



ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

Cap. cx.

An Act for better preserving the Navigation of
the River *Mersey*. [30th July 1842.]

WHEREAS by an Act passed in the Forty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the Preservation of the public Harbours of the United Kingdom*, 46G.3.c.153. it was enacted, that from and after the passing of the said Act it should not be lawful for any Person or Persons to make, construct, or erect any Pier, Quay, Wharf, Jetty, Breast, or Embankment in or adjoining to any public Harbour in the United Kingdom, or any River immediately communicating therewith, so far as the Tide flows up the same, without giving at least One Month's previous Notice of his or their Intention so to do to the Secretary of the Admiralty, who was to lay the same before the Lord High Admiral or the Lords Commissioners of the Admiralty for the Time being, the Receipt of which Notice the said Secretary was thereby required duly to acknowledge, upon pain that every Person or Persons offending should forfeit and pay the Sum of Two hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in which no Essoign, Protection, Privilege, Wager of Law, or more than One Imparlance, should be granted or allowed: And whereas, so far as regards the River *Mersey* from *Warrington* and *Frodsham* Bridges to the Sea, it is expedient

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Conservancy
of the River,
&c. to be
vested in
Three Com-
missioners.

that further Provision should be made for preserving the Navigation of the said River; be it therefore 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, That the Conservancy of the River *Mersey*, and of the Banks and Shores thereof from *Warrington* and *Frodsham* Bridges to the Sea, and of the Entrances to the said River in the Sea, now being or which may hereafter be formed or made, and of the Navigation thereof respectively below the said Bridges, and within the Tide of all Rivers, Pools, Creeks, and Inlets communicating therewith, and of all other tidal Water of or flowing into the said River within the Limit aforesaid, as the same Conservancy is now vested in Her Majesty the Queen in right of Her Crown and of Her Duchy of *Lancaster*, or in the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral in the United Kingdom, but not further or otherwise, shall be and the same are hereby vested in Three Commissioners; that is to say, the First Commissioner for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being, the Chancellor of the Duchy of *Lancaster* for the Time being, and the chief Commissioner of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being, who shall be entitled "Commissioners for the Conservancy of the River *Mersey*."

Jurisdiction
and Powers
of the Com-
missioners.

II. And be it enacted, That the said Commissioners shall have, exercise, and enjoy, within the Limit aforesaid, all and singular the same Jurisdiction, Powers, and Authorities, Rights, Privileges, Easements, and Advantages, for the Maintenance of the Navigation of and belonging to the said River, and for the Abatement and Removal of Nuisances and Obstructions therein and thereto, as are now possessed and enjoyed or may lawfully be exercised by Her Majesty the Queen in right of Her Crown and of Her said Duchy of *Lancaster*, or by the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral of the United Kingdom.

Commission-
ers to appoint
an acting
Conservator.

III. And be it enacted, That it shall be lawful for the said Commissioners to appoint annually, by Writing under their Hands, an acting Conservator for the Purposes of this Act, and from Time to Time to suspend or remove such acting Conservator as they may see fit, and to appoint another in his Room; and the acting Conservator to be so appointed as aforesaid shall, once at the least in every Year, and at such other Times as he shall be required by the said Commissioners, survey and inspect the said River within the Limit aforesaid, and report to the said Commissioners upon the State of the Navigation thereof, specifying all the Impediments, Encroachments, Nuisances, and Annoyances in, upon, or affecting the same, and when, and by whom, or from what Cause, such Impediments, Encroachments, Nuisances, and Annoyances have been created or have arisen: Provided always, that in the event of the Death of the acting Conservator it shall be lawful for the said Commissioners to appoint another in his Room.

IV. And

IV. And be it enacted, That it shall be lawful for the said Commissioners, from Time to Time, if they shall see Occasion, and for such Length of Time as they shall think fit, to employ or authorize the Employment of any other Persons to assist the said acting Conservator in the Execution of the aforesaid Duties of his Office, and also to appoint a Clerk to keep the Minute Books and Records of the Proceedings of the said Commissioners.

Commissioners may employ Persons to assist the acting Conservator, and also a Clerk.

V. And whereas the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*, and the Trustees of the *Liverpool* Docks, are willing to provide, in certain Proportions, a Fund not exceeding Six hundred Pounds *per Annum* towards the Payment of the Salary and Expences of the acting Conservator and other Persons in the Performance of the aforesaid Duties, and the Expences of the Clerks of the Peace, as herein-after mentioned; be it therefore enacted, That it shall be lawful for the Mayor, Aldermen, and Burgesses of *Liverpool*, out of their Borough Fund, and for the Trustees of the *Liverpool* Docks out of the Fund of their Estate, and they are hereby respectively authorized and required, to pay to the said Commissioners, yearly and every Year, by such Payments and at such Times as shall be required by Writing under the Hands of any Two of the said Commissioners, such Sums of Money as shall be required for the Purposes aforesaid, not exceeding in the whole in any One Year the Sum of Six hundred Pounds, in the Proportions following; (that is to say,) Two Third Parts thereof by the said Mayor, Aldermen, and Burgesses, and One Third Part thereof by the said Trustees of the *Liverpool* Docks.

Conservancy Fund.

VI. And be it enacted, That from and after the passing of this Act it shall not be lawful for any Person to make, construct, or erect any Pier, Quay, Wharf, Jetty, Breast, or Embankment, in or adjoining to the said River *Mersey*, from *Warrington* and *Frodsham* Bridges to the Sea, or any River, Pool, Creek, or Inlet communicating therewith, within such Limit, which shall extend beyond the Line of the High-water Mark of a Tide uninfluenced by the Wind, of the Height of Twenty-one Feet as measured from the Sill of the Gates of the old Dock in *Liverpool* aforesaid, being the Datum herein-after mentioned, whereby the tidal or other Waters of the said River *Mersey*, or any such River, Pool, Creek, or Inlet as aforesaid, may be excluded or interrupted, or the Navigation of the same in any Manner impeded, unless such Person shall, at least Two Calendar Months previously to commencing such Work, send or deliver such Notice in Writing as hereafter is mentioned to the acting Conservator for the Time being of the said River, and also a like Notice to the Clerks of the Peace for the Counties Palatine of *Lancaster* and *Chester* and of the Borough of *Liverpool* respectively.

No Person to construct any Pier, Quay, Wharf, &c. without giving Two Months previous Notice to the acting Conservator and the Clerks of the Peace.

VII. And be it enacted, That the Datum herein-before referred to shall be the Top of the Sill of the old Dock Gates in *Liverpool* aforesaid as the same was before the said Dock was filled up, and as the Level of the same is now preserved at the *Canning Dock* in *Liverpool* aforesaid.

Defining the Datum.

VIII. And

What the Notice is to contain.

VIII. And be it enacted, That every such Notice shall state the Name, Address, and Occupation of the Person proposing to make, construct, or erect such Work, and the Place where the same is intended to be made, and the Line, Situation, Nature, Extent, and Object of such Work, and the Materials of which the same is proposed to be constructed, and the Time at which it is intended to commence the same, and shall also show, as far as reasonably may be, the Extent, if any, to which the proposed Work, or any Part thereof, may project into, or exclude, impede, or interrupt, the tidal or other Waters of the said River *Mersey*, or of any River, Pool, Creek, or Inlet communicating therewith.

Acting Conservator to publish Receipt of Notice by him.

IX. And be it enacted, That the said acting Conservator shall, as soon as may be after Receipt of any Notice required to be furnished to him under the Provisions of this Act, acknowledge the Receipt of such Notice, by an Advertisement to be published by him in the *London Gazette*, stating from whom he has received such Notice, and the Situation of the Work to which the same refers.

Clerks of the Peace to receive Notice, and to give a Certificate thereof to Party delivering same.

X. And be it enacted, That the Clerks of the Peace above mentioned shall receive the said Notices into their respective Custody, and shall endorse thereon a Memorial containing the Day, Month, and Year of the Receipt thereof, and shall, if required, deliver a Copy of every such Memorial, duly certified by them respectively, under their respective Hands, to the Person delivering such Notices; and such Notices shall be retained by the said Clerks of the Peace for the Purposes herein-after mentioned, and shall be produced by them respectively, or by some Person appointed by them respectively for that Purpose, at such Place and Time as shall be by any competent Authority in that Behalf required.

All Persons interested to be permitted to inspect the Notice.

XI. And be it enacted, That all Persons interested may at all seasonable Times inspect any such Notices, and may require to be furnished, by the Clerks of the Peace in whose Possession or Custody the same may respectively be, with Extracts therefrom or Copies thereof; and such Clerks of the Peace respectively shall give free Access for the Inspection of such Notices respectively, and, if required, furnish Copies thereof or Extracts therefrom, and certify the same to be true Copies or Extracts, and in respect thereof they shall respectively be entitled to One Shilling for every Inspection of such Notice, and One Shilling for every Hour such Inspection shall continue beyond the first Hour, and Sixpence for every One hundred Words copied or extracted therefrom.

Commissioners may require a Plan and Section of the Work mentioned in Notice to be furnished them.

XII. And be it enacted, That it shall be lawful for the said Commissioners to order and direct the Person who may have given any such Notice to transmit to the acting Conservator, for the Use and Information of the Commissioners, a Plan explanatory and descriptive of the intended Work, on a Scale as follows; (that is to say,) if the Work do not exceed Two hundred Yards in Length or Breadth, on a Scale of not less than Five Inches to every One hundred Feet, and if the Work do exceed Two hundred Yards and not One thousand Yards in Length or Breadth, on a Scale of not less

less than Two Inches to every One hundred Feet, and in each Case together with a Section drawn to the same horizontal Scale as the Plan, and to a vertical Scale the same as the horizontal Scale of such Plan; and if the Work do exceed One thousand Yards in front to the River, on a Scale of not less than One Inch to every One hundred Feet, together with a Section drawn to the same horizontal Scale as the Plan, with a vertical Scale of not less than Three Inches to every One hundred Feet; which Section in each Case shall show the Surface of the Ground mentioned on the Plan, with the Level of the Bank of the River where such Work is intended to be made, and the intended Level of the proposed Work, and in each Case with a datum horizontal Line, which shall be the same throughout the whole Length of the Work, or any Branch thereof respectively, and shall be referred to the Datum herein-before provided.

XIII. And be it enacted, That if the Council of the Borough of *Liverpool*, or the Council of the City of *Chester*, or the Council of the Borough of *Manchester*, or the Trustees of the *Liverpool Docks*, or the Company of Proprietors of the *Mersey and Irwell Navigation*, or the Devisees of the late Most Noble *Francis Duke of Bridgewater*, or any Dock, Canal, or Railway, or other carrying Company, whether incorporated by Act of Parliament or not, or any other Person interested in such proposed Work, or in the Navigation of the said River, shall be desirous of having a Plan and Section of any Work of which such Notice shall have been given as aforesaid, it shall be lawful for the said Commissioners, if they shall think proper, but not otherwise, upon the Application in Writing under the Hand of the Town Clerk or Deputy Town Clerk of any of the said Boroughs or the said City, or under the Hand of the Secretary, chief Clerk, or Solicitor of the Trustees of the *Liverpool Docks*, or of the said Company of Proprietors of the said *Mersey and Irwell Navigation*, or of the Devisees of the late Most Noble *Francis Duke of Bridgewater*, or of any such Dock, Navigation, Canal, Railway, or other Party as aforesaid, or under the Hand of any such Person requiring the same as aforesaid, to order and direct the Person who shall have given such Notice of such intended Work as aforesaid to transmit to the Council, Trustees, Dock, Navigation, Canal, Railway, or other carrying Company, or Parties as aforesaid, or other the Person requiring the same as aforesaid, a Duplicate of every Plan and Section of such proposed Work which may have been already transmitted or ordered to be transmitted to the said Commissioners.

Plan and Section of proposed Work to be supplied to Parties interested, if ordered by Commissioners.

XIV. And be it enacted, That if the said Commissioners shall order a Duplicate of any such Plan and Section of any such proposed Work to be made and delivered as aforesaid, then and in every such Case the Costs and Expences of making such Duplicate Plan and Section shall be borne by the Corporation, Company, or Persons applying for the same, and shall be paid before the Delivery of the same; and if any Dispute shall arise respecting the Amount of such Costs and Expences, such Dispute shall be settled by the said Commissioners, whose Decision thereon shall be final.

Expences thereof to be paid by Parties applying for same.

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XV. And

Any Pier, Quay, Wharf, Jetty, Breast, or Embankment constructed without Notice to be deemed a Nuisance.

XV. And be it enacted, That if any such Pier, Quay, Wharf, Jetty, Breast, or Embankment as aforesaid shall be made, constructed, or erected, or be begun to be made, constructed, or erected, without such Notice thereof having been given as aforesaid, or without such Plan and Section thereof as aforesaid having been transmitted to the said Commissioners, within One Month after the same shall have been required, in case the same shall have been required by the said Commissioners, or without such Plan and Section as aforesaid having been transmitted to any Corporation, Company, or Person to whom the same may, in pursuance of the Provisions of this Act, have been directed by the said Commissioners to be transmitted as aforesaid, within One Month after the same shall have been directed, or if such Work shall be made, constructed, or erected in any other Manner than in accordance with the Notice sent or delivered as aforesaid, and any Plan and Section which may have been made and transmitted as herein-before directed, every such Pier, Quay, Wharf, Jetty, Breast, or Embankment shall be deemed and taken to be a Nuisance, and may be abated and removed in the same Manner as any Nuisance may be lawfully abated or removed.

Commissioners may abridge Duration of Notice.

XVI. Provided always, and be it enacted, That it shall be lawful for the said Commissioners, whenever they shall see fit, upon Application made to them by any Person or Corporation who may be desirous of making any Work of which a Notice is herein-before required to be given, or any Alteration in the Plan of such Work, and upon Cause being shown to the Satisfaction of the said Commissioners, to permit such Person or Corporation to give a Notice of less than Two Months, as herein-before required: Provided always, that such Notice shall in all Cases be given One Month previous to commencing such intended Work.

Act not to extend to Works in progress or authorized by Act of Parliament.

XVII. Provided always, and be it enacted, That nothing herein-before contained shall extend to any Pier, Quay, Wharf, Jetty, Basin, Canal, Breast, or Embankment that shall have been in progress on the First Day of *July* in the Year of our Lord One thousand eight hundred and forty-two, or that may at any Time hereafter be made, constructed, or erected under any Act of Parliament now in force or at any Time hereafter to be passed, nor to the Repair of any Pier, Quay, Wharf, Jetty, Basin, Canal, Breast, Embankment, or other Work already existing or in progress as aforesaid, which Repair will not have the Effect of further encroaching, or in any Manner occasioning a further Encroachment, on the Waters of the said River within the Limits herein-before mentioned.

Works proceeded with in compliance with the Provisions of this Act not to be disturbed, except by the Order of a

XVIII. And be it enacted, That if any Person, having duly given such Notice as aforesaid, and having also, if required so to do, furnished such Plan and Section as herein-before directed, shall, after the Expiration of Two Calendar Months from the Day of giving such Notice, or such shorter Period as may be allowed by the said Commissioners as herein-before provided, as the Case may be, make, construct, or erect any such Pier, Quay, Wharf, Jetty, Breast, or Embankment as aforesaid, in conformity with such Notice, or with

such Notice, Plan, and Section as aforesaid, such Person shall not be molested or interrupted in such Work, otherwise than by the Judgment, Order, or Decree of a competent Court of Law or Equity.

XIX. And be it enacted, That a Compliance with the Provisions herein-before contained shall, so far as relates to the Erection or Construction of any Pier, Quay, Wharf, Jetty, Breast, or Embankment in or adjoining to the said River *Mersey*, within the Limits aforesaid, but not further or otherwise, be deemed and taken to be a sufficient Compliance with the Provisions contained in the said recited Act.

XX. And be it enacted, That the Fees, Costs, and Expences of the said Clerks of the Peace, in relation to the Premises as the same shall be regulated by the said Commissioners, (save and except the Charges of the Inspection, Extracts, and Copies of the said Notice herein-before provided for, and the Charges of the Production of any such Notice as the same may be required by competent Authority as aforesaid,) shall be borne by the said Commissioners, and be paid by them out of the Fund to be provided as herein-before mentioned.

XXI. And be it enacted, That in case the said Clerks of the Peace, or any of them, shall in any Matter or Thing refuse or neglect to comply with any of the Provisions herein-before contained, such Clerk of the Peace so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Ten Pounds; and every such Penalty shall, upon Proof of the Offence before any Two Justices of the Peace in Petty Sessions assembled, by the Confession of the Party offending, or by the Oath of any credible Witness, be levied and recovered for Her Majesty's Use, together with the Costs of the Proceedings for the Recovery thereof, by Distress and Sale of the Goods and Effects of the Party offending, by Warrant under the Hands of such Justices, which Warrant such Justices are hereby empowered to grant; and it shall be lawful for any Justice to whom any Complaint shall be made of any Offence committed against this Act to summon the Party complained of before such Justices, and such Justices may on such Summons hear and determine the Matter of such Complaint in a summary Way, and on Proof of the Offence convict the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, and proceed to recover the same, although no Information in Writing or in Print shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

XXII. And be it enacted, That no Commissioner, acting Conservator, or other Person acting in performance of the Duties and carrying out the Provisions herein-before declared and contained, shall, by his Body, Goods, Chattels, Lands, or Tenements, be liable to be arrested, seized, or taken in Execution by reason or in consequence of any Act, Deed, Matter, or Thing herein-before authorized to be done by him.

XXIII. And

Indemnity
to Commis-
sioners.

XXIII. And be it enacted, That every such Commissioner, acting Conservator, and other Person as aforesaid shall be indemnified by the Mayor, Aldermen, and Burgesses of *Liverpool* out of their Borough Fund, and by the Trustees of the *Liverpool* Docks out of the Fund of their Estate, in the Proportions in which the before-mentioned annual Sum of Six hundred Pounds is herein-before expressed to be payable by the said Mayor, Aldermen, and Burgesses, and Trustees respectively, from all Costs, Charges, Damages, and Expences which he may sustain, incur, or become liable to by reason of any Action, Suit, or other Proceeding to be commenced and prosecuted by or against him in respect of any Act done or omitted to be done in pursuance of the Powers, Provisions, and Directions herein-before contained with regard to the surveying and Inspection of the said River; provided that such Action, Suit, or other Proceeding shall, as soon as conveniently may be after the Commencement thereof, be submitted to the said Commissioners, and that the Indemnity aforesaid shall not extend to any Costs in the Prosecution or Defence thereof that may be incurred contrary to any Order that the Commissioners may make concerning such Prosecution or Defence.

Commissioners to remove Obstructions arising from natural or accidental Causes, and to dredge, cleanse, and scour the River and Approaches thereto.

XXIV. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to remove or authorize the Removal of all Impediments and Obstructions which have arisen or may hereafter arise, within the Limits aforesaid, from extraordinary Floods, or other natural or accidental Causes, so far as the same may interfere with the free Flow of the Waters of the said River, or otherwise impede the Navigation of the same, and also to dredge, cleanse, and scour the said River within the Limits aforesaid, and the Entrances thereto from the Sea, and to open, deepen, and improve the said Entrances thereto, and any Channels and Beds thereof, and to remove any Banks or Shoals within the said Limits, or to authorize the same to be done: Provided always, that no Work shall be done by or by the Authority of the said Commissioners, unless Two Months previous Notice of the Intention to undertake such Work shall have been given in some Newspaper published in each of the Counties of *Lancaster* and *Chester*, and also to the Clerks of the Peace of the said Counties, and of the Borough of *Liverpool* respectively, which Notice shall specify the Place where such Work is intended to be made, and the Line, Situation, Nature, Extent, and Object of such Work, and the Time at which it is intended to commence the same: Provided also, that nothing herein contained shall be construed to prevent any Party who would be aggrieved by any such Work to be done under the Authority of this Act from applying to any Court of competent Jurisdiction to restrain the Execution of such Work if such Court shall see fit.

Ships sunk or stranded to be raised and sold to defray the Expences.

XXV. And be it enacted, That when and so often as any Vessel shall be sunk or stranded in the said River within the Limits aforesaid it shall be lawful for the said Commissioners, if they shall so think fit, in case the Master of such Vessel shall refuse or neglect to weigh and raise the same, to cause any such Vessel to be weighed and raised, or, if it shall be found impracticable to weigh and raise the
same

same (of which Impracticability the said Commissioners shall be the sole Judges), to cause such Vessel to be blown up or otherwise destroyed, so as to clear the River therefrom, and, in case such Vessel shall be weighed and raised, to cause the same, and the Furniture, Tackle, and Apparel thereof, or of any Part thereof respectively, and also all or any Part of any Goods, Wares, Merchandizes, Chattels, and Effects which may be found on board the same, to be sold by public Auction or otherwise, and by and out of the Proceeds of such Sale to pay the Charges and Expences of weighing and raising such Vessel, or the blowing up or otherwise destroying the same, and clearing the said River therefrom, and also the Charges and Expences of such Sale, rendering any Overplus to the Owner or other Person who by Law shall be entitled to the same.

XXVI. And be it enacted, That, during the Execution of any Work undertaken by the Direction of the said Commissioners in pursuance of this Act, the said Works in course of being performed, and all the Materials, Tools, Implements, and Machines of every Description brought upon or near such Works for the Purpose of being used in the Execution thereof, may be laid, in any Indictment that may be preferred in respect thereof, to be the Property of such Commissioners.

Materials, &c. for Works to be considered the Property of the Commissioners.

XXVII. And be it enacted, That it shall be lawful for the said Commissioners, in their Discretion, to bring, prosecute, and defend any Action, Suit, or other Proceeding, both at Law and in Equity, which they may deem fit and expedient for the Purposes of this Act; and that in all such Actions, Suits, and other Proceedings by or against the said Commissioners it shall be sufficient to state the Name of the acting Conservator for the Time being as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit; and no such Action or Suit shall abate or be discontinued by the Death, Suspension, or Removal of such acting Conservator, or by any Act or Default of such acting Conservator committed without the Consent of the Commissioners: Provided always, that nothing herein contained shall be held to prevent any Person from bringing or prosecuting any Action, Suit, or other Proceeding, at Law or in Equity, which such Person might have done if this Act had not been passed: Provided always, that every such acting Conservator in whose Name any such legal Proceedings shall be carried on, either as Plaintiff or Defendant, on behalf of the said Commissioners, shall be fully reimbursed, out of the Monies which shall come into the Hands of the said Commissioners by virtue of this Act, all Damages, Costs, Charges, and Expences to which he may be put, or with which he may become chargeable, by reason of being so made Plaintiff or Defendant as aforesaid; and no such acting Conservator shall be personally liable for the Payment of the same, unless such Action or Suit shall have arisen in consequence of his own wilful Neglect or Default, or unless such Action or Suit shall have been brought without the Order or Direction of the Commissioners: Provided also, that in all Cases in which any such acting Conservator may be Plaintiff or Defendant on the Record in any Action or Suit in which the said Commissioners shall in Effect be sued or suing in the Name

Commissioners may prosecute and defend Actions and Suits for Purposes for this Act, and may use the Name of the acting Conservator for the Time being.

Acting Conservator not to be personally liable, nor incompetent as a Witness, merely on account of his Name being used.

of such acting Conservator, such acting Conservator may, if no otherwise interested, be a competent Witness either for or against the said Commissioners.

Saving of Rights and Jurisdiction of Her Majesty, and of the Admiralty and others.

XXVIII. Provided always, and be it enacted, That, further or otherwise than as herein-before provided for the Purpose of carrying this Act into execution, nothing herein contained shall extend to divest, abridge, lessen, alter, or in any Manner to affect or prejudice the Seisin, Estate, Right, Title, or Inheritance of Her Majesty, Her Heirs and Successors, either in respect of Her Crown or of Her Duchy of *Lancaster*, or of the Grantees of the Crown, or of any Corporation, Company, or Person, in or to the said River *Mersey*, or the Ground or Soil and Bed of the same, or the Shores thereof, or the Prerogative or Authority therein respectively of Her Majesty, Her Heirs or Successors, or the Jurisdiction of the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland* for the Time being, or of any Corporation, Company, or Person, but that all such Seisin, Estate, Right, Title, Prerogative, Authority, and Jurisdiction respectively shall continue and be preserved whole and unimpaired as if this Act had not been passed.

Saving Rights of the Corporation of Liverpool and Dock Trustees.

XXIX. Provided also, and be it enacted, That nothing herein contained shall alter, affect, or prejudice any Power, Jurisdiction, or Authority now vested in the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*, or the Trustees of the *Liverpool* Docks respectively, nor alter, repeal, or affect any of the Acts of Parliament relating to the Docks or Harbour of *Liverpool*, but that every such Power, Jurisdiction, Authority, and Act shall continue and be preserved and in force as if this Act had not been passed.

General Saving of Rights.

XXX. Provided also, and be it enacted, That nothing in this Act contained shall affect any of the Rights of the Company of Proprietors of the *Mersey and Irwell* Navigation, or of the United Company of Proprietors of the *Ellesmere and Chester* Canal, or of the Devises of the late Most Noble *Francis* Duke of *Bridgewater*, or of the Trustees of the River *Weaver* Navigation, or of the Proprietors of the *Sankey* Brook Navigation, or of any other Person or Persons, further than as the same are affected by the Provisions for giving Notices and furnishing Plans and Sections herein-before contained.

Interpretation Clause.

XXXI. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender only shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" or the Word "Persons" shall include Corporations, whether Aggregate or Sole:

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The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity substituted for an Oath in case of any other Person exempted by Law from the Necessity of taking an Oath :

The Word "Justice" shall mean the Justice of the Peace for the County, City, or Borough where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter.

XXXII. And be it enacted, That the Costs of this Act shall be paid by the said Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* out of their Borough Fund. Costs of Act.

XXXIII. And be it enacted, That this Act shall be a Public Act, Public Act. and shall be judicially taken notice of as such.

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