



ANNO TRICESIMO NONO

# GEORGII III. REGIS.

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## Cap. 59.

An Act to enlarge the Term, and alter and enlarge the Powers of several Acts, relating to the Harbour of *Liverpool*; and for making Two additional Wet Docks and Piers in or near the Port of *Liverpool*; and for rendering more safe and commodious the said Port and Docks. [21st June 1799.]

**W**HEREAS by an Act passed in the Eighth Year of the Reign of Queen *Anne*, intituled *An Act for making a convenient Dock or Bason at Liverpool, for the Security of all Ships trading to and from the said Port of Liverpool*, the Mayor, Aldermen, Bailiffs, and Common Council of the Borough of *Liverpool* were empowered to make a Wet Dock or Bason upon a Piece of Ground therein described; and certain Rates and Duties upon such Ships and Vessels as are therein mentioned were thereby granted and directed to be levied and paid to the said Mayor, Aldermen, Bailiffs, and Common Council for the Time being, and their Successors, for the Term of Twenty-one Years from the Twenty-fourth of *June* One thousand seven hundred and ten, to be applied for the building and repairing the said new Dock or Bason, and other Works in and about the same; and they were thereby empowered to convey the said Duties as a Security for any Sum of Money, not exceeding Six thousand Pounds, to be by them borrowed for the Purposes of the said Act: And whereas by another Act, passed in the Third Year of the Reign of His late Majesty King *George* the First, the said Rates and Duties

8 Annæ, c.12.

3 G. 1.

[Loc. & Per.]

9 U

Duties

11 G. 2. Duties were continued for a further Term of Fourteen Years from the Expiration of the aforesaid Term of Twenty-one Years, and they the said Mayor, Aldermen, Bailiffs, and Common Council were thereby empowered to raise a further Sum of Four thousand Pounds on the Credit of the said Rates or Duties : And whereas by another Act, passed in the Eleventh Year of His late Majesty King *George* the Second, they, the said Mayor, Aldermen, Bailiffs, and Common Council, were empowered to make an Addition to the aforesaid Wet Dock, and to erect a Pier in the Harbour of *Liverpool*; and the Two former Acts as thereby altered or explained, and the said Rates or Duties, were continued for a further Term of Thirty-one Years from the Expiration of the said Term of Fourteen Years, and they were thereby empowered to raise a further Sum of Fourteen thousand Pounds on the Credit of the said Rates or Duties : And whereas by another Act, passed in the Second Year of the Reign of His present Majesty King *George* the Third, the said Mayor, Aldermen, Bailiffs, and Common Council were empowered to build another Dock, and make other Works as therein mentioned, and to erect Lighthouses and other proper Lights in or near the said Port; and the said Rates or Duties were continued for a further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament from the Expiration of the said Term of Thirty-one Years; and they were thereby empowered to borrow a further Sum of Twenty-five thousand Pounds on the Credit of the said Rates or Duties; and certain other Rates or Duties were also granted to them for the Support of such Lighthouses and Lights, and they were empowered to borrow the Sum of Two thousand Pounds on the Credit of the said last-mentioned Rates or Duties : And whereas by another Act, passed in the Twenty-fifth Year of the Reign of His said present Majesty, the said Mayor, Aldermen, Bailiffs, and Common Council were empowered to build Two other Docks, and the said Dock Rates or Duties were continued for a further Term of Forty-one Years from the Expiration of the last-mentioned Term of Twenty-one Years; and they were thereby empowered to raise a further Sum of Seventy thousand Pounds on the Credit of the said Rates or Duties : And whereas all the said Docks and other Works have been completed; but owing to the still continuing Increase of the Trade of the said Port, there is not yet sufficient Dock Room for the Reception and Protection of the Ships and Vessels belonging and resorting to the same Port, and there is a Necessity for Two additional Wet Docks and other Works in such Port; and it is expedient that certain Regulations should be established with regard to the said Port, for the Safety and Accommodation of all Ships and Vessels resorting thereto: And whereas the Debt already incurred in the making and maintaining of the aforesaid several Docks and other Works, and the further very heavy Expence which will attend the making of the Two other Docks now wanting, render it necessary not only that the aforesaid present Dock Rates and Duties should be increased, but also that they should be continued for a Term beyond that limited by the said last-mentioned Act of the Twenty-fifth Year of His present Majesty's Reign : And whereas the Mayor, Aldermen, Bailiffs, and Common Council of the said Borough have agreed to appropriate, for the Use of the said Two intended Docks, the Scite herein-after described; to wit, from North to South, (*videlicet*) from the North Side of *George's Dock* Bason Northwardly to the North Boundary of the Township of *Liverpool*; and from East to West down

Appropriation by the Corporation of *Liverpool* of the Scite for Two Docks.

to the Low Water Mark of the River *Mersey*, as follows; (*videlicet*), from the West Side of and along *New Key* and *Bath Street* Northwardly up to the North-west Corner of *Bath Street*, and from the said North-west Corner up to the said Northern Boundary of the said Town, all along the West Side of a certain intended common Highway, which is to be of the Width or Breadth of Thirty-five Yards, and to be made and at all Times thereafter kept in repair by the said Mayor, Bailiffs, and Burgesses of the said Town of *Liverpool*, of which same intended common Highway the Eastern Boundary is to be the Western Limits of the Lands or Grounds respectively belonging to the Right Honourable *Edward Smith Stanley* Earl of *Derby*, *John Leigh* Gentleman, *John Myers* Merchant, and others, adjoining the same; and in and under which same common Highway there shall be made and laid, and kept in repair, proper Sewers, Drains, and Watercourses, for conveying the Water from the said Highway, and from the Lands and Grounds adjoining the same, at the Expence of the said Mayor, Bailiffs, and Burgesses, to the Low Water Mark; for which said Scite for the said Two intended Docks the said Corporation of *Liverpool* are to be paid out of the said Dock Rates or Duties, at and after the same Proportion as the said Corporation have already paid, or shall hereafter pay for any Part or Parts of such Scite; and for such Part and Parts of the said Scite as always belonged and now belong to the said Corporation, at and after the like Proportion as for those which they have so as aforesaid purchased, or shall hereafter purchase for the Use of the said Docks: 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 the said Scite so agreed to be appropriated by the said Corporation, as aforesaid shall (the Consideration or Purchase Money for the same having been first paid or secured to be paid to the said Corporation) be, remain, and enure, and be applied and appropriated to and for the Uses, Intents, and Purposes in and by this Act mentioned, directed, and appointed, and to no other Use, Intent, or Purpose whatsoever; and that the said intended common Highway, and the said Sewers, Drains, and Watercourses to be made and laid in and under the same, shall be made and laid, and kept in repair, by the said Mayor, Bailiffs, and Burgesses, as herein-before is mentioned.

The said Scite accordingly appropriated.

II. And whereas the Sea has at different Times washed away some Part or Parts of the Western Limits of the said Lands or Grounds of the said Earl of *Derby*, *John Leigh*, *John Myers*, and others; therefore be it enacted, That in order to ascertain what are the real Western Limits of the same Lands or Grounds, the same shall be fixed and set out by Two Persons, the one to be chosen by the said Common Council of *Liverpool*, and the other to be chosen by the said Earl of *Derby*, *John Leigh*, and *John Myers*, or Two of them, of whom the said *John Leigh* to be one, and by a Third Person to be nominated by such Two Persons; and the Determination of those Three Persons, or of any Two of them, to be signed by them, or any Two of them, at any Time on or before the First Day of *July* One thousand eight hundred, shall be binding to all Parties; and so soon as such Determination shall be so made and signed,

For ascertaining the Western Limits of the Lands or Grounds of the Earl of *Derby* and others.

that

that then the said Earl of *Derby*, *John Leigh*, *John Myers*, and the said other Proprietors respectively, shall, at their own Expence, set down and maintain Meer Stones opposite their respective Grounds, to mark the extreme Western Limits of their said Lands or Grounds.

Power to  
the Common  
Council to  
erect the Two  
Docks.

III. And be it further enacted by the Authority aforesaid, That it shall be lawful for the Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation of *Liverpool* for the Time being, and their Successors, or the major Part of them in any Common Council to be assembled, to make, erect, and build, or to order and cause to be made, erected, and built, Two other Wet Docks, with proper Piers and other Works necessary to support and complete the same, on the said Scite herein-before mentioned, to be appropriated for that Purpose, or upon some Part thereof, after such Form, Plan, or Model, Forms, Plans, or Models, and of such Materials as to them shall seem necessary or proper in that Behalf; and that the Southernmost of the said Docks shall be begun upon and proceeded in before the said Mayor, Aldermen, Bailiffs, and Common Council of the said Town shall proceed to make any other Dock within the Port of *Liverpool*, and shall be finished for the Reception of Ships and Vessels as soon as conveniently can be done, and within the Term of Twenty Years from the passing of this Act; and that the same Dock, as well as the Northernmost of the same Docks, shall not be of less Dimensions than Four hundred Yards in Length from North to South, nor less than One hundred Yards in Breadth from East to West.

For making  
Avenues to  
the River  
Mersey from  
East to West.

IV. And be it further enacted, That in and upon the said Ground so appropriated as aforesaid, and which shall not be wanted for the Purposes of the said Docks, there shall be laid out and made, and at all Times thereafter kept in repair, by the said Mayor, Bailiffs, and Burgesses, Streets and Highways, to run in a straight Line, or as nearly so as may be, from East to West; (*videlicet*), from the said common Highway of Thirty-five Yards wide to the Low Water Mark of the said River, if so far shall be inclosed, which same Streets shall not be of less Dimensions in Width or Breadth from North to South than Twenty Yards, nor shall any of them be made at a greater Distance from each other in Front or on the Westward of the said Road than Two hundred Yards, and that the Westernmost End of all such Streets shall be left open, so that all Persons, Carts, and Carriages may thereby have free Access to the Docks and Quays, and a free Circulation of Air may be preserved and continued from the said River *Mersey*, all along such same Streets from the Westernmost to the Easternmost Ends thereof.

Continuation  
of the Dock  
Duties.

V. And for the better effecting and accomplishing the said Works, be it further enacted by the Authority aforesaid, That all and every the Dock Rates, Tonnage, and Duties by the said Five several Acts enacted to be paid, received, and levied, and also all the Powers, Clauses, Penalties, and Forfeitures in the said Acts contained in anywise relating to the same Rates, Tonnage, and Duties (subject nevertheless to this Act and the Provisions herein contained), shall be and they are hereby declared to be in full force, and shall be further continued from the Expiration of the present Term thereof, for and during the further Term of Thirty Years, in as full, large, ample, and beneficial Manner, to all Intents and Purposes

Purposes whatsoever, as if they had been expressly inserted and re-enacted in the Body of this present Act.

VI. Provided nevertheless, That if the Mayor, Aldermen, Bailiffs, and Common Council for the Time being of the said Corporation, shall at any Time or Times from and after the passing of this Act, during the Continuance of the said Rates, Tonnage, and Duties, find it necessary to increase the same, they shall have Power so to do, so that the same do not exceed the Double of the several and respective Rates, Tonnage, and Duties so as aforesaid granted; and that from and after the Expiration of the said last-mentioned Term, and so long as the Docks, Basons, Piers, and other Works provided for by this Act, and the said former Acts, shall be continued and kept in good Repair, there shall be paid to the said Mayor, Aldermen, Bailiffs, and Common Council for the Time being, and their Successors, their Collectors or Deputies, One Third Part of the Dock Rates, Tonnage, and Duties granted by the said several Acts, and no more; all which said several Rates, Tonnage, and Duties, shall be collected, levied, paid, accounted for, and satisfied and applied, in the Manner, and under the Penalties and Forfeitures, Rules, Orders, Remedies, Provisions, and Directions, mentioned, prescribed, appointed, and provided in and by the said former Acts and this present Act respectively, some or one of them, concerning the same.

Power to the Common Council to increase the Dock Duties not exceeding the Double of the old Duties.

VII. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act the Mayor, Aldermen, Bailiffs, and Common Council for the Time being of the said Borough and Corporation, shall and may, and they are hereby authorized and empowered, from Time to Time to borrow and take up at Interest any further Sum or Sums of Money, not exceeding in the whole the Sum of One hundred and twenty thousand Pounds, and by Writing or Writings under the Common Seal of the said Borough and Corporation, to grant, bargain, mortgage, assign, and set over, all the several Rates, Duties, and Tonnage given, granted, continued, and directed to be taken and levied by virtue of and under the said former Acts and of this present Act, or any of them, subject always nevertheless to the several prior Assignments, Mortgages, Bonds, and other Securities and Incumbrances, which shall be then subsisting upon and affect the same respectively, unto any Person or Persons, Body or Bodies Politic or Corporate, who shall be willing to advance and lend Money thereon, for securing the Payment of the same respectively, with Interest for the same.

Power to the Common Council to take up at Interest the further Sum of 120,000<sup>l</sup>.

VIII. And be it further enacted and declared by the Authority aforesaid, That the Monies so to be borrowed and raised in pursuance of this Act shall be applied and disposed of, in the first Place, for paying and defraying the Charges and Expences attending the obtaining and passing this present Act, and in the next Place for and towards the discharging such Monies as have been borrowed in pursuance and upon the Credit of the said Acts respectively, and which now remain due and unsatisfied, and all Interest attending the same; and afterwards in, for, and towards making, erecting, building, finishing, and maintaining such Docks, Piers, and other Works as are directed, appointed, and provided to be done and performed by this Act, and for maintaining, cleansing, supporting, and preserving the present Docks, Piers, and

Application of the said Sum,

[*Loc. & Per.*]

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Lighthouses,

Lighthouses, and other Works, Matters, and Things directed to be made, erected, provided, and maintained by the said several Acts, or any of them respectively; and also in, for, and towards the paying unto the said Corporation of *Liverpool* the aforesaid Purchase Money for the Scite of the said Two intended Docks, Piers, and Works.

Recital of the  
Lighthouse  
Act of 2 G. 3:

IX. And whereas by the said Act passed in the Second Year of His present Majesty the Management of the said Lighthouses and Lights, and of the said Light Duties, was vested in the said Mayor, Aldermen, Bailiffs, and Common Council of *Liverpool*, and their Successors: And whereas the said Light Duties being under one and the same Direction and Management with the said Dock Duties, it would be convenient that the said Light Duties and Dock Duties should no longer remain distinct, but be consolidated into One Fund, in order to defray the joint Expence of the Docks, Lights, and other Works; be it therefore enacted, That the said Light Duties and the said Dock Duties shall from henceforth be consolidated into One Fund, and that the same shall go and be applied indiscriminately to the making of the said new Docks and to the Support and Maintenance of the same, and of the said present Docks, Lighthouses, Lights, and other Works in and belonging to the said Port, and to the Execution of the several Purposes of the said several Acts and of this Act; any thing in the said Act of the Second Year of His present Majesty to the contrary contained in anywise notwithstanding.

Consolidation of the  
Dock Duties  
and Light  
Duties.

Power to  
the Common  
Council to  
inclose Land  
to the West-  
ward of the  
Docks.

X. Provided always, That nothing in this Act contained shall extend or be construed to extend to prohibit the Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation, and their Successors for the Time being, their Lessees, Assigns, or any of them, at any Time or Times hereafter, from inclosing any Lands to the Westward of the said new intended Docks and Piers, so as the same be done without Prejudice to the same, or any of them, or to the Navigation of the said Port, or to the Harbour of *Liverpool*; nor to extend or be construed to extend to hinder the Mayor, Bailiffs, and Burgesses of the Town of *Liverpool* aforesaid for the Time being and their Successors, from having and enjoying, setting, demising, or letting the Sides and Brinks of the said new intended Works, but that the same, and all the overplus Land not made use of or necessary for the said new Works, shall remain to them and their Successors for ever, as the same have heretofore done, and as they have enjoyed and possessed, or ought to enjoy and possess the same.

The Property  
of the Docks,  
vested in the  
Common  
Council as  
Trustees.

XI. And be it further enacted by the Authority aforesaid, That the Right and Property of the Docks, Piers, and other Works to be erected, constructed, set up, made, and done in pursuance of this present Act, shall be vested in the Trustees appointed or to be appointed by or in pursuance of this Act, to put the same into Execution; and they, or any Two or more of them, are hereby authorized and empowered to bring and prosecute Actions and Indictments in and by the Name and Stile of *The Trustees of the Docks and Harbour of Liverpool*, or in the Name of their Receiver or Treasurer, by the Name of *The Receiver of and for the Docks and Harbour of Liverpool*, or by the Name of *The Treasurer of and for the Docks and Harbour of Liverpool*, against any Person or

Persons who shall steal, take away, break, spoil, damage, or injure any Part of the Premises, Works, Materials, Articles, or Things whatsoever herein-before mentioned, or not mentioned, or used in or about the said Docks, Piers, or other Works whatsoever; and the Damages to be recovered in such Actions shall be paid and applied to such and the same Uses and Purposes as the said Rates and Duties made payable by this and the said former Acts, or any of them, are hereby directed to be paid and applied.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Mayor, Bailiffs, and Common Council of the said Town, or for any Person or Persons whomsoever, at any Time hereafter, upon any Part of the Ground so set apart and appropriated as aforesaid, or in any Building or Buildings to be thereupon erected and made, to carry on the Trade or Business of boiling of Whale Oil or other Oil, nor of a Pot Ash, Pearl Ash, or Black Ash Maker, Soap Boiler, Tallow Chandler, Glass Maker, Lime Burner, Smelter of Copper or Lead Ore, Manufacturer of Vitriol or Sulphur, nor any other offensive Trade or Business whatsoever.

No offensive Trade to be carried on near the Docks.

XIII. And whereas, for the Purpose of rendering the Avenues or Communications from the *Salthouse Dock* to the *Old Wet Dock*, and from *George's Dock* to the *Old Wet Dock* more commodious, and for the Prevention of Accidents by Fire to the Shipping in the said *Salthouse Dock* and *Old Wet Dock*, it is necessary that *Bridge Street*, *Bromfield Street*, and *Darwen Street*, which communicate from the *Salthouse Dock* to the *Old Wet Dock*, and that the Quay of the North Side of the Entrance into the said *Old Wet Dock*, and the Quay at the West End of the same Dock, should respectively be opened and widened; be it therefore enacted, That the Mayor, Aldermen, Bailiffs, and Common Council of the said Borough, shall have full Power and Authority to contract and agree, or to employ any Person or Persons to contract and agree with the Owner or Owners, Occupier or Occupiers of, and all other Persons interested in the Houses, Buildings, Lands, or Tenements mentioned and described in the Schedule hereunto annexed, for the Purchase thereof for the Purposes of this Act; and that it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and for all Husbands, Femmes Covert, Guardians, Trustees for Charities or other Purposes, Committees, Executors or Administrators, and all other Persons whatsoever interested in the said Premises, not only on behalf of themselves and their respective Executors, Administrators, and Successors, and on behalf of all Persons entitled in Reversion or Remainder expectant on an Estate for Life or other less Estate, or by way of executory Devise, in case such Persons should be incapacitated or decline to treat, and on behalf of their respective Wives and Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or others, and for all and every other Person or Persons whomsoever who are and shall be seised, possessed of, or interested in any such Houses, Lands, Tenements, or Hereditaments, to treat and agree with the said Mayor, Aldermen, Bailiffs, and Common Council, for the absolute Sale of, and to sell and convey to the Mayor, Bailiffs, and Burgesses of the said Town, for such valuable Consideration as shall be *bonâ fide* agreed upon for such Houses, Buildings, Lands, or Tenements, as shall be adjudged necessary and convenient

The Corporation empowered to purchase Premises requisite for the Docks.

Incapacitated Persons empowered to sell, and if the Parties cannot agree the Matter to be settled by a Jury.

venient for the Purposes aforesaid; and that all Contracts, Agreements, Sales, or Conveyances which shall be *bond fide* made for the Purposes aforesaid, shall be good and effectual in the Law to all Intents and Purposes, any Law, Statute, or other Matter or Thing to the contrary thereof in anywise notwithstanding; and all such Persons as aforesaid are and shall be indemnified for what they shall do by virtue and in pursuance of this Act; and if it shall happen that any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons as aforesaid, shall decline or refuse to treat or agree, or shall not agree with the said Mayor, Aldermen, Bailiffs, and Common Council for the Sale of any of the said Premises, or shall not produce and evince a clear Title to the Premises, to the Satisfaction of the said Mayor, Aldermen, Bailiffs, and Common Council, or if the Person or Persons so entitled to any such Lands, Tenements, and Hereditaments, shall not be known or discovered, that then and in every such Case it shall and may be lawful to and for the Mayor of the Corporation of *Liverpool* aforesaid for the Time being, and he is hereby authorized and empowered from Time to Time, to issue out his Warrant or Warrants under his Hand and Seal, directed to the Sheriff of the County of *Lancaster* for the Time being, or in case such Sheriff shall be interested in such Houses, Buildings, Lands, or Tenements, to any One of the Coroners of the said County, for impannelling, summoning, and returning a Jury, and such Sheriff or Coroner is hereby required accordingly to impanel, summon, and return a Jury of Twenty-four able and sufficient Men, qualified according to the Laws and Statutes of this Realm, to be returned for Trials of Issues joined in His Majesty's Court of Common Pleas at *Lancaster*, to be and appear before the Mayor, Aldermen, and Bailiffs of the said Borough and Corporation, or any Five or more of them, whereof the Mayor and One of the Bailiffs to be Two, at such Time and Place as by such Warrant or Warrants shall be appointed, and also to return Issues upon every Person so impannelled and returned the Sum of Forty Shillings, which shall be duly estreated and levied; and for Default of a sufficient Number of Jurymen appearing, such Sheriff or his Deputy, or Coroner, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their respective lawful Challenges against any of the said Jurymen, but shall not be at liberty to challenge the Array; and the said Mayor is hereby directed and empowered by Precept or Precepts, from Time to Time as Occasion shall require, to call before such same Mayor, Aldermen, and Bailiffs, or any Five or more of them, all and every Person and Persons who shall be thought proper to be examined as a Witness or Witnesses on their Oath or Oaths touching and concerning the Premises, and the said Mayor, Aldermen, and Bailiffs, or any Five of them, whereof the Mayor and One of the Bailiffs are to be Two, are also hereby empowered to order and authorize the said Jury to view the Lands, Tenements, or Hereditaments in question as they shall think fit, and the said Mayor, Aldermen, and Bailiffs, or any Five of them, whereof the Mayor and One of the Bailiffs to be Two, shall have Power, to adjourn the said Meeting as Occasion shall require, and to command such Jury, Witnesses, and Parties to attend, until all such Affairs for which they were summoned shall be concluded; and the said Jury upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Mayor,



Mayor, Aldermen, and Bailiffs, or any Five or more of them, whereof such Mayor and One of the Bailiffs to be Two, are hereby empowered to administer), shall enquire into the true Value of the Premises in question, and of the proportionable Value of the respective Estates and Interests of every Person seised or possessed thereof or interested therein, or of or in any Part thereof, and shall assess the Value of such Premises in question, and of such Estates and Interests as aforesaid, and the Price or Recompence to be awarded for the same, and shall apportion the same between the Parties having any Interest therein, in Possession, Réversion, Remainder, or Expectancy, in such Manner as they shall judge proper; and the said Mayor, Aldermen, and Bailiffs, or any Five or more of them, whereof the Mayor and One of the Bailiffs to be Two, shall give Judgment for the Sums to be assessed by such Jury; which said Verdict, and the said Judgment or Determination thereupon pronounced (Notice in Writing being first given of their Meeting at least Fourteen Days before such Meeting, declaring the Time and Place of Meeting to the Person or Persons to be affected by such Verdict or Judgment, or being left in Writing at the Dwelling House of such Person and Persons, or at his, her, or their usual or last Place of Abode, or with or for the Tenant or Occupier of the Premises), shall be binding to all Intents and Purposes against all and every the said Party or Parties, his, her, and their Successors, Executors, Administrators, and Assigns, and all others claiming any Title or Interest in the Premises in question, or any thing thereunto belonging or appertaining, in Possession, Réversion, Remainder, or Expectancy, or otherwise, as well Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, Tenants for Life, as others, and their respective Successors, Executors, Administrators, and all others claiming by, from, or under him, her, or them, or any of them; which said Verdicts and Determinations so made shall be set down in Writing under the Hands and Seals of the said Mayor, Aldermen, and Bailiffs, who shall make the same, and shall be kept among the Records and Writings of the said Corporation, and the same, or examined Copies thereof, shall be taken, adjudged, and deemed good and sufficient Evidence in Proof in any Court of Law or Equity whatsoever.

XIV. And be it further enacted, That upon Payment of any such Sum or Sums so agreed for or assessed into the Bank of *England*, or to Trustees as herein mentioned, or, as the Case may require, to the Person or Persons, Party or Parties, to whom the same shall be so awarded, or on Tender thereof made at his, her, or their Dwelling House, or if he, she, or they shall have no Dwelling House, then at the House of the Tenant or Occupier of the Premises, he, she, or they shall execute a Conveyance or Conveyances of the Premises which shall be so purchased, to the said Mayor, Bailiffs, and Burgesses, for the Purposes of this Act; and in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, shall not be able to make a good Title to the Premises to the Satisfaction of the said Mayor, Aldermen, Burgesses, and Common Council, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Premises in question be not known or discovered, then and in every such Case as aforesaid it shall be lawful to and for the said Mayor, Aldermen, Bailiffs, and Common Council, to

[*Loc. & Per.*]

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Directing how Purchase Monies shall be paid or tendered.

order

order the said Sum and Sums so assessed and awarded to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the Premises in question [describing them], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof; by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order Distribution thereof according to the respective Estate or Estates, Title or Interest, of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum and Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Estates purchased to become vested in the Corporation.

XV. And be it further enacted, That immediately after the paying such Purchase Money in manner as aforesaid, as the Case may be, the said Premises, in respect whereof the same shall have been so paid, shall vest in the Mayor, Bailiffs, and Burgesses, in manner and for the Purposes aforesaid, who shall be deemed in Law to be in the actual Possession thereof to all Intents and Purposes whatsoever, freed and discharged from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever.

All Persons having any Right or Estate in the Premises to enter their Claims within a limited Time:

XVI. And be it further enacted, That all and every Person and Persons whomsoever having or claiming any Right, Title, Interest, Use, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, or out of any Houses, Buildings, Lands, or Tenements, which by virtue and for the Purposes of this Act shall be purchased by and conveyed, or mentioned or intended to be conveyed, to the said Mayor, Bailiffs, and Burgesses, shall, within the Space of Five Years, to be computed from the Date of the respective Conveyances to be taken by the said Corporation, enter a Memorial of such their Right, Title, Interest, Use, Property, Claim, and Demand, in a Book to be for that Purpose prepared and kept by the Clerk of the Peace of the said Borough for the Time being, which Book the said Clerk of the Peace is hereby required to prepare and keep accordingly, and which Entry he shall make without Fee or Reward; and all and every Person and Persons whomsoever not entering such Right, Claim, and Demand within such Time and in such Manner as aforesaid, or having so entered the same, and not prosecuting such their Right, Claim, or Demand with Effect within the Space of Two Years, to be computed from the Time of such Entry, shall be for ever barred of all Right, Title, Use, Equity, Property, Claim, and Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy, in, to, upon, or out of the said Premises, and every Part thereof, and the said Corporation, and those claiming by, from, or under them, shall be quieted in the Possession of all such Houses, Buildings, Lands, and Tenements; any Law, Statute, Usage, Matter, or Thing whatsoever the contrary notwithstanding.

XVII. Pro-

XVII. Provided nevertheless, and be it further enacted, That any Person or Persons barred of any Right, Title, Estate, Interest, Claim, or Demand whatsoever, in, to, or out of the said Houses, Buildings, Lands, or Tenements, by virtue of this Act, shall be at liberty to bring any Action or Actions of Debt for Money had and received to his, her, or their Use, against any Person or Persons, or the legal Representatives of any Person or Persons who shall have received all or any Part of the Purchase Money arising from such Sale of the said Houses, Buildings, Lands, or Tenements, and that in every such Case the respective Plaintiffs, on such Proof of such Title as would have enabled them to recover such Houses, Buildings, Lands, or Tenements, or any Part thereof, or any Estate or Interest in the same, shall recover the said Purchase Money, or so much thereof as shall be equivalent to their Interest in the said Premises, together with such Interest as shall be equivalent to the mesne Profits of the Premises which they would have been entitled to recover in case this Act had not been made.

But may recover the Purchase Monies from Persons receiving the same.

XVIII. And be it further enacted, That every Tenant in Possession or Occupier of any such Houses, Buildings, Lands, or Tenements, or any Part thereof, which shall be purchased by virtue of and for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Common Council, or to such Person or Persons as the said Common Council shall appoint to take Possession of the same, upon having Twelve Calendar Months Notice to quit such Possession from the said Mayor, Aldermen, Bailiffs, and Common Council, or from any Person to be authorized by them; and if such Person or Persons so in Possession shall not, at the End of the said Twelve Calendar Months, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Corporation of *Liverpool*, that then and in every such Case it shall and may be lawful to and for the said Mayor to issue his Precept or Precepts to the Sheriff of the said County of *Lancaster* to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Tenants at Will to deliver Possession on Notice.

XIX. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Houses, Buildings, Lands, or Tenements, shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal, by the said Common Council, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Mayor, Bailiffs, and Burgesses, or to such Person or Persons as the said Common Council shall appoint, or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Common Council, or such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, that then at the End of the said Six Calendar Months,

Mortgagees to convey their Interest in the Premises.

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on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises, to the said Mayor, Bailiffs, and Burgesses, or such Person or Persons as shall be appointed in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, that then and in such Case, upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England* for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like Manner as is herein-before directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Corporation, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages to all Intents and Purposes whatsoever.

Monies to be paid or tendered before the Premises are used.

XX. And be it further enacted, That all Sums of Money to be paid pursuant to any such Agreement or Verdict as aforesaid, or in Discharge of any such Mortgage, shall be paid or tendered in manner aforesaid, as the Case may be, before the said Common Council, or any Person authorized by them, shall proceed to pull down any House or Houses, or other Erections or Buildings comprised in or affected by such Agreement, Verdict, or Mortgage respectively, or to use the Ground for any of the Purposes of this Act.

For paying the Expences of the Jury.

XXI. And be it further enacted, That in all Cases where any Verdict as aforesaid shall be given for any greater Sum than shall have been offered by or on behalf of the said Common Council, or in case no such Offer shall have been made before the summoning a Jury as aforesaid, then all the Expences of summoning such Jury and of the Witnesses, and of taking such Inquests, shall be paid by the said Common Council; but if a Verdict shall be given for the same Sum, or for a less Sum than shall have been offered by or on behalf of the said Common Council, then all the Expences of summoning such Jury and of the Witnesses, and of taking such Inquests, shall be borne and paid by the Party or Parties against whom such Verdict shall be given, and shall be deducted out of the Money so assessed and adjudged, and the Payment or Tender of the Remainder shall be deemed and taken to all Intents and Purposes to be a full and sufficient Payment or Tender.

The Sheriff or Coroner may impose Fines on Jurymen for Neglect of Duty.

XXII. And be it further enacted, That the said Mayor, Aldermen, Bailiffs, and Common Council, or any Five or more of them, whereof the Mayor and One of the Bailiffs to be Two, shall have Power from Time to Time to impose any reasonable Fine or Fines on any Juror or Jurors who shall refuse to be sworn, or being sworn shall refuse to give a Verdict in the Premises, and on any Person or Persons who shall be summoned to give Evidence and shall not appear, or shall refuse to be sworn or to give Evidence touching the Matter or Thing in question, or shall in any other Way wilfully neglect his or their Duty in or touching the Premises, contrary to the true Intent and Meaning of this Act, so as no such Fine shall exceed the Sum of Five Pounds on any One Person for any One Offence.

XXIII. And be it further enacted, That in every Case where, for the Purposes aforesaid, the said Mayor, Aldermen, Bailiffs, and Common Council, shall deem it necessary only to purchase a Part or Parts of the Ground, Buildings, and Premises aforementioned, the respective Owners of such Ground, Buildings, and Premises, shall notwithstanding have the Option of selling to the said Mayor, Aldermen, Bailiffs, and Common Council, either such Part and Parts so wanted, or the whole thereof, as such respective Owners shall think fit; and the said Mayor, Aldermen, Bailiffs, and Common Council, shall and are hereby required to purchase either the Whole or Part, as may be required of them.

Power to the Owners to sell the Whole or a Part of their Property.

XXIV. And be it further enacted, That if any Money or Recompence shall be to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased, taken, used, or damaged, for the Purposes of this Act, to any Corporation, Feme Covert, Lunatic, or Person under any other Disability or Incapacity as aforesaid, shall, in case the same be not less than the Sum of One hundred Pounds, with all convenient Speed be invested in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled upon and subject to the like Uses, Trusts, and Limitations as the Houses, Buildings, Lands, Tenements, or Hereditaments, belonging to such Corporation, or other Person as aforesaid, so to be purchased, taken, used, or damaged, for the Purposes of this Act, were settled, limited, or assured; and in the meantime, and until such Purchase can be had, such Money shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the said Common Council, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty-fourth, and shall, when so paid in, be laid out in the Purchase of Navy or Victualling Bills or Exchequer Bills; and the Interest arising from the Money laid out in such Bills, and the Money received for the same as they shall respectively be paid off by Government, shall be laid out, in the Name of the said Accountant General, in the Purchase of other Navy or Victualling Bills or Exchequer Bills; all which said Navy or Victualling Bills and Exchequer Bills shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved of by the Common Council of the said Town of *Liverpool*, or any Five or more of them, and until the same shall, upon a Petition setting forth such Approbation, (to be preferred to the Court of Chancery in a summary Way by the Person or Persons who would be entitled to the Rents and Profits of any of the Lands, Grounds, or Hereditaments to be purchased therewith, if the same were purchased and settled), be ordered to be sold by the said Accountant General for the completing such Purchase, in such Manner as the said Court shall think just and direct; and it shall and may be lawful for the said Court to make such Order or Orders, in a summary Way, touching the Payment or Application of the Monies so to be paid into the Bank, and touching such Navy, Victualling, or Exchequer Bills, and the Interest thereof, in pursuance of the Directions of this Act, as the said Court shall think fit;

For disposing of Purchase Monies.

[*Loc. & Per.*]

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and in case any such Money shall be less than the Sum of One hundred Pounds, and not less than the Sum of Twenty Pounds, then such Money shall be paid to such Person or Persons as the Party or Parties entitled thereto shall respectively nominate to receive the same, in Trust, with all convenient Speed, to be re-invested in the Purchase of such Lands, Grounds, or Hereditaments, which shall be conveyed and settled to, upon, and subject to the like Uses, Trusts, Limitations, and Contingencies, as the Lands, Grounds, or Hereditaments, which shall be purchased from them respectively by the said Corporation, were respectively settled, limited, or assured to, upon, or subject to, at the Time of purchasing the same, or such of them as at the Time of making such Conveyances and Settlements shall be existing and capable of taking effect; and in the meantime, and until such Purchase or Purchases shall be made, the said Money shall be placed out by such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons as aforesaid, in some of the Public Funds, or on Government or Real Securities, in the Names of Two or more Persons, to be nominated by the Party or Parties interested therein, and to be approved of by the said Common Council, or any Five or more of them; and the Dividends or Interest arising or to be produced from such Funds or Securities shall be paid to such Person or Persons respectively as would for the Time being be entitled to the Rents and Profits of such Lands, Grounds, or Hereditaments so to be purchased, conveyed, and settled by virtue of this Act.

Power of purchasing limited to Ten Years.

XXV. Provided always, and be it further enacted, That if the said Mayor, Aldermen, Bailiffs, and Common Council of the said Borough, shall not, within the Space of Ten Years next after the passing of this Act, agree for or cause to be valued as herein mentioned, and purchase the Houses, Buildings, Lands, or Tenements which they are hereby empowered to purchase as aforesaid, then and from thenceforth the Powers to them hereby granted for such Purpose only shall cease, determine, and be utterly void and of no Effect; any thing herein contained to the contrary notwithstanding.

Power to build to the Westward of the Docks.

XXVI. And be it further enacted, That nothing in this Act and the said former Acts, or any of them, contained, shall prevent the Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation, from erecting any Warehouses or other Buildings to the Westward of any of the present or future Docks of the said Port, except at the West End of any of the Streets or Highways herein-before mentioned; any thing herein or therein contained to the contrary notwithstanding.

Power to widen the East Quay of George's Dock.

XXVII. And be it further enacted, That the Mayor, Aldermen, Bailiffs, and Common Council for the Time being of the said Town, shall, whenever they shall deem it proper that the same should be done, have Power to widen the East Quay of *George's Dock* and Bason, and the East and North Quays of the Dry Bason, by taking what may be by them judged necessary out of the said *George's Dock* and Bason and the said Dry Bason, for that Purpose, and also to widen *George's Dock* and the *King's Dock*, Westwardly, to such Extent as and whensoever they shall think proper.

XXVIII. And whereas the guarding of the Shipping in the Docks and Basons of the said Port from Accidents by Fire is of the highest and most important Consequence to the Preservation of the Commerce of the said Port; be it therefore enacted by the Authority aforesaid, That, from and after the First Day of *January* One thousand eight hundred, it shall not be lawful for any Person or Persons whomsoever to use or exercise, in any Buildings or other Places situate in or upon any of the Quays of any of the present or future Docks or Basons of the said Port, or in any Buildings or other Places, although not so situated, but nevertheless being situate within One hundred and twenty Feet of the respective Brinks of such same present or future Docks and Basons, the Trades of a Ship Chandler, Painter, Smith, Soapboiler, or Tallow Chandler; and that all Persons exercising such respective Trades in the Situations before described shall be and shall be deemed to be guilty of a public and common Nuisance, and shall and may be prosecuted by Indictment accordingly; and the like Judgment shall and may be given on every such Indictment as is given upon public Nuisances by the Common Law.

Prohibition of Ship Chandlers and others from following their Trades within a certain Distance of the Docks.

XXIX. And whereas owing to the Negligence or Obstinacy of the Persons having the Care or Command of Vessels moored in the River *Mersey*, which is within the said Port of *Liverpool*, and of which Port the said Corporation are the Owners, very frequent Obstructions, Damages, and Inconveniences arise to Vessels going into and out of the several Docks of the said Port; and it is therefore necessary that Provision should be made, in order that the same may be prevented in future; be it therefore enacted, That upon Requisition or Demand made by the Water Bailiff for the Time being of the said Port to any Person having the Care or Command of any Vessel moored or lying in the said River, except as herein-after mentioned, to remove such Vessel out of her then Situation, such same Person shall immediately comply with such Requisition or Demand, and on his Failure so to do, the said Water Bailiff shall then and immediately have the full Power of doing it himself, and for that Purpose shall, if necessary, have Liberty to cut the Hawsers and Cables of such Vessel, and to use such other Means as to him shall appear necessary; and also upon every such Failure of the said Person having such Care or Command of any such Vessel as aforesaid, he shall forfeit a Sum of Money not exceeding Ten Pounds, and also shall pay to such Water Bailiff all the Charges incurred by such Removal; the same Penalty, and also the said Charges, to be sued for and levied in such Way as is directed respecting the Penalties inflicted by this or any of the said former Acts, and to go to and be applied to the Use of the said Docks and Lights: Provided nevertheless, that nothing herein contained shall extend, or be construed, deemed, or taken to extend, to authorize or empower the said Water Bailiff to remove, or cause or require to be removed, or in any respect to interfere with any Vessel lying opposite to or going into or coming out of the Dock at *Liverpool*, belonging to the Most Noble *Francis* Duke of *Bridgewater*; any thing herein contained to the contrary notwithstanding.

Power to the Water Bailiff to remove Vessels in the River *Mersey* obstructing the Entrance of Ships, &c. into the Docks.

XXX. And whereas, upon the necessary and sometimes extremely urgent Occasions of Vessels moored or laying in the said River *Mersey*, or

Power to fix the Hire of Boatmen, &c. hauling

attending  
Vessels in  
the River.

hauling into or out of any of the Docks of the said Port, calling for the Assistance of Boats and Boatmen, Carpenters, Riggers, Workmen, and Labourers, such Assistance is very frequently denied to be given, unless upon most exorbitant and extravagant Terms, which Terms the Owners and Masters of such Vessels have been obliged to comply with; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act the Mayor and Justices of the Peace of and for the said Borough and Corporation of *Liverpool*, or any Two or more of them, at any General Quarter Sessions of the Peace, or at any Adjournment thereof, to be held in and for the said Borough of *Liverpool*, shall and they have hereby full Power and Authority, from Time to Time, to set down and ascertain the Recompence, Hire, or Wages, which the Owners of such Boats, and such Boatmen, Carpenters, Riggers, Workmen, and Labourers, shall have and be entitled to, in the Case of their Assistance being so called for by Vessels lying in the said River, or hauling into or out of any of the Docks of the said Port; and also that the said Mayor and Justices, or any Two or more of them, at any such Sessions or Adjournment thereof, shall and may, and have hereby full Power, from Time to Time, to make and ordain such Orders, Rules, and Bye Laws, for enforcing the Compliance of, and for the governing and regulating all such Owners of Boats, Boatmen, Carpenters, Riggers, Workmen, and Labourers, in such Case of Vessels lying in the said River, or hauling into or out of any of the Docks of the said Port as aforesaid, as in the Judgment of the said Mayor and Justices shall seem fit, just, and reasonable, and also to fix and appoint such pecuniary and other Penalties for Nonobservance or Nonperformance, or other Breach of all or any such Rules, Orders, or Bye Laws, and to be from Time to Time recoverable by such Ways and Means, and for the Offender to be convicted in such Manner, and for Want of Payment of the Forfeiture on Demand, or of some sufficient Distress being had for Recovery thereof, to fix and prescribe such Powers for the Offender to be committed for such Time, not exceeding Two Calendar Months, to the Prison of *Liverpool* aforesaid, as they the said Mayor and Justices, or any Two or more of them, so assembled, shall from Time to Time order, direct, or appoint, so that each Penalty or Forfeiture for each such separate Offence shall not be so ordered or ordained to exceed the Sum of Ten Pounds; all which Orders and Rules shall from Time to Time be final and binding to all Intents and Purposes whatsoever, and not be liable to be removed by Certiorari; and every Proceeding in consequence thereof shall be good and effectual.

Penalty on  
Persons firing  
Guns in the  
Harbour.

XXXI. And whereas it is a frequent Practice of Persons on board Vessels, when in the Port of *Liverpool*, to fire or discharge Cannons and other Guns, from which Accidents have ensued; be it therefore enacted, That no Cannon or Cannons, or other Gun or Guns, shall, from and after the passing of this Act, be fired or discharged on board of any Vessels when in the said Port, save only from His Majesty's Ships or Vessels of War, or as Signals in case of Distress; and that the Master or other Person having the Care or Command of any Vessel on board of which any Cannon or other Gun shall be so fired or discharged (save in the Cases aforesaid) shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds; to be sued for, levied, and applied in



in the same Manner as Penalties inflicted by any of the said former Acts.

XXXII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Clauses, Penalties, and Forfeitures by the said several recited Acts enacted to be made, given, vested, levied, or executed, and therein inserted and contained, relating in anywise to the said Rates and Duties, Docks, Piers, Quays, and adjacent Streets, or any of them, (except so far as the same, or any of them, are in and by this present Act enlarged, altered, or otherwise explained,) shall extend unto the Two Wet Docks, Piers, and other Works to be erected, built, and made under and by the Authority of this present Act, in as full, large, ample, and beneficial Manner, to all Intents and Purposes whatsoever, as if the same had been expressly inserted and re-enacted in the Body of this present Act.

All the Powers, &c. in the former Acts extended to this Act.

XXXIII. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, in any Manner to take away, alter, abridge, lessen, or change any Right, Jurisdiction, Authority, or Power whatsoever, to the Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation, or any of them, belonging, in, about, concerning, or in respect of the Docks and Harbour of *Liverpool*, as the same are settled and vested in them in and by the said herein-before recited Acts respectively, or otherwise howsoever; saving always and reserving to the Mayor, Bailiffs, and Burgesses of the Town of *Liverpool* aforesaid, and to all Lords and Ladies of Manors, and all other Bodies Politic and Corporate, and all other Person and Persons, all their and each of their Rights, Estates, and Interest in and to the Premises aforesaid; and also saving and reserving in particular to the Most Noble *Brownlow Bertie* Duke of *Ancaster* and *Kesteven*, and to all Persons claiming in Reversion, Remainder, or Expectancy after him, and also to the said Right Honourable *Edward Smith Stanley* Earl of *Derby*, and all Persons claiming in Reversion, Remainder, or Expectancy after him, and to the said *John Leigh*, and also to the said *John Myers*, and to such other Person or Persons as are or is or may be seised or possessed of any Estate, Term, or Interest of and in any Lands or Tenements fronting the said River *Mersey*, as Joint Tenants, Tenants in Common, or otherwise, with them or either of them, and to all and every other Person and Persons who are or is or may be seised or possessed of any Estate, Term, or Interest of and in any Lands or Tenements fronting the said River *Mersey*, and to each and every of them, and to each and every of their Heirs, Executors, Administrators, and Assigns, and to their and each and every of their Lessees, all his and their Rights, Estates, and Interests in and to any Part or Parts of the Premises aforesaid: Provided further, that if the said several Persons, or any of them, their or any of their Tenants and Occupiers of any Messuages, Mills, Buildings, Lands, or Tenements, fronting the said River *Mersey*, are or is entitled to any Liberties, Easements, or Privileges, for or in respect of their said Messuages, Mills, Buildings, Lands, or Tenements, in and upon the Strand or Shore, or in or upon the Water of the said River, that then and in such Case they and every of them so entitled shall be bound to accept a pecuniary Compensation in lieu of such

Saving the Rights of the Corporation and the Duke of *Ancaster*.

[Loc. & Per.]

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Easements,

Easements, Liberties, and Privileges, and shall be paid the Value of the same by the said Corporation, if they can agree with the said Corporation; but if the said Parties cannot agree, that then they and each of them shall and may, by Action and Actions at Law, recover from the said Corporation of *Liverpool* all such Damages as they and each of them shall and may respectively sustain, for and by reason of the said Inclosure of such Strand so as aforesaid by this Act authorized to be made, together with Costs of Suit, if they or any of them shall recover more Money than the said Corporation shall have tendered to them, or if the said Corporation shall not have made any Tender to them; but if they or any of them shall not recover more Money than the said Corporation shall have tendered to them, then without Costs of Suit; any thing hereinbefore contained to the contrary notwithstanding.

Actions for pecuniary Compensation to be brought within a limited Time.

XXXIV. And be it further enacted, That the same Action and Actions for such pecuniary Compensation shall be commenced and prosecuted within Six Years from and after the passing of this Act, (previously to which Commencement and Prosecution Notice in Writing shall be given to the Town Clerk of the said Borough, of the Nature and Extent of the Claim or respective Claims made to such Liberties, Easements, or Privileges,) or otherwise the several Persons entitled to the same shall for ever be barred of their said pecuniary Compensation for the same, and of all Remedy for such Compensation, and shall also notwithstanding be barred and for ever foreclosed, both at Law and in Equity, of and from their said Liberties, Easements, and Privileges.

The Right of Persons entitled in Possession, Reversion, and Remainder to any One Easement in respect of their Premises to be tried in One Action.

XXXV. And whereas it would be very injurious, not only to the said Corporation, but also to the several Persons entitled in Possession, Reversion, Remainder, or Expectancy, to any Land, Ground, or Premises, in respect of which any such Liberty, Easement, or Privilege as aforesaid is or may be claimed, if they or any of them should be obliged to sue for Compensation in respect of their several and respective Interests therein separately, and according to each such Person's distinct Interest and Property of and in such Liberty, Easement, or Privilege; therefore be it further enacted, That only One gross Tender of One entire Compensation shall be necessary to be made by the said Corporation, and that One Action alone shall be commenced and prosecuted for the Recovery of One entire Compensation to be made for the whole and absolute Interest and Property of, in, and to such Liberty, Easement, and Privilege, and that in the joint Names of all the several Persons claiming to be entitled in Possession, Reversion, Remainder, or Expectancy, to any such Liberty, Easement, or Privilege; and that the Damages or Compensation, to be received on account thereof, when the same shall have been by such Action ascertained and recovered, shall be divided to and amongst the said several Persons, in proportion and according to their several and respective Interests of and in such Liberty, Easement, or Privilege, for which such entire Compensation shall have been so recovered; any thing herein contained to the contrary notwithstanding.

No Release of any One of the Plaintiffs to operate as

XXXVI. Provided always, and be it further enacted, That no Release by any One or more of the said Plaintiffs shall operate as a Bar to the said Action as to the other or others of them; neither shall the

Omission

Omission by Mistake of the Name or Names of any Person or Persons, who ought to have been named as Plaintiff or Plaintiffs in such Action, prevent the Plaintiff or Plaintiffs named in such Action from recovering the entire Compensation for the whole of the Interest in such Liberty, Easement, and Privilege; which entire Compensation shall nevertheless be divided in the Proportion and Manner directed by the last foregoing Clause.

a Bar to the  
Action of the  
other Plain-  
tiffs.

XXXVII. And be it further enacted and declared by the Authority aforesaid, That this Act shall be taken and allowed in all Courts of Judicature within this Kingdom as a Public Act; and all Judges, Justices, and other Persons, are hereby required to take notice thereof as such, without specially pleading the same.

Public Act.

The SCHEDULE referred to by the Act, describing the Premises to be taken.

**I**N *Bridge Street*.—On the East Side: Two Houses belonging to *Catherine Parke* and others, in the Occupation of *William Crooker*. A House belonging to *John Perry*, in the Occupation of *Betty Jones*. A House belonging to *Ann Mills*, in the Occupation of *Thomas Mallison*. A Warehouse belonging to the Executors of the late *James Melling*, in the Occupation of Messrs. *Melling* and *Higginson*. Three Houses belonging to *Robert Diggles*, in the Occupation of *Helen Breaswell* and *James Crane*. One House belonging to *Edward Lave*, in the Occupation of *Mary Franks*.—On the West Side: Four Houses belonging to *Elias Joseph*, and in the several Occupations of *Sarah Parker* and *Elizabeth Thomas*, and her Undertenants. One House belonging to *Widow Armitage*, in the Occupation of *Mary Ann Pennyfather*. One House belonging to *Sarah Crane*, in the Occupation of *John Harrocks*. Two Houses belonging to *Edward Murray*, in the Occupation of *John Shaw*. Two Houses belonging to the Corporation of *Liverpool*, not tenanted.

*In Bromfield Street*.—On the East Side: One House belonging to *Mary Dean*, in the Occupation of *Sarah Thompson*. One House belonging to *John Shaw*, in the Occupation of *Hannah Skelton*. One Warehouse belonging to *Christopher Shaw*, in the Occupation of *John Robinson*. One House belonging to *James Pickering*, in the Occupation of *Cornelius Peterson*.—West Side: Three Houses belonging to *Edward Lave*, in the Occupation of *Robert Addison*, *William Fairbrother*, and *Timothy Kellay*. Two Houses belonging to *Henry Leigh*, in the Occupation of *Thomas Gardiner* and *John Davies*. One House belonging to *John Gibbons*, in the Occupation of *Jane Jones*. One House belonging to *Edward Murray*, in the Occupation of *Mary Love*.

*Darwen Street*.—On the East Side: Four Houses belonging to *Thomas Ashcroft*, in the Occupation of *Archibald Rammage* and *Owen Williams*. Two Houses belonging to *Widow Rogers*, in the Occupation of *Sarah Clark*. Two Houses belonging to *Edward Murray*, and in the Occupation of *John Hardy*. Three Houses and One Warehouse belonging to the Executors of the late *Robert Watkinson*, and in the Occupation of Messrs. *Steel* and *Armstrong*, and *William Brandreth*. Two Houses belonging to *William Banks*, in the Occupation of *John Bunce*. Three Houses belonging to *Henry Darwen*, in the Occupation of *Joseph Hauchland*. Two Warehouses belonging to *Garston Bradstock*, in the Occupation of *John Bloor*. Two Houses belonging to *Thomas Crook*, and in the Occupation of *Ar. Ball*.—West Side: Two Houses belonging to *Thomas Jackson*, in the Occupation of *Thomas Plant* and *John Joy*. One House belonging

longing to *Thomas Barton* and *William Falk*, in the Occupation of *Samuel Barlow*. A House and Smith's Workshop belonging to *Henry Darwen*, in the Occupation of *Henry Darwen* and Co. and *Richard Sheren*. One House belonging to *George Mercer* and *Sarah Harrocks*, in the Occupation of *John Baston*.

*East Side of the Salthouse Dock.*—Two Warehouses belonging to the Executors of the late *Richard Watson*, in the Occupation of Messrs. *Plat* and *Sephton*.

*The North End of the Salthouse Dock.*—One House belonging to *Widow Howard*, in the Occupation of *Joseph Glover*. One House belonging to *Elizabeth Jones*, in the Occupation of *John Peach*. One House belonging to *John Wright*, in the Occupation of *Peter Gittins*. One House belonging to *Edward Higgin*, in the Occupation of *Agnes Poulson*. Four Houses belonging to *Edward Low*, in the Occupation of *Francis Manwaring*, *William Rylance*, *Robert Brown*, and *John Pepperill*. Two Houses belonging to *Elias Joseph*, in the Occupation of *Mary Sephton* and *Richard Mawson*. One Warehouse belonging to Messrs. *Orret*, *Lyon*, and *Greenall*, and in their Occupation. A House and Warehouse belonging to *Joseph Matthews*, in the Occupation of *Thomas Peacock* and *Henry Matthews*.

*East Side of the Entrance into the Salthouse Dock.*—Two Warehouses belonging to *William Farrar* and Nephews, and in their Occupation. One Warehouse belonging to *William Gregson*, and in the Occupation of Messrs. *Thwaytes* and *Bennett*, and *William Aspinall*.

*South End of the old Dry Bason and Entrance into the Old Dock.*—A House and Warehouse belonging to the Executors of the late *John Davies*, in the Occupation of *Patrick Coffield* and *Thomas Porter*. House and Two Warehouses belonging to *James Okill*, in the Occupation of *James Coward*, *James Hall*, *John Croston*, and others. One House belonging to *Ann Okil*, in the Occupation of *Ann Maddocks*. Six Houses and Workshop belonging to *James Hall*, in the Occupation of *Martha Leather*, *Alexander Robinson*, *James Hall*, and others. One House belonging to the Executors of the late *Joseph Rider*, in the Occupation of *Daniel Cotter*. Two Houses belonging to *Richard Rimmer*, *John Mercer*, and and in the Occupation of *James Outhwaite*, and *John Aspinall*. One House belonging to *Catherine Park* and others, in the Occupation of *Ralph Samuel*. One House belonging to and in the Occupation of *John Colvin*. One House belonging to *Thomas Brewin*, in the Occupation of *Thomas Virnum*. One Warehouse belonging to the Trustees of the Docks, in the Occupation of *Smith* and *Stanley*.

*West End of the Old Dock.*—One House belonging to *John Colvin*, in the Occupation of *Hugh Molyneaux*. One House belonging to *Timothy Gregory*, in the Occupation of *Christopher Hammer*. One House belonging to *Henry Lawrence*, in the Occupation of *William Corlett*. One House belonging to *John Hope*, in the Occupation of *Mary Leaton*. One House belonging to the Executors of the late *John Parkinson*, in the Occupation of *William Wickham*. One House belonging to *Edward Murray*, in the Occupation of *Sarah Crane*.

*South Side of the Old Dock.*—One House belonging to *Thomas Potts*, in the Occupation of *Mary Potts*. One House belonging to *Edward Murray*, in the Occupation of *Sarah Harding*. One House belonging to *Willis Earle*, in the Occupation of *Elizabeth Sheerson*.

*North Side of the Entrance of the Old Dock.*—One House belonging to *Henry Leigh*, in the Occupation of . . . . . One House belonging to *Edward Burne*, in the Occupation of *Peter Latham*. One House belonging to *John Bennett*, in the Occupation of *William Parker*. One House belonging to and in the Occupation of the *Carron Company*. One House belonging to *Mary Walker*, and in her Occupation and others. One Warehouse belonging to *William Hutchinson*, in the Occupation of *Cuthbert Simpson*. One House belonging to *John Wright*, in the Occupation of *Mary Dean*. One House belonging to the Trustees of the Docks, in the Occupation of . . . . . One House belonging to *John M'Gowan*, in the Occupation of *Ralph Wright*. One House belonging to *Richard Hall*, in the Occupation of *Samuel Hess*. Three Houses belonging to *William Hutchinson*, in the Occupation of *Edward Kennerly*, *Mary Ward*, and *John Dixon*. One House belonging to *Robert Edwards*, in the Occupation of *Philip Duprell*. Two Houses belonging to *Bridget Unsworth*, in the Occupation of *Agnes Cook* and *Jane Pritchett*. One House belonging to *George Bennet*, in the Occupation of *Edward Williams*. One House belonging to *Edward Byrne*, and in the Occupation of *Thomas Simpson* and others. Three Warehouses belonging to the Executors of the late *James Melling*, in the Occupation of Messrs. *Melling* and *Higginson*, and others. Two Houses belonging to *Mary Pulford*, in the Occupation of *Moses Samuel* and *Thomas Edge*.

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