



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. clv.

An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to acquire Lands ; and for other Purposes.

[16th *July* 1855.]

WHEREAS by "The *Liverpool* Library and Museum Act, 1852," the Council of the Borough of *Liverpool* were authorized and required to establish and maintain a Public Library and Museum, with a Gallery of Arts, and to provide a proper and sufficient Site and Buildings for the same, and (if necessary) to purchase or lease Lands or Buildings for such Purpose, and from Time to Time to erect, change, alter, and extend the same ; and the said Council were also authorized (with the Approval of the Commissioners of Her Majesty's Treasury) to borrow, as in the said Act mentioned, such Sums of Money as should be required for the Purposes aforesaid : And whereas a suitable Site has been selected for the Erection of a Library and Museum, with a Gallery of Arts, as required by the said Act, bounded on the North by

[*Local.*]

28 *G*

Clayton

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Clayton Street, on the South by *Shaw's Brow*, on the East by *Mill Lane*, and on the West by *Byrom Street*; and a Plan showing the Lands and Buildings which would or might be required to be taken for the Purposes aforesaid, together with a Book of Reference thereto, containing the Names of the reputed Owners, Lessees, and Occupiers of the said Lands and Buildings repectively, have been deposited with the Clerk of the Peace for the County of *Lancaster*; but the said recited Act does not contain any sufficient compulsory Powers enabling the said Council, or the Mayor, Aldermen, and Burgesses, to purchase and take the said Lands and Buildings, or any sufficient Powers enabling Trustees or other incapacitated Persons interested in the said Lands and Buildings to sell or transfer the same; and it is expedient that such Powers as aforesaid should be conferred by this Act: And whereas it is also expedient that further Powers should be conferred on the said Mayor, Aldermen, and Burgesses with reference to the better Regulation of the Port of *Liverpool*, and that they should be empowered to make Byelaws, Rules, and Regulations for the several Purposes herein-after mentioned: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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.

I. This Act shall for all Purposes be sufficiently described or referred to as "The *Liverpool Improvement Act, 1855.*"

Certain
Clauses in
8 & 9 Vict.
c. 18. incor-
porated.

II. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, save the following Sections thereof, which are expressly excepted by this Act; (that is to say,) Sections Ten and Eleven, relating to the Sale of Lands on Chief Rents; Twelve, Thirteen, and Fourteen, relating to the Purchase of Lands for extraordinary Purposes; Sixteen and Seventeen, requiring the Subscription of the Capital before exercising the compulsory Powers for Purchase of Lands in Cases where the Work is to be carried into effect by means of a subscribed Capital; Ninety-three and Ninety-four, relating to intersected Lands not situate in a Town; Ninety-five to Ninety-eight (both inclusive), relating to Copyhold Lands; Ninety-nine to One hundred and seven (both inclusive), relating to Common or Waste Lands; and One hundred and thirty-four, prescribing the Mode of Service on the Promoters of the Undertaking.

III. Any

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III. Any Summons, Notice, Writ, or other Proceeding at Law or in Equity, or otherwise, in relation to carrying into effect the Objects and Purposes of this Act, required to be served upon the Mayor, Aldermen, and Burgesses, may be lawfully served by delivering the same to the Town Clerk, or leaving the same at his Office with some Person employed there by him.

Service of
Notice on the
Mayor, &c.

IV. Subject to the Provisions of this Act, it shall be lawful for the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* to enter upon, take, and use, and appropriate to the Purposes of the said Free Public Library and Museum and Gallery of Art, all the Lands delineated on the Plan and referred to in the Book of Reference deposited therewith which are situate within the Boundaries herein-before specified, or such of the said Lands as they may deem necessary, and to alter or interfere with, temporarily or permanently, and to appropriate for the Purposes aforesaid, Part of Three Streets in the said Borough, called respectively *Mill Lane*, *Mill Place*, and *Shaw's Brow*.

Power to
purchase
Lands for
free Library
and Museum.

V. If any Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers thereof, described on the said Plan or in the said Book of Reference, the Mayor, Aldermen, and Burgesses, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to any Two Justices for the Correction thereof, and if it appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Accident or Mistake they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate, with the other Documents to which it relates, shall be deposited with the Clerk of the Peace for the County of *Lancaster*, and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Plans or Book of Reference shall be deemed to be corrected according to such Certificate, and the Mayor, Aldermen, and Burgesses may purchase, take, and use for the Purposes of this Act any Lands, in accordance with such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Errors and
Omissions,
&c. in Books
of Reference
may be cor-
rected by
Justices, who
shall certify
the same.

Certificate to
be deposited.

VI. If in consequence of the Execution of any of the Works by this Act authorized the Levels of any of the Streets in the Borough of *Liverpool* shall be raised or otherwise changed, or if any Alterations of

Alterations
consequent
on changing
Levels of
Streets to be

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made at Ex-
pense of Cor-
poration.

of any Steps, Doors, or Entrances into any House or Building, or of any Pavement, Sewer, Drain, or Culvert adjoining or belonging to any Property therein, shall thereby be rendered necessary, such Alteration shall be made by and at the Expense of the Mayor, Aldermen, and Burgesses.

Corporation
to reinstate
Pipes of
Liverpool
United Gas-
light Com-
pany.

VII. Before removing or displacing any Mains, Pipes, Plugs, or other Works of the *Liverpool* United Gaslight Company, (except such Mains, Pipes, or Plugs as shall from Time to Time become unnecessary by reason of the Execution of the Powers of this Act, and which may be removed by the said Company at their Expense, from Time to Time, as the Mayor, Aldermen, and Burgesses shall direct,) the Mayor, Aldermen, and Burgesses shall, at their own Expense, lay good and sufficient Mains or Pipes, Syphons, Plugs, and other Works, (other than private Service Pipes,) proper and necessary for continuing the Supply of Gas to all the Tenants of the said Company who may be entitled thereto, such Mains, Pipes, Syphons, and Plugs to be provided at the Expense of the said Company; and all such Works shall be done to the Satisfaction of the Engineer of the said Company, and according to the Regulations of the Acts of the said Company.

Power to
make Bye-
laws for re-
gulating
Piers, Land-
ing Stages,
&c.

VIII. The Mayor, Aldermen, and Burgesses may from Time to Time make Byelaws for the Regulation of any Piers, Docks, Basins, Wharfs, Quays, Slips, Stairs, Landing Stages and Places now belonging or which may hereafter belong to the Mayor, Aldermen, and Burgesses on or adjoining to the Shore of the River *Mersey* in the County of *Lancaster*, and used for the landing or embarking of Passengers, Animals, Carriages, Goods, Wares, and Merchandise, and the Approaches thereto, and for regulating the Use thereof by Vessels and Boats resorting thereto or using the same, and the landing and embarking thereat of Passengers, Animals, Carriages, Goods, Wares, and Merchandise, and the Luggage and Baggage of Passengers or others, and for the Regulation of all Persons resorting to such Piers, Docks, Basins, Wharfs, Quays, Slips, Stairs, Landing Stages and Places now belonging or which may hereafter belong to the Mayor, Aldermen, and Burgesses, and of the Approaches thereto, and of Porters and others plying for Hire, or otherwise employed or seeking Employment there, and of all Carriages, Carts, Trucks, and Vehicles, whether public or private, and the Drivers, Conductors, or Persons in charge of or attendant upon such Carriages, Carts, Trucks, and Vehicles coming or resorting to such Piers, Docks, Basins, Wharfs, Quays, Slips, Stairs, Landing Stages and Places, or the Approaches thereto,

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thereto, or the Neighbourhood thereof, and with reference to the Regulation, managing, and licensing of Boatmen and others plying for Hire on the River *Mersey*, and the Fares to be demanded and received by them, and with reference to the mooring of Vessels within the said River, and prescribing the Limits within which such Vessels shall be moored, and with reference to the Duties of the Water Bailiff of the Port of *Liverpool*, and for defining his Duties.

IX. The Provisions of "The Towns Improvement Clauses Act, 1847," with respect to Byelaws, and contained in the Sections of the said Act numbered from Two hundred to Two hundred and eight (both inclusive), shall be incorporated with this Act; and whenever in such Sections or any of them the Words "the Commissioners" are used the same shall for the Purposes of this Act mean the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*; and the Words "Justices in Quarter Sessions" shall mean the Recorder of the Borough sitting in Quarter Sessions.

Provisions of 10 & 11 Vict. c. 34. as to making Bye-laws incorporated.

X. All Penalties and Forfeitures under this Act, or any Byelaw made in pursuance thereof, in relation to any Offence, Matter, or Thing committed or done or arising or happening upon the Water within the Limits of the Port of *Liverpool*, shall and may be sued for, recovered, and levied from the respective Offenders by any Person or Persons whomsoever, within Six Months from the Day on which any such Offence shall be committed, by Information and Complaint before any One of Her Majesty's Justices of the Peace of the County of *Chester*, or of the County of *Lancaster*, or of the Borough of *Liverpool*.

Recovery of Penalties for Offences committed on the Water in the Port of *Liverpool*.

XI. All Penalties incurred under this Act, or any Act incorporated therewith, or under any Byelaw made in pursuance thereof, except any Penalties that may be incurred by the Corporation, shall be paid to and applied as Part of the Borough Fund of the Borough.

Application of Penalties.

XII. Nothing whatsoever contained in this Act, or in any of the Acts herein referred to, shall extend to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be, or but for the Provisions of the same Act or Acts might have been, vested in or enjoyed by Her Majesty, Her Heirs or Successors, in right of Her Crown or of Her Duchy or County Palatine of *Lancaster*.

Saving the Rights of the Crown.

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Expenses of
Act.

XIII. The Costs, Charges, and Expenses of and incident to the obtaining and passing this Act shall be paid out of the Borough Fund of the said Borough.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.