tolls so lessened or reduced or any Part thereof, so that the same do never exceed the Tolls herein-before granted, and the Tolls so lessened or reduced or raised again shall be collected, recovered, and applied in the same Manner as the Tolls hereby granted are authorized or directed to be collected, recovered, and applied.

For preventing Toll Collectors from taking undue Tolls or misbehaving.

35. The Toll Collector shall and he is hereby required to place his Christian and Surname painted on a Board in legible Characters in the Front or some other conspicuous Part of the Toll House or Toll Gate immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length and of a Breadth in proportion, and painted in Black Letters on a Board with a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Toll Collector shall not place such Board and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of this Act, or of the Orders and Resolutions of the Company made in pursuance thereof, or shall refuse to tell his Christian or Surname to any Person who shall demand the same on having paid the said Toll, or shall, in answer to such Demand, give a false Name, or, upon the legal Toll being paid or tendered shall unnecessarily detain, or wilfully obstruct, hinder, or prevent any Passenger from passing through the said Toll Gate, then and in every such Case every such Toll Collector shall forfeit and

pay any Sum not exceeding Forty Shillings for every such Offence as the Justice or Justices before whom the Complaint shall be heard shall adjudge.

Penalty on evading Toll.

36. If any Person shall evade or endeavour to evade the Payment of the said Toll, or shall forge, counterfeit, or alter, or receive from or deliver to any other Person or Persons any Note or Ticket with Intent to evade, or to enable or assist any other Person or Persons to evade, the Payment of the said Tolls, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings.

Directors may remove Collectors and appoint others.

37. When and so often as any Collector or Receiver of the Toll shall die, or neglect or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for the Directors or Lessee of the Tolls, as the Case may be, to discharge such Collector or Receiver so neglecting or refusing to perform or becoming incapable of performing his Duty, or absconding or absenting himself, and to nominate and appoint some other fit and proper Person to be a Collector or Receiver of the said Tolls instead of such Collector or Receiver who shall so die or be discharged, and such Person so nominated and appointed shall be vested with the like Power and Authority and be answerable and accountable in like Manner in all respects as the Collector or Receiver who shall so die or be discharged would have been; and if any Collector or Receiver of the said Tolls who shall be discharged from his Office by virtue of this Act, or the Wife, or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver who shall die or be discharged, or any other Person who may have the Possession of any Toll House or Building, or any Appurtenances thereto, to be erected, set up, or used, by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Five Days next after Demand thereof made by Notice in Writing, signed by the Secretary of the said Company, or by such Lessee for that Purpose given to such Collector or Receiver, or any Person or Persons, or left at such Toll House, Building, or Premises, then and in every of the said Cases it shall be lawful for any One or more Justice or Justices of the Peace for the County of *Chester*, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer for the said County, with such Assistance as may be necessary, to enter into such Toll House or other Building or Premises in the Daytime, and to remove the Persons who shall be found therein, together with their Goods, out of the same, and put the said Company or Lessee, or such new appointed Collector or Receiver, or such other Person as they or he shall appoint as aforesaid, into the Possession thereof.

38. If

For preventing Nuisances on the Pier and Works.

38. If any Person shall wilfully injure, destroy, or otherwise damage any Part of the said Pier, or the Approaches thereto, or shall wilfully obstruct the Passage thereof, or if any Person shall wilfully or carelessly break or damage any of the Posts or Stones which may be erected for the Security of the said Pier and Works, or any Part thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Shipowners to be answerable for Damage done by their Servants.

39. If any Person having the Care of any Ship, Boat, Barge, or other Vessel, shall wilfully or carelessly cause, permit, or suffer any Damage or Injury to be done to the said Pier or Works by any such Ship, Boat, Barge, or other Vessel, then and in every such Case the Owner or Owners of every such Ship, Boat, Barge, or other Vessel, shall be answerable and liable to make Satisfaction to the Company for all such Damage or Injury.

Damages and Charges in case of Dispute to be settled by Justices.

40. In all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining thereof is not specified or provided for, such Amount, in case of Non-payment thereof, or any Dispute respecting the same, shall be ascertained and determined by One or more Justice or Justices of the Peace for the County of *Chester*.

Light to be exhibited on Pier.

41. During the Construction of the said Pier and Works connected therewith, the Company, if required by the Conservancy Commissioners of the River *Mersey* or the *Mersey* Docks and Harbour Board, shall cause to be hung out or exhibited every Night from Sunset to Sunrise, in such Place and Position and under such Regulations as shall be approved by the said Conservancy Commissioners or the *Mersey* Docks and Harbour Board, a Light to be kept burning by and at the Expense of the Company for the Navigation and safe Guidance of Vessels; and for ever after Completion of the said Pier the said Company, if required in manner aforesaid, shall cause to be hung out or exhibited every Night from Sunset to Sunrise, upon or near to the Termination of the said Pier, in such Place and Position and under such Regulation as shall be approved by the said Conservancy Commissioners or the *Mersey* Docks and Harbour Board, a good and sufficient Light to be kept burning by and at the Expense of the Company for the Navigation and safe Guidance of Vessels, and which Light shall be from Time to Time altered by the Company in such Manner and be of such Description, and be so used, as the said Conservancy Commissioners or the *Mersey* Docks and Harbour Board shall, by Writing under the Hand of their respective Secretaries, approve of and require; and in case the Company shall neglect to exhibit and keep either of such Lights burning as aforesaid, they

shall forfeit and pay to the said Conservancy Commissioners or the *Mersey* Docks and Harbour Board, for every such Neglect, any Sum not exceeding the Sum of Ten Pounds; but nothing in this Act contained shall be deemed or construed to prevent the said Conservancy Commissioners or the *Mersey* Docks and Harbour Board, by any Writing under the Hand of their respective Secretaries for the Time being, to order and direct that such Light as aforesaid shall be discontinued or suppressed, either altogether or for such Term or Period as they shall from Time to Time deem expedient, and the same shall, from and after such Direction as aforesaid be discontinued or suppressed accordingly.

Power to lease the Tolls and Rates.

42. It shall be lawful for the Company from Time to Time to lease the Tolls arising by virtue of this Act, and all or any of the Toll Houses, either by public Auction or private Contract, and under such Terms and Conditions and at such Tolls, not exceeding the maximum Tolls granted by this Act, as the Company shall think proper, for any Period the Company may deem expedient, not exceeding One Year: Provided also, that the Directors of the Company shall not exercise the aforesaid Power of letting without the Sanction or Authority of Three Fifths of the Shareholders of the said Company present, in person or by proxy, at an Extraordinary Meeting of such Shareholders convened for that Purpose.

Lessees to be deemed Collectors.

43. During the Continuance of any such Lease, the Lessee or reputed Lessee named therein, and also all Persons appointed by him or them to collect the Tolls so let, shall be deemed Collectors of Tolls so let, and they shall have the same Powers to collect and recover the Tolls and Sums of Money so let, and be subject to the same Rules, Duties, and Penalties in reference thereto, as if they had been appointed for that Purpose by the Company.

Company not to make Pier for embarking Passengers.

44. The Pier and Works shall be used exclusively as a Promenade or Place of Recreation, and no Portion thereof shall be used for the landing or embarking of Passengers, Horses, Cattle, Goods, Articles, Matters, or Things of any Kind whatsoever.

Company to be subject to a Revision of Rates at the Expiration of 21 Years.

45. The Company shall be subject to the Provisions of any General Act which may be passed relating to or affecting Piers, and after the Expiration of Twenty-one Years from the passing of this Act the Tolls by this Act authorized to be taken shall be subject to Revision and Alteration, under the Authority of Parliament.

Reserving Rights of Mersey Conservancy Board and

46. Nothing in this Act contained shall prejudice, diminish, alter, or take away any Right, Estate, or Interest of the *Mersey* Conservancy

vancy Board, or any Right, Toll, Rate, or Duty belonging to or vested in the said *Wallasey* Local Board. Wallasey Local Board.

47. And whereas Her Majesty is or claims to be seised in right of Her Crown to the Land to the Seaward of High-water Mark at ordinary Spring Tides, on which it is proposed to make the said Pier and Works: Be it therefore enacted, That nothing whatsoever contained in this Act shall extend to authorize the Company to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners or Commissioner for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors. Saving Rights of the Crown.

48. The Costs, Charges, and Expenses of obtaining and passing this Act, or preliminary or incidental thereto, shall be paid by the Company. Expenses of Act.

SCHEDULE to which the foregoing Act refers.

	s.	*d.*
For every Person who shall use the Pier for the Purpose of walking for Exercise, Pleasure, or any other Purpose except for embarking or disembarking, for each and every Time a Sum not exceeding -	0	2
For every Bath or Sedan Chair taken on the Pier, exclusive of the Persons in charge of or using the same, for each and every Time not exceeding - - - - - - -	0	2
For every Perambulator, exclusive of the Persons in charge of or being conveyed therein - - - - - - -	0	2

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