



ANNO QUADRAGESIMO SECUNDO

# GEORGI II. REGIS.

\*\*\*\*\*

## *Cap. 71.*

An Act for enabling certain Persons in the Town and Port of *Liverpool*, in the County Palatine of *Lancaster*, to erect an Exchange there, for the Accommodation of themselves, and the Merchants and others concerned in Trade in the said Town and Port; and for incorporating the Proprietors thereof.  
[28th May 1802.]

**W**HEREAS the Merchants, Brokers, Underwriters, and others concerned in Trade and Commerce, in the Town and Port of *Liverpool*, have for a long Time past experienced great Inconvenience from the Want of a publick Exchange, and Rooms or Buildings for the Purpose of transacting the general Trade and Business of the said Town and Port: And whereas Plans and Proposals for erecting an extensive and ornamental Range of publick Buildings, and for forming a spacious Area on the North Side of the present Town Hall, by Subscription, have been approved of at a General Meeting of the Merchants and  
[*Loc. & Per.*] other



other Inhabitants of the said Town, and the Sum of Eighty thousand Pounds, in Shares of One hundred Pounds, was subscribed, and a Committee of Twenty-three of such Subscribers was nominated for the Purpose of carrying the said Undertaking into Effect; and the Members of such Committee have, in pursuance of the Powers and Authorities vested in them, contracted and agreed for the entire Purchase of all and singular the Houses, Buildings, Lands, Tenements, and Hereditaments comprized within the Limits required for the Purposes aforesaid; but inasmuch as such Committee, and the Proprietors at large of the said Undertaking, will be unable to carry the same into Execution without the Aid of Parliament: And whereas it would tend greatly to the more effectual Completion of the said Undertaking, if the several Subscribers thereto were incorporated, and invested with such Powers and Authorities as may be requisite for carrying the Purposes aforesaid into Execution: 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, That, from and after the passing of this Act, *George Case, William Roscoe, John Shaw, Thomas Leyland, John Bolton, Pudsey Dawson, John Gladstone, William Neilson, Thomas Naylor, John Gregson, Arthur Heywood, Thomas Golightly, Daniel Backhouse, Thomas Booth, Thomas Dickinson, George Dunbar, William Ewart, Thomas Earle, Edward Falkner, William Harper, Thomas Hinde, Thomas Rawson, Thomas Rodie, Thomas Staniforth, John Foster, John Gore, William Gore, Nathaniel Heywood, Charles Okill, Edward Renshaw, Samuel Woodhouse, James Taylor, W. P. Hutchinson, John Wilson, Thomas Wilson, John Wilson, George Syears, Joseph Greaves, John Peter Richard, John Backhouse, Andrew Hunter Aiken, Benjamin Rawson, Benjamin Lloyd, Joseph D'Aguilar, Solomon D'Aguilar, Henry Midgley, Samuel Sherlock, George Marsden, John P. Butler, William Earle, Robert Makin, Gabriel James, John Carter, Thomas Hodgson, William Sutton, George Lewis, Aaron H. Barlow, William Brown, William Talbot, James Antrobus, James Drinkwater, George Drinkwater, William Leece Drinkwater, John Drinkwater the younger, John Adams, John Park, J. P. Wilson, Henry Vaughan, James Atherton, Robert Berry, Thomas Mather, Joseph Fletcher the younger, William French, Valentine Byrom, Ashton Byrom, Samuel Hope, Thomas Lowndes the younger, Thomas Rawson the younger, Joseph Jackson, Charles Sydebotham, Henry Pennington, Thomas George Kendall, James Bridge, Allan, John Kevan, Richard Swire, John Cook, Samuel Matthews, William Barker, Richard Dobson the younger, George Dickin, Samuel Dutton, Charles Angus, Jacob Fletcher, Thomas Moss, Richard Davenport, Ralph Houghton, William Calton Ruffon, John Myers, Thomas Tattersall, Edward Bancroft, George Green the younger, Joseph Matthews, Thomas Beckwith, William Aspinall, Henry Clarke, Edward Rigg, James Meek, John Tobin, Abraham Rawlinson, Richard Jackson, John Rowland, Ellis Lorrimer, Thomas Dawson, Robert Greaves, Samuel Staniforth, Robert Bibby, Henry Matthews, Robert Kitchen, Alexander Woodward, Thomas Bancroft, Thomas Hodgson, Ellis Leckonby Hodgson, John Carson, William Forbes, Thomas Case, Edward Ledward the younger, Samuel Chesbyre, George M'Intosh, William Fawcett, Charles Shand, William Anderson, John Ashton Case, Hamlet Mullion, William Welsh, George Welsh, Richard Tatham, Hugh Taylor the younger, Thomas Bishop, Thomas Midgley, Thomas Woodward, Martin Hammill, Gilbert*

Proprietors.



Gilbert Henderson, Peter Wagner, John Eden, Murray Gladstone, George  
 Bainbridge, Thomas Marshall, John Montgomery, Benjamin Gray, Richard  
 Bullin, Samuel Brown, Charles Bardswell, Thomas Brassey, William  
 Mathews, Peter Pearson, John Chorley the younger, John Rymmer, Tho-  
 mas Strickland, William M'Iver, Francis Heywood, Robert Tattersall,  
 Richard Taylor, P. M. Callow, Thomas Atherton, Joseph Pool the younger,  
 William Dean, Thomas Dow, Anthony Dow, Alexander Sinclair the younger,  
 James Ansdell, Richard Maurice Owen, John Mawdsley, Samuel M'Knight,  
 James Murphy, John Jackson, Francis Jordan, Thomas Binns, Thomas  
 Wiatt, William Bird, R. Mawdsley, Duncombe Comber, Samuel Worthing-  
 ton the younger, George Marsden, Thomas Corrie, C. H. Blundell, William  
 Stanistreet, Edmund Molyneux, William Molyneux, James Molyneux the  
 younger, Anthony L. Molyneux, William Molyneux the younger, William  
 Carter, Thomas Lang, Anthony Warwick, Robert Sellar, George Irlam,  
 William Barton, John Colley, Josiah Williamson, William Lenox, Thomas  
 Stevenson, John Radcliffe, H. G. Moore, Thomas Moore, Robert Slater,  
 William Cais, William Forde, Charles Fairclough, John Forshaw, Peter  
 Crokot, John Lee, Henry Weifs, James Mitchell, Thomas Parr, George  
 Stavert, Duncan M'Vicar, John Tomlinson the elder, John Tomlinson the  
 younger, Samuel Holland, John Parry, Henry Parry, Nicholas Waterhouse,  
 William Waler, William Ripley, Thomas Huson, Joseph Johnson, John  
 Berry, William Wiatt, John Merritt, James Brandreth, Thomas Beckwith,  
 John Orme the younger, George Johnson, John M'Creery, Joseph Leay,  
 William Leay, Edward Phillips Grayson, Henry Dixon, Thomas Wilson,  
 Joseph Carshore, Thomas Tobin, Hugh M'Corquodale, Robert Campbell,  
 Joseph M'Vicar, Thomas Lance, Archibald Blackie, Christopher G. Mar-  
 wade, Charles Bird, Moses Benson, Richard Downward, Philip Orton,  
 William Hadkinson, Alexander Carson, William Cooke, Arnold Harrison,  
 William Harrison, Robert Jackson, Robert Jackson the younger, Joshua  
 Lace, Ralph Peters the younger, William Naylor, William Taylor, William  
 Harding, John Harding, William Statham, Jonathan Ratcliffe, John Cal-  
 laghan, Edward Griffin, James Blundell, Thomas Clare, Thomas Billinge,  
 William Marsden, Thomas Davis, John Gouthwaite, Charles Greetham,  
 Francis Anderton, James Swan, Joshua Eaton, William Gibson, James Gib-  
 son, Tristram Louthier, John Harrocks, Thomas Leathom, Joshua Redish,  
 Robert Green, Joshua Towndrow, Richard Roberts, John Jones, Matthew  
 Gregson, John Bullen, John Michael Wagner, Joseph Tearon, James  
 Lomax, Matthew Maher, Arthur Harper, John Wallworth, Christopher  
 Jaques, Henry Morris, William Stringer, James Murphy, James M'Gauley,  
 Samuel M'Dowal, William Every, John Ker, William Ker, Thomas Swain-  
 ston, Richard Bury, Henry Thompson, Crewe Davis, James Sill, Isaac  
 Littledale, John Livingston, John Clarke, William Clarke, James Brown,  
 Joseph Diggles, James Hargreaves the younger, Joseph Birch, David  
 Parry, James Cumming, William Townsend, Robert Mawdsley, Thomas  
 Wainwright, Ralph Wright, John Dixon, John Hodgkinson, Richard Clare,  
 Edward Morrall, James Brough, Alexander Freeland, Adam Stuart,  
 Elias Joseph, Thomas Littledale, David Shaw, William Flounders, Stephen  
 Backhouse, Nicholas Robinson, Thomas George Massey, George Orred, James  
 Galan, William Whitehouse the younger, John Conway, Fleetwood Williams,  
 Llewelyn Lloyd, William Hope, William E. Roberts, Lorents Braun, Daniel  
 Mills, James Scott, John Hutchinson, John Cragg, Michael Humble, Robert  
 Copland, William Begg, William Rigby, Thomas Downward, Thomas Avison,  
 John Keay, William Russell, Robert Jones, John Golding, Joseph Hunter  
 Randles,



*Randles, John Minshull, Richard Jones, Thomas Hallows, Thomas Wilson, John Lightbody the younger, William Turner, Archibald Maxwell, Charles Newman, James Brooke, Thomas Liptrot, Thomas Bromfield, Edward Pearson, Thomas Molineux, Robert Kirkpatrick, Thomas Naylor the younger, Henry Wheeler, William Beckwith, William Ripley, Nicholas Hervey, George Brew Crump, John George Crump, Robert Welsh, Richard Ackers, Christopher Bullin, William Thompson, Edward Bennett, Henry Lawrence, John Cukit, Samuel Clough, John Hornby the younger, John Holland Pemberton, William Dickson the younger, Thompson, Nelson, Robert Gladstone, B. M. Everard, Thomas Benson, Daniel Whitaker, John Weston, Mark Quayle, Benjamin Greetham, Thomas Greetham, William Milburn, Adam Lodge, James Cropper, John M'Carty, Quintin Hamilton, James Green, Joseph Crane, Richard Dobson the elder, John Cottingham, John Moss, John Orrell, Thomas Moss, Edward Grayson, Thomas Moore, Benjamin Thomas, Morris Lewin Mozley, Thomas Harris, John Leigh, John Skelborne, Henry Blundell, Charles Tayleur, Joseph Kaye, Thomas Baynes, Edward Pickering, Robert Pickering, John Thomas, Samuel Solomon, A. Coates, William Lawson, William Naylor Wright, Charles Clements, James Phillips, Valentine Pearse Ashfield, Robert Pyke, David Armstrong, William White, Daniel Allen, Patrick Welsh, Edward Sephton, John Hope, Thomas Ridgway, Joseph Leigh, Roger Leigh, William Fisher, John Stanton, Peter Leicester, William Peat Litt, William Hawksey, William Harvey, William Nicholls, William Cockerell, William Byrom, Henry Byrom, Robert Delap, William Clarke, Peter Robinson, James Ackers, Andrew Davidson, Benjamin Dewaynes, George Perry, William Ross, Henry Ross, George Greaves, Joseph Deane, Robert Pyke the younger, John Kirke, Michael Richardson, William Watson, Joseph Fletcher, John Myers the elder, William Leigh the younger, Samuel Beetenon, Caleb Fletcher, Thomas Elames, William Skelborne, Robert Myers, Willis Earle, William Rawlinson, James Hornby, and William Roe, their Executors, Administrators, and Assigns, and such other Person and Persons as now is or are, or shall hereafter become a Subscriber or Subscribers to the said Undertaking, and the several and respective Successors, Executors, Administrators, and Assigns, of the said several Proprietors and Persons, shall be, and they are hereby united into a Company for carrying into Execution the Purposes aforesaid, and shall for that Purpose be One Body Politick and Corporate, by the Name and Title of *The Company of Proprietors of the Liverpool Exchange*, and by that Name shall have perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued, and shall and may have Power and Authority to purchase Lands to them, their Successors and Assigns, to the Extent and within the Limits hereinafter prescribed by this Act, for the Purposes aforesaid, without incurring any of the Penalties or Forfeitures of any Statute of Mortmain.*

Power to take  
Conveyances  
of Premises  
within the  
Boundaries  
required for  
the Building.

II. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, their Successors and Assigns, from and after the passing of this Act, to purchase and accept, and take Conveyances of all the Houses, Buildings, Lands, and Premises, which are bounded as follows; (that is to say), on the North Side by *Chapel Street* and *Tythebarn Street*; on the South Side by an intended new Street, of at least Twenty-one Feet wide; on the East Side by an intended Street leading from *Tythebarn Street* into *Dale Street*; and on the West Side by an intended Street leading from *Chapel Street* into *Rumford Street*; and



and all other the old Streets, Alleys, Ways, Passages, Courts, and Places lying and being within the Limits and Boundaries aforesaid, and the same, and every Part thereof, shall be vested and are hereby declared to be vested in the said Company of Proprietors, for the Time being, their Successors and Assigns, and shall and may be disposed of by them in the Manner and for the Purposes herein-after by this Act mentioned and directed; and all and singular the Lands, Tenements, and Hereditaments, which have been already granted or conveyed to any Person or Persons in Trust for the Purposes aforesaid, shall be, without any further Conveyance or Assurance, and the same are hereby declared to be vested in the said Company of Proprietors, who shall have and be entitled to the full Benefit of any Assurance or Conveyance which hath been made thereof, and of all and every the Covenants and Agreements therein contained.

III. And whereas, from the Situation and Direction of the Street called *High Street* in the said Town of *Liverpool*, which runs through Part of the Land or Ground within the Limits aforesaid, intended to be occupied by the said Exchange it may be necessary and expedient, for the Purposes aforesaid, to turn or alter the Direction of the same, which may be done without the least Inconvenience or Disadvantage to the Publick; be it therefore enacted, That it shall and may be lawful to and for the said Company of Proprietors, for the Time being, their Successors and Assigns, to stop up and intercept the said Street called *High Street*, by any Building or Buildings, or in such other Manner as they may think proper, and may be expedient for the better carrying into Execution the Purposes of this Act, from the Commencement of the same Street on the South Side of *Chapel Street* aforesaid, to the further Continuation thereof, as far as the same extends to the South Side of the present Town Hall in the said Town of *Liverpool*, and that in lieu of the said Street, or such Part thereof as may be so stopped up, intercepted, or required for the Purposes of this Act, and prior to the Stoppage and Interception thereof, they the same Proprietors shall lay open and make Two Streets, the One to commence and be continued from the South Side of *Tythebarn Street* aforesaid, and not more distant or further to the Eastward from *High Street* aforesaid than the Space of Fifty-two Yards, so as to join and communicate with *Dale Street*; and the other Street to commence and be continued from the South Side of *Chapel Street* aforesaid, and not more distant or further to the Westward from *High Street* aforesaid than the Space of Fifty Yards, and so as to join and communicate with *Rumford Street*; which Streets so to be made and opened, shall be by them the said Proprietors, for the Time being, their Successors and Assigns, levelled and paved in every Respect fit for the passing and repassing of all Carts, Carriages, and Persons whatsoever, and for every other Purpose or Purposes as a High Road or Way; and such Streets, when so made and opened, shall be deemed publick Streets or Highways, and shall for ever afterwards be paved and kept in Repair as such, and the same shall be repaired and maintained by the same Person or Persons, Body Politick or Corporate, as are by Law subject to the Repair of the said Street called *High Street*; and such Indictment or Presentment shall be maintainable for Want of repairing the same, as could or might have been maintained for not repairing the said Street called *High Street*, without any special Reference in such Indictment or Presentment to the Change or Substitution of such Street.

Power to stop up *High Street* to a certain Extent, and make another Street in lieu thereof.

Tenants to  
quit on  
Three Ca-  
lendar Months  
Notice.

IV. And be it further enacted, That in case the said Company of Proprietors, or any Person authorized by them, shall, at any Time from and after the passing of this Act, give Three Calendar Months Notice in Writing to the Tenants or Occupiers of any such Houses, Buildings, or Premises, so purchased or contracted for as aforesaid, to quit or deliver up the Possession of such Houses, Buildings, or Premises at the Expiration of such Three Calendar Months, then all and every such Tenants or Occupiers shall, at the End of such Three Calendar Months after every such Notice, peaceably and quietly deliver up the Possession of the said Premises, so by him, her, or them respectively occupied, whether upon Lease or otherwise, to the Person or Persons who shall be so appointed by the said Company of Proprietors to take Possession thereof; and if any Person or Persons so in Possession shall refuse to give up such Possession at the Expiration of such Three Calendar Months after every such Notice as aforesaid, it shall and may be lawful for the Mayor, or any of the Magistrates of the said Town of *Liverpool*, upon Application to them for that Purpose, from Time to Time to issue a Precept or Precepts to the Bailiffs, for the Time being, of the Corporation of the said Town, to cause Possession thereof to be delivered to such Person or Persons who shall be in such Precept or Precepts nominated to receive the same; and such Bailiffs are hereby required to deliver Possession according to such Precept or Precepts of the Premises therein mentioned, and to levy such Costs as shall accrue by Means of the issuing and Execution of every such Precept or Precepts, by Distress and Sale of the Goods and Chattels of any Person or Persons who shall have refused to give up such Possession as aforesaid, and shall refuse and neglect to pay the same Costs.

Power to erect  
the intended  
Buildings.

V. And be it further enacted, That, from and immediately after the passing of this Act, it shall and may be lawful to and for such Company of Proprietors, for the Time being, their Successors or Assigns, to pull down, or cause the present Houses and other Buildings so purchased or contracted for as aforesaid to be pulled down, and to erect and build, or cause to be erected and built, on the said Land, or such Part thereof as may be deemed requisite, an extensive and ornamental Range of publick Buildings, with a spacious Area in Front thereof, to be called by the Name of *The Liverpool Exchange*, and to make and open such Streets, Ways, and Passages in or upon the same, and agreeable to such Plan or Plans thereof as may be adopted and deemed proper for the intended Undertaking; such Streets, Ways, and Passages, when so made and opened as aforesaid, to be publick Highways, and repaired, paved, and continued as such for ever thereafter by and at the Expence of the said Company of Proprietors, for the Time being, their Successors and Assigns.

The Area to  
be formed in  
Front of the  
Exchange to  
be appropriat-  
ed to certain  
Uses, etc.

VI. Provided always, and be it further enacted, That the Area to be formed in Front of the aforesaid Buildings, shall be appropriated to the publick Use of the Merchants, Traders, and Inhabitants of the Town of *Liverpool*, and of Persons resorting thereto, for the Purposes of Trade and Commerce in the Manner of an Exchange, under such Regulations and Restrictions, and to be opened and closed at such Times as the said Company of Proprietors, their Successors or Assigns, shall from Time to Time direct; and further, that Two or more Rooms shall be provided in the said intended Buildings, which shall be used as publick Rooms for the  
Purpose



Purpose of transacting such Business respecting Trade and Commerce, as the said Company of Proprietors, their Successors or Assigns, shall think proper, which Rooms shall, out of the yearly or other Income to arise from the Profits of the said Undertaking, be furnished and provided with such necessary or other Articles as the said Company of Proprietors, their Successors or Assigns, shall from Time to Time direct; and the said Company of Proprietors, their Successors or Assigns, shall have and be entitled to Admission to such Rooms free from any further or individual Expence, but subject to such Regulations, at such Times and in such Manner as the said Company of Proprietors, their Successors or Assigns, shall from Time to Time order and direct.

VII. Provided always, and be it further enacted, That it shall be lawful for the said Company of Proprietors, their Successors and Assigns, to sell, or order to be set, let, conveyed, or disposed of, so much or such Parts of any of the Lands and Premises so purchased or contracted for as aforesaid, and which shall not be deemed necessary for the Purposes aforesaid; or of any Part or Parts of the Buildings to be erected as aforesaid (except such Parts as are intended to be appropriated for publick Rooms and Accommodations, but nevertheless so as such Sale of any of the said Buildings so to be erected as aforesaid, shall not be made without the Consent of Three-fourths in Number of the Proprietors for the Time being, present at a Special Meeting to be for that Purpose called by the Committee for the Time being, if they may think proper to call such Meeting, unto any Person or Persons to or for such Use or Uses as they shall think proper, consistent with the Terms and Conditions of the several and respective Contracts which they have entered into and engaged in with the several and respective different Proprietors or Owners of the said Houses, Buildings, Lands, and Premises, or any of them, or any Part of any of them, previous to or after the passing of this Act, and that the same shall be sold, let, set, conveyed, or otherwise disposed of by the said Company of Proprietors accordingly.

Power to sell  
or let the Re-  
mainder of  
Land not  
wanted.

VIII. And be it further enacted, That immediately after the passing of this Act, the Property of and in the said Concern, and of and in the several Lands, Hereditaments, and Premises so purchased or contracted for as aforesaid, and of and in all the Buildings and Materials relating thereto, and the Profits arising therefrom (after deducting the Money laid out in obtaining and passing this Act, and all other incidental Costs, Charges, and Expences whatsoever, touching or concerning the same in anywise howsoever, which shall be respectively borne, paid, and defrayed by the said Company of Proprietors, or their Successors, Executors, Administrators, or Assigns), is and are hereby vested in the said Company of Proprietors, and they shall severally and respectively be entitled thereto in such Shares and Proportions as the Amount of their several Subscriptions in and to the same, and with, under, and subject to such Clauses, Covenants, Conditions, Provisoos, Agreements, and Restrictions, as are in this Act contained, or as shall hereafter be agreed upon by the said Company of Proprietors.

Property vest-  
ed in the Pro-  
priators, their  
Successors,  
Executors,  
Administra-  
tors, and  
Assigns.

IX. And be it further enacted, That the beneficial Interest of the said Proprietors of and in the same Concern shall be and be considered as Personal Property, and shall be assignable, transferrable, and deviseable accordingly;

Beneficial  
Interest in the  
Concern  
deemed Per-  
sonal Proper-



ty, and assign-  
able or  
devisable as  
such.

accordingly; and in case of the Decease of any of the said Proprietors, intestate, shall vest in the Personal Representatives of such Proprietors as Personal Property; but before any Person becoming interested in the said Concern, by Assignment, Transfer, Devise, or as Personal Representative, shall be entitled to receive any Interest, Dividend, or Emolument therefrom, or be permitted to vote on any Question relating to the said Concern, or to act at all therein, the Assignment, Transfer, Will, or Administration under which such Person claims to be so interested, shall be produced and registered by the proper Officer for the Time being, who shall be appointed by the Committee of the said Proprietors for that Purpose.

Limitation of  
Shares in One  
Person to  
Ten.

X. And be it further enacted, That no Person, either alone, or jointly with any other or others, shall hold or be interested in, or in any Way entitled to more than Ten full Shares, as and for his or her own Proportion of the said Shares of the said Concern, either by original Subscription, or by Purchase for a valuable Consideration, except only such forfeited Shares as shall be sold by the said Company of Proprietors under this Act, and also except by voluntary Donation, or testamentary Bequest, or by Operation of Law in case of Intestacy; and if any Person, directly or indirectly, by themselves, or any other Person or Persons in Trust for them, shall hold or be interested in or entitled to more than Ten Shares by original Subscription, or by such Purchase as is herein-before prohibited, all such Shares or Share, or Parts thereof, wherein he shall be so interested or entitled over and above the said Ten Shares, shall be and become forfeited to the said Company of Proprietors, and the same shall be sold and disposed of by the Committee for the Time being of the said Company of Proprietors by publick Auction, for the general Benefit of the said Company; and the Money which the same shall produce, shall be accounted for as the Profits of the said Concern; all which said forfeited Shares any of the said Company of Proprietors shall be at Liberty to purchase, notwithstanding he or she shall previously be possessed of Ten Shares in the said Concern.

As soon as the  
Undertaking  
shall have  
become pro-  
ductive beyond  
the  
Expenditure,  
the Gains of  
the Concern to  
be divided  
amongst the  
Proprietors in  
Proportion  
to their  
Shares.

XI. And be it further enacted, That when and as soon as the said Undertaking shall have become productive beyond the Expenditures necessary for carrying the same into Execution, then and in such Case the clear Gains of the said Concern for the Year, after reserving a reasonable Sum to constitute a Fund for the defraying of contingent Expences on Account of the said Concern, shall be equally divided amongst the said Company of Proprietors, in Proportion to the Share and Interest which each of them may have in the said Concern: Provided always, that when any Loss shall have arisen in any One Year in the said Concern, and which the Fund herein-before mentioned shall be insufficient to defray, the same shall be paid and made good out of the Proceeds and Gains of the succeeding Year, before any Profit whatever is computed or paid.

Declaring the  
Time when  
the Gains of  
the said Con-  
cern shall  
commence.

XII. And be it further enacted, That the Year on which the Gains of the said Concern shall be computed, shall commence on the First Day of *January* in each Year; and Payment and Division of such Gains as afore-said, shall be made as early after the next General Meeting of the Company of Proprietors which shall be held next after the Completion of such Year as may be.

XIII. And



XIII. And be it further enacted, That *George Case, William Roscoe, John Bolton, Daniel Backhouse, Thomas Booth, Thomas Dickinson, Pudsey Dawson, George Dunbar, William Ewart, Thomas Earle, Edward Falkner, John Gregson, John Gladstone, Arthur Heywood, William Harper, Thomas Hinde, Thomas Leyland, William Neilson, Thomas Naylor, Thomas Rawson, Thomas Rodie, Thomas Staniforth,* and *John Shaw* Esquires, being the Committee so appointed and elected as aforesaid, and the Survivors and Survivor of them, are and shall respectively continue to be the said Committee until the Completion of the Erection of the said Buildings, and as such shall have full Powers and Authorities to make and enter into any Contracts or Agreements whatsoever, for the completing and finishing the same, according to their Judgement and Discretion.

Present Committee to continue till the Completion of the Buildings.

XIV. And be it further enacted, That such Committee of the said Company for the Time being may meet when, where, and as often as it pleases; and there shall be kept, by a Person to be appointed by the said Committee, a Minute Book, in which shall be entered all its Proceedings, Transactions, Negotiations, Contracts, Expenditures, and Engagements; and the said Committee for the Time being shall, from Time to Time, elect a Chairman and Deputy Chairman from amongst themselves; and Five of the Number, of which such Committee shall from Time to Time consist, shall have full Power and Authority to act as a Committee of the said Company of Proprietors, and a Majority of such Committee so formed as aforesaid, shall be competent to decide upon any Question before it, and to act for and on the Behalf of the said Company of Proprietors; and if any Diversity of Opinion shall arise therein, and the Number of Votes of the said Committee shall be equal (the Vote of the Chairman and Deputy Chairman, or occasional Chairman, included), then the Chairman, Deputy Chairman, or occasional Chairman of the said Committee, shall have an additional or casting Vote; and if at any Meeting of the said Committee to be called by or under the Authority of the Chairman, or of the Deputy Chairman in his Absence, neither the Chairman nor the Deputy Chairman of the said Committee shall be present, the Majority of the Committee then present shall elect a Chairman from amongst themselves, for that Meeting only; and it shall then be competent to act, provided the requisite Number of its Members are then present.

Appointment of Time and Place of Committee meeting; their Proceedings to be entered in a Book, and Chairman to be appointed.

XV. And be it further enacted, That the Committee of the said Company of Proprietors for the Time being shall have full Power and Authority from Time to Time to make equal Calls on the respective Proprietors for the Payment of the Monies due upon and by virtue of their said several and respective Subscriptions on each Share, not exceeding the Sum of Twenty-five Pounds at any One Call or Time, to be by them applied for the Purposes of the said Undertaking, and in carrying this present Act into Effect; and if any of the said Company of Proprietors shall refuse, omit, or neglect to pay any such Call or Sum of Money, and also all Arrears of any Call or Calls already made, together with lawful Interest for the same from the Time when the same ought to have been paid, to the Person or Persons who shall be from Time to Time authorized and appointed by the said Committee to receive the same, and at the Place where it shall be appointed by the said Committee that the same shall be paid, being in the Town of *Liverpool* aforesaid, for the Space of Twenty Days after Notice of the Time and Place of such Payment shall have been inserted Once in each of the publick *Liverpool* Newspapers, and left at the Place of Abode

Committee empowered to make Calls upon the Proprietors.



On Non-pay-  
ment of Mo-  
ney on Calls,  
future Interest  
to cease.

of the Person or Persons aforesaid, such Person or Persons so refusing, omitting, or neglecting to pay such Call or Sum of Money, shall, at the Discretion of the said Committee for the Time being, forfeit all future Interest of and in the said Concern in respect of the Share or Interest therein wherein Default shall be made, and the same shall be sold and disposed of by the Committee for the Time being of the said Company of Proprietors by publick Auction, for the general Benefit of the said Concern, and the Money which the same shall be sold for shall be accounted for as the Profits of the said Concern; all which forfeited Shares any of the said Company of Proprietors shall be at Liberty to purchase, notwithstanding they, he, or she shall previously be possessed of Ten Shares in the said Concern.

Power for the  
Committee,  
instead of de-  
claring the  
Share to be  
forfeited, to  
bring an Ac-  
tion for the  
Money due.

XVI. And be it further enacted, That if any Person or Persons who hath subscribed to and on Account of the said proposed Undertaking, or to whom any Share thereof shall at any Time hereafter be assigned, shall neglect to pay the Money which shall from Time to Time become due by virtue of any Call hereafter to be made, and also all such Sums as are now due by virtue of the said Subscription, with lawful Interest for the same as aforesaid, it shall and may be lawful to and for the said Company of Proprietors, instead of declaring the Forfeiture of any Share or Shares as aforesaid, to sue for and recover the Money so due in any of His Majesty's Courts of Record, by Action of Debt or on the Case; and that notwithstanding the Transfer or Assignment of any such Share or Shares, the original Subscribers, or the Persons standing as Subscribers in the said Book at the Time of passing this Act, shall be liable to such Action as aforesaid; but that no Person having any Share or Shares by Assignment hereafter to be made, shall, after any Assignment or Transfer made by such Person or Persons, and duly registered as aforesaid, be liable to any Action or Actions on Account of any Call or Calls made subsequent to the Registry of such Transfer or Assignment.

If present  
Subscription  
inadequate,  
Power to  
mortgage the  
Buildings, or  
charge them  
with any Sum  
of Money.

XVII. And be it further enacted, That in case the Money which hath been so subscribed shall be found inadequate to the Purposes herein-before mentioned, it shall and may be lawful to and for the said Committee, by and with the Consent of the Majority to be present at a General Meeting of the said Company of Proprietors, to be specially convened for that Purpose, of which Seven Days previous Notice shall be given by Advertisement in each of the Newspapers published in the Town of *Liverpool*, to raise any other Sum or Sums of Money, by Mortgage of the Hereditaments so vested in the said Company of Proprietors as aforesaid, or by charging the same with the Payment of any annual Sum or Sums of Money for any Term or Number of Years, or for any Life or Lives, or in Perpetuity, as shall be deemed eligible and proper for that Purpose, and also to make any Rules or Regulations touching the Transfer or Assignment of any such Charges thereon, which Rules and Regulations shall be as valid and effectual as if the same had been herein expressly mentioned and contained.

Committee  
to name  
Bankers, etc.

XVIII. And be it further enacted, That the said Committee of the said Company for the Time being shall and may name Bankers, and contract with and employ any Officers, Clerks, Agents, and Workmen, for such Time and Times, at such Salaries or Wages, and under such Circumstances,



stances, as may be thought proper; and shall have general Power and Authority to enter into and make such Contracts and Engagements as shall be from Time to Time requisite for managing, carrying on, and conducting the said Concern, and shall from Time to Time pay out of the Funds of the said Concern, such Sums of Money as shall be requisite for those several Purposes.

XIX. And be it further enacted, That, from and after the Completion of the said Buildings, a General Meeting of the Proprietors of the said Concern shall be held on the last *Monday* in *January* in every Year; and that in the mean Time, and also afterwards, it shall be competent for the said Committee for the Time being, if they shall see Occasion, to call any Meeting or Meetings of the said Company of Proprietors at any Time or Times for the Purpose of consulting with them on any Occurrence, Matter, or Thing whatsoever; and that it shall and may be lawful to and for any Fifty of the said Proprietors, by Notice to the Chairman of the said Committee, to require a General Meeting of the said Proprietors to be called, and such Meeting shall accordingly be called within Seven Days after such Notice.

A general annual Meeting to be held, and Committee empowered to call a Special Meeting at any Time.

XX. And be it further enacted, That no Person shall be appointed or continue to be a Member of the said Committee, who shall not reside within Twenty Miles of the Town of *Liverpool*; and if there shall not at any Time be, in the Judgement of the Committee for the Time being, a sufficient Number of the Committee so to be appointed by the said Company of Proprietors, either by the Death, Resignation, or the Refusal or declining of any of such of the said Committee to act, the others of the said Committee so appointed by the said Company of Proprietors, or the Majority of them, may call such Special Meeting of the said Company of Proprietors, who may thereupon elect another or others of the said Company to fill up the Number of their constituent Part of the said Committee; and that at the said annual Meeting all Vacancies in the said Committee shall be filled up, without any special Order or Appointment for that Purpose.

No Person to be a Committee Man who does not reside within 20 Miles of the Town.

XXI. And be it further enacted, That the Committee of the said Company of Proprietors for the Time being shall cause Notice to be given of the Time and Place of every annual or other General Meeting or Meetings of the said Proprietors, by publishing the same Once in Two or more of the publick Newspapers Seven Days previous to any such Meeting.

Notice of Meeting to be given.

XXII. And be it further enacted, That a Majority in Number of the said Company of Proprietors present at any of the said Meetings, provided that the Number constituting such Majority at any other than the annual Meeting consists of Twenty-five or upwards, may make, amend, modify, or alter any Bye Laws, Rules, or Regulations for the conducting of the said Concern, and may create and make new Powers, Rules, and Regulations for the conducting, carrying on, and managing the said Scheme, so as that the same shall not interfere with or alter the Approbation of the Gains of the said Concern, or be in any Degree inconsistent with any of the Clauses in this present Act; and provided also, that a particular Notice of such intended Alteration of the old, or making such new Rules and Regulations, and in what the same respectively is proposed to consist, be given in Two at least of the publick *Liverpool* Newspapers Seven Days previous to any such Meeting at which the same shall be made.

Power for Majority of the Proprietors to alter any of the Rules, or to make new ones.

XXIII. And



To nominate a Committee after the present one; for what Time such Committee shall continue.

XXIII. And be it further enacted, That at any annual Meeting, or at any Meeting expressly convened for that Purpose, the said Company of Proprietors shall and may make, ordain, and constitute such Rules and Orders for the Appointment of a Committee for the Management of the Concerns of the said Company, from and after the Time during which it is herein-before appointed that the Powers of the present Committee shall continue, and to appoint and regulate the Number of Persons of which such Committee shall consist, and how and in what Manner they shall be elected, and the Time during which such Committee shall continue in Office, and any Interval or Intervals of Time during which any Person having been on such Committee, shall be disqualified to be again a Member thereof, and also all the Powers and Authorities, Rights and Duties, which shall be incident to such Committee; and at every annual Meeting the Majority of Subscribers then present shall and may nominate and appoint any Number of Persons, not exceeding Three to be Auditors of the Accounts of the said Concern for the succeeding Year, with or without Compensation, as shall be deemed most desirable; and such Auditors, at each annual Meeting, shall lay before the Subscribers at large a Statement of the Accounts for the preceding Year, and an Account of the Money then in Hand arising from the said Concern; and the Subscribers at large shall fix and appoint at such Meeting the Dividend to be paid for such Year, and the Amount of the Sum to be reserved or carried into the Fund for contingent Expences, such Reservation being not less than Two Pounds and Ten Shillings *per Centum* upon the whole Produce of the preceding Year, the Produce of such Fund excepted, which shall from Time to Time be invested, and accumulate for the Purposes thereof.

No Person entitled to more than One Vote though he may have more than One Share.

XXIV. And be it further enacted, That in any of the Affairs of the said Company of Proprietors, no One of the said Company shall have more than One Vote, although he may be entitled to more than One of the said Shares in the said Undertaking; and if any Share shall become vested in Two or more Persons, there shall be only One Vote in respect of such Share, and the Majority of Persons in Number interested in it, and present at any Meeting, shall be considered for the Purpose of voting to be a Person possessed of such Share, and shall be competent to give such Vote in respect of every such divided Share; and that if any Interest in the said Concern now is, or shall become vested in Persons under the Age of Twenty-one Years, the Votes in respect of such Interest shall be suspended until such Persons attain Twenty-one Years; but the Dividends in respect of such Interest shall be from Time to Time, during their Minority, paid to the Guardians of such Persons, and such Payments shall be afterwards valid and conclusive against all such Persons on whose Behalf any such Payments have been made.

Committee to reimburse themselves all reasonable Expences.

XXV. And be it further enacted, That the said Committee of the said Company of Proprietors for the Time being, and every of them, their and every of their Heirs, Executors, and Administrators respectively, may from Time to Time deduct, retain to, and reimburse themselves and himself respectively, and pay to the others or other of the said Committee respectively, by and out of the Monies which by virtue of this Act, or any of the Powers herein contained, shall come to their or any of their Hands respectively, all such Costs, Charges, Damages, and Expences, as they or any of them respectively shall bear, pay, sustain, expend, or be put unto, in or about, or relating to the said Scheme or Under-



Undertaking, and the Powers hereby given to them; and the said Committee of the aforesaid Company of Proprietors for the Time being, or any of them, their or any of their Heirs, Executors, or Administrators respectively, shall not at any Time or Times hereafter be charged or chargeable; but each of them for his own respective Receipts, Payments, Acts, and wilful Defaults, and not otherwise, and shall not be charged or chargeable with, or accountable for any Sum or Sums of Money, other than such as shall actually come to his or their own Hands respectively; nor with any Loss or Damage which may happen in depositing the same in any Bank or Banker's Hands, or elsewhere, for safe Custody, until the same shall be applied according to the Directions of this Act; nor with any Loss or Damage which may happen by reason of their or his acting in the Execution of the several Powers aforesaid, without their or his respective wilful Default; and that no Action or Suit shall be maintained against any Person or Persons individually for or on Account of any Matter or Thing to be done, or by reason of any Contract to be entered into in pursuance thereof, but all such Actions and Suits shall be only maintainable against the said Company in their Corporate Capacity.

XXVI. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to deprive or hinder the Common Council for the Time being of the said Town of *Liverpool* from using and exercising all and every the Powers and Authorities given to them by the Act passed in the Twenty-sixth Year of the Reign of His present Majesty, of altering the Levels of all or any of the Streets, and publick Highways and Passages in the said Town; and also of altering the Course and Direction of all and every the present Common Sewers within the said Town, and of making new and other Common Sewers in and through such of the Streets, and publick Highways and Passages of the said Town, as they shall judge proper and expedient, with the Power of altering their Course and Direction; nor from having, using, and exercising all and every other the Rights, Powers, and Authorities (except so far as the same may be altered by this present Act), by the same Act in such Common Council for the Time being vested, as fully, to all Intents and Purposes, as if the present Act had not been made; nor shall hinder or prevent the Corporation of the said Town, and also the Common Council for the Time being of the same Town, from having, using, and exercising all and every the Rights, Powers, and Authorities in them already vested by any other Act or Acts of Parliament whatsoever, as fully, to all Intents and Purposes, as if the present Act had not been made; any Thing herein contained to the contrary in anywise notwithstanding.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away or prejudice, lessen, or affect any of the Powers, Privileges, or Authorities contained in and given to the Company of Proprietors of the *Liverpool* Water Works, by an Act passed in the Thirty-ninth Year of His present Majesty's Reign, intituled, *An Act for better supplying the Town and Port of Liverpool with Water, from certain Springs in the Township of Bootle, in the County Palatine of Lancaster*, other than and except so far as relates to the laying Pipes along or through the Space now occupied by *High Street* aforesaid: Provided also, that the said Company of Proprietors of the *Liverpool* Exchange, their Successors and Assigns, shall and will, at their

[Loc. & Per.]

13 T

own

Reservation of Rights.

Not to affect the Rights or Powers of the *Liverpool* Water Works Company.



own Coſts, Charges, and Expences, after the making of the Streets herein-after mentioned, and before the ſame ſhall be paved or completed, lay Pipes of the ſame Bore as thoſe at preſent laid in *High Street*, and from and communicating with the ſame Pipes immediately to the Northward of *High Street*, either along and through *Chapel Street* as far as the ſaid intended Street to the Weſtward of the ſaid Buildings, and along and through ſuch Street, or along and through *Tythebarn Street*, as far as the ſaid intended Street to the Eaſtward of the ſame Buildings, and along and through ſuch Street, at the Option of the ſaid Company of Proprietors of the *Liverpool Water Works*, ſo as to join and communicate in as near a Direction as poſſible from One of ſuch intended Streets, through other publick Streets, with the Pipes already laid to the Southward of *High Street*; and from and after the laying of ſuch Pipes, ſhall be at Liberty to remove the Pipes from *High Street* aforeſaid; and ſhall and will fully indemnify and ſave harmleſs the ſaid Company of Proprietors of the *Liverpool Water Works* of and from all Coſts, Charges, and Expences, that may ariſe or be occaſioned by or through the Removal, or making good and new laying of any Pipes or other Works belonging to the ſaid Company of Proprietors of the *Liverpool Water Works*, for the Purpoſe of carrying this Act into Execution.

Publick Act.

XXVIII. And be it further enacted, That this Act ſhall be allowed in all Courts whatſoever as a publick Act, and all Juſtices and other Perſons are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame; and that all and every Perſon or Perſons ſued for any Matter or Thing done by virtue hereof ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence.

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's moſt Excellent Majeſty. 1802.