

**CHAPTER xiv.**

An Act to increase the rates dues rents tolls and charges authorised to be levied and to extend the period for the completion of works authorised to be made by the Mersey Docks and Harbour Board and for other purposes. [29th May 1919.]

A.D. 1919.

WHEREAS by the Mersey Docks and Harbour Act 1857 (being an Act for consolidating the docks at Liverpool and Birkenhead into one estate called the Mersey Dock Estate and for vesting the control and management of them in one public trust and for other purposes) the Mersey Docks and Harbour Board (in this Act called "the Board") were incorporated for the purposes therein mentioned and by that Act and subsequent Acts relating to the Board (all of which are in this Act included in the expression "the existing Acts") various powers have from time to time been conferred on the Board:

And whereas by the existing Acts or some of them powers have been transferred to or conferred on the Board of imposing and collecting dock tonnage rates dock rates on goods harbour rates wharf rates graving dock rates town dues anchorage dues warehouse rents ferry tolls and other rates dues rents tolls and charges and many of such rates dues rents tolls and charges are subject to limitations as to the amount thereof and are in this Act referred to as and included in the expression "the maximum rates":

And whereas the expenses of the Board in maintaining and carrying on their undertaking and in fulfilling their statutory obligations have largely increased and it is expedient for the purpose of enabling the Board to meet such expenses that the maximum rates be increased as in this Act provided:

A.D. 1919. And whereas the dock rates on goods and town dues on goods or many of such rates and dues are at present assessed and levied on the net weight or measurement of the goods and it is expedient to make provision for the assessment and levying of such rates and dues on the gross weight or gross measurement:

And whereas by the Mersey Docks and Harbour Board Act 1906 powers were conferred on the Board of constructing certain works therein described as "the Northern Extension Works" and the period for the completion thereof was limited to fifteen years from the passing of that Act and it is expedient that the said period be extended:

And whereas it is expedient that the Board be authorised to raise further moneys and to issue bonds transferable by delivery and that further powers be conferred upon the Board and further provisions with reference to their undertaking be enacted as hereinafter mentioned:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title. 1. This Act may be cited as the Mersey Docks and Harbour Board Act 1919.

Interpretation. 2. In this Act the several words and expressions to which meanings are assigned by section 3 of the Mersey Dock Acts Consolidation Act 1858 have the same respective meanings except so far as those meanings may be inconsistent with this Act.

"The Act of 1858" means the Mersey Dock Acts Consolidation Act 1858.

"The Act of 1861" means the Mersey Docks (Corporation Purchase) Act 1861.

"The Act of 1906" means the Mersey Docks and Harbour Board Act 1906.

RATES &C.

A.D. 1919.

3. The maximum rates are hereby respectively increased by an amount equal to fifty per centum of the respective amounts thereof authorised by the existing Acts or any of them and the existing Acts shall be read and have effect accordingly.

Increase of rates &c.

4. If the undertaking of the Board is acquired otherwise than by agreement by any public body or trustees the Board shall not be entitled to make any claim in respect of the powers conferred upon them by the section of this Act of which the marginal note is "Increase of rates &c." Provided that nothing in this section shall prejudice the rights of any person entitled to any mortgage of or charge secured upon the undertaking or revenue of the Board or any part thereof.

Provision in case of future purchase.

5. Notwithstanding anything in the existing Acts or in any custom to the contrary the weight and measurement of packages and packing may if the Board think fit be included in the weight and measurement of all goods for the purpose of assessing and levying both dock rates and town dues on such goods so that such rates and dues may be assessed and levied on the gross weight or measurement of the goods and be payable accordingly Provided that in all cases where the weight or measurement of packages and packing is so included the difference between the gross weight or measurement and the net weight or measurement shall be taken into consideration by the Board in fixing the amount of the rate or due to be charged.

Rates and dues on goods may be levied on gross weight or measurement.

FINANCIAL PROVISIONS.

6. The Board may from time to time for the purposes of the Northern Extension Works and the works connected therewith authorised by the Act of 1906 and for the general purposes of their undertaking borrow at interest on the security of the rates for the time being belonging to them any further sum or sums not exceeding in the whole three million pounds.

Further borrowing powers.

7. All moneys borrowed by the Board under the authority of this Act shall be applied by them for purposes to which capital is properly applicable and not otherwise.

Application of moneys.

8.—(1) In addition to the other methods by which the Board are authorised to raise or borrow moneys the Board may issue under their common seal bonds transferable by delivery

Bearer bonds.

A.D. 1919. (in this Act referred to as "bearer bonds") for such amounts at such prices and bearing such interest and payable (as regards principal and interest respectively) at such places and periods and on and subject to such terms and conditions not being inconsistent with the provisions of this section as the Board may think fit.

(2) A bearer bond shall entitle the bearer thereof to the payment of the sum stated in such bond at the date of maturity stated in such bond and may be transferred by delivery of such bond.

(3) The Board may provide by coupons whether attached to the bearer bond or not for the payment of interest on the sum secured by such bond either for the whole or any portion of the term of such bond and such coupons shall (except as otherwise expressly provided in or upon such coupons) be negotiable instruments and entitle the bearer thereof to payment of the sums therein stated at the times and places therein mentioned for such payment and may be transferred by delivery of such coupons independently of the bond in respect of which the same were provided.

(4) The payment to the bearer of any bearer bond or coupon provided in respect thereof of the amount expressed therein shall be a full discharge to the Board from all liability in respect of such bond and the sum secured thereby or as the case may be such coupon and the interest represented thereby.

(5) If a bearer bond or coupon is lost mislaid or destroyed the Board may in their discretion issue a new bearer bond or coupon as the case may be in lieu thereof on receiving such indemnity as they deem adequate and subject to such terms and conditions as they see fit to impose.

Trustees
unless autho-
rised not to
hold bearer
bonds.

9. A trustee unless authorised by the terms of his trust shall not apply for take or hold a bearer bond or coupon payable to bearer issued under the authority of this Act but nothing in this section shall impose upon the Board any obligation to inquire whether the person applying for or holding a bearer bond is or is not a trustee or subject them to any liability in the event of their issuing to a trustee a bearer bond whether with or without coupons payable to bearer or dealing with a trustee as the holder or bearer of any bearer bond or coupon payable to bearer or invalidate any such bond or coupon.

10. No notice of any trust in respect of any bearer bond or coupon payable to bearer shall be receivable by the Board nor shall the Board be in any way affected by notice of any such trust.

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Notice of trust not to affect Board.

11.—(1) The holder of any bearer bond may on surrendering for cancellation such bond with all coupons issued in respect thereof and for the time being outstanding and on compliance with such regulations as may from time to time be made by the Board in relation to such surrender and on payment of all stamp and other Government duties (if any) which may be payable by the Board in consequence of the surrender and of such fee not exceeding five shillings as the Board may prescribe require the Board to issue to him a registered bond of the Board and to register him as the holder thereof in the register of bonds of the Board.

Bearer bonds may be exchanged for registered bonds.

(2) The registered bond to be issued as aforesaid in lieu of the bearer bond surrendered shall be for the like amount and become due at the like date and carry interest at the like rate and payable at the like periods as the bearer bond for which it is substituted.

(3) The Board shall not be called upon or required to issue a registered bond in lieu of a bearer bond except at one of the dates at which interest is payable on such bearer bond nor within two years of the time at which such bond comes to maturity.

12. No holder of any bearer bond shall have any priority or preference by reason of the prior issue of such bearer bond or otherwise and all bearer bonds and the interest secured by all coupons payable to bearer shall in common with all bonds annuities and debenture stock granted or issued or to be hereafter granted or issued by the Board under all or any Acts relating to or affecting the Board or the Mersey Dock Estate already passed or to be passed and with all interest secured by or payable in respect of any such bonds or debenture stock be charged indifferently without any priority or preference on the rates for the time being payable to the Board.

Ranking of bearer bonds.

All bearer bonds shall be endorsed with notice of this provision.

13. The provision of the existing Acts relating to bonds shall except so far as such provisions are inconsistent with the

Application of existing Acts to bearer bonds.

A.D. 1919. foregoiug provisions of this Act apply to bearer bonds in like manner as they apply to registered bonds.

Amendments
of Mersey
Docks (Fin-
ance) Act
1899.

14. The Mersey Docks (Finance) Act 1899 shall from and after the passing of this Act and notwithstanding anything in the preamble of that Act be read and have effect as if—

- (1) the words “annuities” and “bonds” wherever used in that Act meant respectively any annuities and any bonds granted by the Board under any Act or Acts relating to the Board or the Mersey Dock Estate already passed or to be passed;
- (2) the expression “the Dock Acts” in sections 8 17 34 and 37 of that Act included all Acts relating to the Board or the Mersey Dock Estate already passed or to be passed; and
- (3) the word “one” were substituted for the word “two” in section 15 (Payment of interest in case of infancy &c. of joint holder) and in section 23 (Transfer books to be kept) of that Act.

MISCELLANEOUS PROVISIONS.

Extension of
time for com-
pletion of
works.

15. The period limited for the completion of the Northern Extension Works described and authorised by section 3 of the Act of 1906 is hereby extended for a period of ten years from the twenty-second day of June nineteen hundred and twenty-one.

As to master
porters
master steve-
dores and
master
lumpers.

16.—(1) The powers conferred on the Board by the Act of 1858 of appointing master porters and under the Act of 1861 of licensing persons to be employed as master stevedores and master lumpers shall be deemed to include power to the Board to appoint or license any incorporated company or other corporate body of persons to act as master porter master stevedore or master lumper.

(2) The provisions of the existing Acts with reference to master porters master stevedores and master lumpers shall apply to any incorporated company or other corporate body of persons appointed to act as master porter or licensed to act as master stevedore or master lumper in like manner as they apply to any person so appointed or licensed.

Byelaws as
to speed of
vessels.

17.—(1) The Board may from time to time make such byelaws as they shall think expedient for preventing vessels

from being navigated or manœuvred in any part of the River Mersey or in any of the sea channels or approaches to the river from the furthest point seaward to which such sea channels or approaches are or may be buoyed at speeds which will or are likely to force open the gates or caissons of any of the works or property of the Board included under the word "docks" in section 3 of the Act of 1858 or cause damage to any such gates or caissons or any works or property as aforesaid or to any walls revetments training banks or other works or property (including vessels or dredgers) of the Board or to the banks of the River Mersey or sea channels or approaches as aforesaid. A.D. 1919.

(2) The Board may from time to time affix and appoint such pecuniary and other penalties and forfeitures as they shall think fit for offences against any byelaws made under this section. Provided that no pecuniary penalty shall exceed the sum of fifty pounds for one offence.

(3) Sections 223 224 and 225 of the Act of 1858 shall apply to any byelaws to be made under this section.

(4) Section 34 of the Mersey Docks and Harbour Board Act 1889 is hereby repealed. Provided that all byelaws made by the Board under that section and in force at the passing of this Act shall continue in force and have full effect until the date of the coming into force of the first byelaws made under this section.

18.—(1) In the case of any pilot with thirty-five years' service who since the first day of July nineteen hundred and sixteen has retired or may retire from the pilotage service of the Port of Liverpool at the age of sixty years or upwards and is or may be entitled to an annuity of less than ninety-one pounds payable out of the Pilotage Annuity Fund constituted under the Act of 1858 it shall be lawful for the Board out of the Pilot Boat Account established under the Mersey Docks Act 1881 to grant to such pilot each year such sum as together with the annuity received by him from such fund will amount to the annual sum of ninety-one pounds.

Grants to
pilots.

(2) The Board shall debit to the said Pilot Boat Account and credit to their Revenue (General Receipts and General Expenditure) Account (A) a sum equal to the total amount of the grants which have already been advanced by the Board to pilots for the above purpose and debited to the said revenue

A.D. 1919. account and (b) interest on the respective amounts from time to time so advanced at a rate not exceeding the average rate at which the Board have borrowed money during the period of such advances respectively.

Accounts
to be sent
to Board of
Trade.

19. Section 59 (Account to be rendered to Parliament) of the Mersey Docks and Harbour Act 1857 shall be read and have effect as if the words "and to the Board of Trade" were inserted therein after the words "to Parliament."

Costs of Act.

20. The Board shall out of any moneys for the time being in their hands pay and discharge all the costs charges and expenses of and incident to the applying for obtaining and passing of this Act.

Printed by EYRE and SPOTTISWOODE, LTD.,

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