



ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

Cap. xcviij.

An Act to alter and amend certain Provisions of the Acts relating to the Docks and Harbour of *Liverpool*. [17th August 1843.]

WHEREAS an Act was passed in the Eighth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act for making a convenient Dock or Basin at Liverpool for the Security of all Ships trading to and from the said Port of Liverpool*: 8 Ann. c. 12. And whereas an Act was passed in the Third Year of the Reign of His Majesty King *George* the First, intituled *An Act for enlarging the Time granted by an Act passed in the Eighth Year of the Reign of Her late Majesty Queen Anne, intituled 'An Act for making a convenient Dock or Basin at Liverpool for Security of all Ships trading to and from the said Port of Liverpool.'* 3 G. 1. c. 1. And whereas an Act was passed in the Eleventh Year of the Reign of His Majesty King *George* the Second, intituled *An Act for enlarging the Time granted by an Act passed in the Third Year of the Reign of His late Majesty King George the First, intituled 'An Act for enlarging the Time granted by an Act passed in the Eighth Year of the Reign of Her late Majesty Queen Anne, intituled 'An Act for making a convenient Dock or Basin at Liverpool for the Security of all Ships trading to and from the said Port of Liverpool,' and for enlarging the same by making an additional Dock and building a Pier in the open Harbour* 11 G. 2. c. 32.
 [Local.] there,

- there, and for enlightening the said Dock: And whereas an Act was passed in the Second Year of the Reign of His Majesty King George the Third, intituled *An Act to enlarge the Term and Powers granted by an Act passed in the Eleventh Year of the Reign of His late Majesty for continuing several Acts relating to the Harbour of Liverpool, and for enlarging the said Harbour by making an additional Dock and building a Pier in the open Harbour there, and for enlightening the said Dock, and for making another Dock with proper Piers in the said Harbour, and for erecting Lighthouses and other proper Lights in or near the Port of Liverpool*: And whereas an Act was passed in the Twenty-fifth Year of the Reign of His Majesty King George the Third, intituled *An Act to enlarge the Term and Powers of several Acts relating to the Harbour of Liverpool, and for making Two additional Docks and Piers in or near the Port of Liverpool*: And whereas an Act was passed in the Thirty-ninth Year of the Reign of His Majesty King George the Third, intituled *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*: And whereas an Act was passed in the Fifty-first Year of the Reign of His Majesty King George the Third, intituled *An Act for the Improvement of the Port and Town of Liverpool, and amending the several Acts relating to the Docks, Quays, and other Works belonging to the said Port*: And whereas an Act was passed in the Fifty-third Year of the Reign of His Majesty King George the Third, intituled *An Act to authorize the Advancement of a certain Sum of Money for carrying into effect the several Acts for the Improvement of the Port and Town of Liverpool, and to amend the said Acts*: And whereas an Act was passed in the Fifty-ninth Year of the Reign of His Majesty King George the Third, intituled *An Act for improving the Lighthouse on the Isle of Anglesea, belonging to the Trustees of the Liverpool Docks, and for further amending the Acts relating to the Docks and Harbour of Liverpool*: And whereas an Act was passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act for the further Improvement of the Port, Harbour, and Town of Liverpool, and for altering, extending, and amending the several Acts relating thereto*: And whereas an Act was passed in the Ninth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to enable the Trustees of the Liverpool Docks to raise a further Sum of Money*: And whereas an Act was passed in the Ninth Year of the Reign of His Majesty King George the Fourth, intituled *An Act to explain and amend Two Acts of the Fifty-first Year of His late Majesty, and the Sixth Year of His present Majesty, for the Improvement of the Port, Harbour, and Town of Liverpool, and to authorize the Trustees of the Liverpool Docks to pay for certain Lands and Hereditaments purchased under the same Acts*: And whereas an Act was passed in the Eleventh Year of the Reign of His Majesty King George the Fourth, intituled *An Act for extending and amending the several Acts relating to the Docks and Harbour of Liverpool*: And whereas an Act was passed in the Fourth Year of the Reign of Her present Majesty Queen Victoria, intituled *An Act for enabling the Trustees of*
- 2 G. 3. c. 86.
- 25 G. 3. c. 15.
- 39 G. 3. c. 59.
- 51 G. 3. c. 143.
- 53 G. 3. c. 156.
59. G. 3. c. 30.
- 6 G. 4. c. 187.
- 9 G. 4. c. 55.
- 9 G. 4. c. 114.
- 11 G. 4. &
1 W. 4. c. 14.
- 4 & 5 Vict.
c. 30.
- the

the Liverpool Docks to erect Transit Sheds on the West Quay of the Prince's Dock, to make a Wet Dock with Warehouses on the Quays, and to construct other Works, and to raise a further Sum of Money, and for enlarging the Powers of the Acts relating to the Docks and Harbour of Liverpool, and for other Purposes relating thereto: And whereas under and by virtue of the said recited Acts, or some of them, certain Rates or Duties of Tonnage are payable to the said Trustees for every Ship or Vessel (other than and except the Queen's Ships and other Ships and Vessels employed in Her Majesty's Service, and in the Service of the Commissioners of Her Majesty's Customs and Excise, and in the Service of the Postmaster General for the Time being) which shall come into or go out of the said Port of Liverpool, and certain Rules are prescribed for ascertaining the Tonnage of such Vessels which it is expedient to alter: 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, That so much and such Parts of the said recited Acts as relate to the Mode of ascertaining the Tonnage or Admeasurement of Vessels liable to the Payment of Tonnage Rates and Duties imposed by the said recited Acts, or any of them, shall be and the same are hereby repealed.

Certain Parts
of the recited
Acts repealed.

II. And be it enacted, That from and after the passing of this Act it shall be lawful for the said Trustees and for their Collector of the said Tonnage Rates, or his Clerk, Agent, or Servant, or any Officer of the said Trustees, for the Time being, to enter into and upon all Vessels liable to the Payment of all or any of the Tonnage Rates or Duties imposed by the said recited Acts, or any of them, and to measure and ascertain the Tonnage thereof according to the Rules established by an Act passed in the Session held in the Fifth and Sixth Years of the Reign of His late Majesty King *William the Fourth*, intituled *An Act to regulate the Admeasurement of the Tonnage and Burthen of the Merchant Shipping of the United Kingdom*, and of any general Law for the Time being regulating the Admeasurement of Merchant Shipping.

Mode of
ascertaining
the Tonnage
of Vessels
liable to Pay-
ment of the
Dock Rates.

5 & 6 W. 4.
c. 56.

III. Provided always, and be it enacted, That the Collector for the Time being of the said Tonnage Rates and Duties shall receive the Rates and Duties payable in respect of the Tonnage of any Merchant Vessel of the United Kingdom, or of any *British* registered Vessel, according to the Tonnage certified in the Register of such Vessel.

Collector of
Rates shall
receive
them ac-
cording to
the certified
Tonnage.

IV. And be it enacted, That it shall be lawful for the Collector of the said Tonnage Rates and Duties to receive, by way of Deposit, and on account thereof, in respect of any Vessel liable thereto, such a Sum of Money as shall, in his Opinion, be sufficient to cover the Amount of such Tonnage Rates and Duties, and to sign a Certificate for the Sum so deposited; and the Collector of Her Majesty's Customs at the said Port shall, on the Production of such Certificate, allow the Entry of such Vessel to be made: Provided always, that

Authorizing
Deposit on
account of
Tonnage
Rates.

no

no Vessel, in respect of which a Deposit shall have been made as aforesaid, shall be entitled to Clearance from the said Port until a Receipt for the full Amount of the said Tonnage Rates and Duties payable in respect of such Vessel, signed by the Collector of the said Tonnage Rates and Duties, shall have been produced to the Officer of Her Majesty's Customs at the said Port.

Enabling the Master, &c. of Vessels to elect whether same shall be measured empty or full.

V. Provided always, and be it enacted, That the Master, Owner, or Consignee of any Vessel to be admeasured as aforesaid, shall at the Time of making such Deposit declare in Writing to the said Collector his Option whether such Vessel shall be measured when the Hold is clear, or when the Cargo is on board; and in every Case in which a Vessel shall be required to be measured when the Hold is clear the Master, Owner, or Consignee of such Vessel shall give not less than Twenty-four Hours previous Notice in Writing to the said Collector, specifying the Time when the Hold of such Vessels shall be clear, for the Purpose of such Admeasurement; and in default of declaring such Option, or of giving such Notice as aforesaid, or in case the Master, Owner, or Consignee of such Vessel shall in any Manner obstruct or impede, or shall not afford all necessary Facilities for such Admeasurement, then and in any of the said Cases the whole of the Money which shall have been so deposited as aforesaid shall be retained by the said Collector in discharge of the Tonnage Rates and Duties payable to the said Trustees in respect of such Vessel; and the said Collector shall give a Receipt for the same Sum in discharge of such Rates and Duties.

Previous Payment of Rates to be valid.

VI. And whereas various Sums of Money for Tonnage Rates and Duties imposed by the said recited Acts have been paid to and received by the said Trustees in respect of Vessels liable to the Payment thereof, upon Admeasurements which have been made when the Holds of such Vessels were clear, according to the Rules of Admeasurement prescribed by the said recited Act of the Fifth and Sixth Years of the Reign of His said Majesty King *William* the Fourth, and upon Admeasurements which have been made when the Cargoes of such Vessels were on board, according to the Rules prescribed by such Act, with the Addition in such Case of the Poop or Half Deck of such Vessels, under the general Belief that such Admeasurements were in accordance with the said recited Acts and with the general Law for the Time being regulating such Admeasurements; be it enacted, That all Payments in respect of any Tonnage Rates and Duties which shall have been made to the said Trustees upon any such Admeasurements as aforesaid shall be and the same are hereby declared to be as binding and conclusive on the said Trustees, and on all Persons whomsoever, as if the said Admeasurements had been made in strict Accordance with the said recited Acts and the general Law for the Time being relating thereto; and that it shall not be lawful for the said Trustees or for any Person to dispute the same, or to commence or prosecute any Proceeding whatsoever, either at Law or in Equity, for the Purpose of invalidating such Payments, or any of them, on the Ground that any such Admeasurements have not been made in accordance with the said recited Acts and with the general Law for the Time being regulating such Admeasurements,

measurements, any Act, Law, or Usage to the contrary thereof in anywise notwithstanding.

VII. And be it enacted, That the Trustees shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this and the said recited Acts for the Year ending on the Thirty-first Day of *December* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Auditors appointed by virtue of the said recited Acts, and shall transmit a Copy of the said Account free of Charge to the Clerk of the Peace for the County of *Lancaster* on or before the Thirty-first Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Trustees shall omit to prepare or transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Annual Account to be made up, and Copy transmitted to the Clerk of the Peace.

VIII. And be it enacted, That the said recited Acts, and all the Powers, Provisions, Directions, Rates, Duties, Penalties, Forfeitures, Payments, Exemptions, Remedies, Clauses, Matters, and Things therein respectively contained (except such of them as have been altered, varied, or repealed by any of the said recited Acts or this Act), shall be of full Force and Effect, and shall extend to this Act, and shall operate with respect to this Act, as effectually as if the same were re-enacted in the Body of this Act; and the said several recited Acts and this Act shall be construed together as one Act.

Recited Acts, except where altered, extended to this Act, and to be construed as one Act.

IX. 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,)

Interpretation of Act.

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

The Word "Vessel" shall mean any Ship or any other Kind of Vessel whatever, and whether navigated by Steam or otherwise.

X. And be it enacted, That the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act shall be paid by the said Trustees out of any Monies arising by virtue of the said recited Acts or any of them.

Costs of the Act.

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6° & 7° VICTORIÆ, *Cap.*xcviii.

Public Act.

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

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