



CHAPTER i.

An Act to enable Henry Diaper and Company of Liverpool to issue transferable certificates and warrants for the delivery of goods and for other purposes. A.D. 1901.
[2nd July 1901.]

WHEREAS Egbert Harvey carries on an extensive business at Liverpool under the name or style of Henry Diaper and Company as a warehouse owner and warehouse keeper and storer of India rubber and other goods the quantity of India rubber warehoused with him in the year ending the thirtieth day of September one thousand nine hundred exceeding in value seven hundred and fifty thousand pounds :

And whereas powers of issuing transferable certificates and warrants for the delivery of goods have been granted by Parliament to divers companies bodies corporate firms and persons carrying on business for gain in divers parts of the United Kingdom (and particularly in Liverpool) and it would be greatly for the advantage of merchants bankers and others trading to and in the port of Liverpool if similar powers were granted to the said Egbert Harvey and other persons carrying on business with or in succession to him (as by this Act provided) as warehouse owners and warehouse keepers and storers of India rubber and other goods :

And whereas the purposes of this Act 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. This Act may be cited for all purposes as Henry Diaper and Company's (Delivery Warrants) Act 1901, Short title.

[Price 3d.]

[Ch. i.] *Henry Diaper and Company's (Delivery Warrants) Act, 1901.* [1 EDW. 7.]

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Interpretation.

2. In this Act the expression "the firm" means and includes not only the said Egbert Harvey but also all persons and companies (whether incorporated or unincorporated) who shall from time to time carry on business in partnership with him or in succession to him under the name or style of Henry Diaper and Company.

Issue of transferable certificates or warrants.

3. The firm may if they think fit at the request of any person warehousing or depositing goods in or upon any warehouse or premises of the firm or entitled to any goods so warehoused or deposited issue and deliver to him a certificate of such goods having been so warehoused or deposited or a warrant for the delivery of such goods or of any part thereof to be specified in such warrant.

Effect of certificate or warrant.

4. Every such certificate or warrant shall be deemed to be a document of title to the goods specified therein and shall be transferable by endorsement or special endorsement and any holder of such certificate or warrant whether the person named therein or the bearer of any such certificate or warrant bearing an open endorsement or the endorsee of any such certificate or warrant bearing a special endorsement shall (subject to the payment of the rent and charges payable to the firm in respect of the goods specified in such certificate or warrant) have the same right to the possession and property of such goods as if they were deposited in his own warehouse.

Effect of enactment to be stated.

5. Every such certificate or warrant shall state on the face thereof the effect of the preceding section and that it is issued under the powers of this Act.

Goods not to be delivered until certificate or warrant produced.

6. No goods specified in any certificate or warrant shall be delivered by the firm except upon such certificate or warrant being delivered to the firm and either cancelled by the firm or if part only of the goods specified therein are delivered an endorsement being made thereon by the firm specifying the goods so delivered.

Warrant not to be issued till certificate produced.

7. No warrant for delivery of any goods for which a certificate has been issued shall be issued or delivered by the firm except upon delivery to and cancellation by the firm of the certificate issued in respect of such goods. Provided that if the warrant be for the delivery of part only of the goods specified in the certificate the firm shall issue to the person so delivering up the certificate a new certificate with respect to the goods not specified in the warrant or shall re-issue the same certificate with an endorsement thereon specifying the goods for which the warrant shall have been given.

8. If any such certificate or warrant be lost or destroyed then upon proof thereof to the satisfaction of the firm and on receiving indemnity to their satisfaction a new certificate or warrant shall be given to the person entitled to the certificate or warrant so lost or destroyed in substitution for such last-mentioned certificate or warrant.

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Issue of new certificate or warrant on loss or destruction of original.

9. No such certificate or warrant shall be given under this Act until all claims and liens for freight and all other claims or liens whatsoever to which the goods were liable whilst the same were on board any vessel and before the warehousing or depositing thereof and of which the firm have had notice in writing have been discharged.

Certificate or warrant not to be given till freight &c. paid.

10. All certificates or warrants issued under this Act and signed and issued by any person duly authorised in that behalf shall be effectual and binding on the firm and all other persons interested without any other signature and without any seal.

Firm bound by warrants and certificates under this Act.

11. The costs charges and expenses of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the firm.

Expenses of Act.

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