



CHAPTER iv.

An Act to confer further powers upon and to amend certain of the Acts relating to the Mersey Docks and Harbour Board and to enable that Board to borrow further money and for other purposes. [23rd May 1898.] A.D. 1898.

WHEREAS by the Mersey Docks and Harbour Act 1857 (being an Act for consolidating the docks at Liverpool and Birkenhead into one 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 whereas by section 36 of the Mersey Dock Acts Consolidation Act 1858 (in this Act called "the Act of 1858") it was enacted that every master porter immediately after his appointment and before he should be capable of acting as such should execute to the Board a bond with two sufficient sureties to be approved of by the Board in the penal sum of two hundred pounds to be conditioned for paying or satisfying the owners of goods received weighed or loaded off by such master porter or by the porters in his employ or under his direction the amount of any loss damage or injury which such goods might sustain during such receiving weighing or loading off:

And whereas by section 12 of the Mersey Docks (Corporation Purchase) Act 1861 (in this Act called "the Act of 1861") the amount of the penal sum in any such bond to be executed as aforesaid was increased from two hundred pounds to five hundred pounds:

And whereas by the Act of 1861 it was further enacted (section 13) that every person licensed by the Board to act as a master stevedore and as a master lumper or in either of such capacities immediately after the granting of such licence and before he should be capable of acting as such should execute to the Board a bond with two sufficient sureties to be approved of by the Board

A.D. 1898. in the penal sum of two hundred pounds to be conditioned for paying or satisfying the owners of goods shipped or received for stowage by such person in his capacity of a master stevedore or unstowed and unshipped by such person in his capacity of a master lumper or by the porters in the employ of such person or under his direction the amount of any loss damage or injury which such goods might sustain during such shipping receiving stowing unstowing and unshipping as the case might be and (section 14) that if any person licensed by the Board to act in the several capacities of a master stevedore and master lumper or in either of such capacities should be or should have been also appointed by the Board to the office of a master porter the amount of the bond to be executed by him with such sureties as aforesaid should be five hundred pounds in the place of two hundred pounds and that every such bond should be conditioned not only for paying or satisfying the owner of goods received weighed or loaded off by him in his capacity of a master porter but also as the case might require the owner of goods shipped or received by him for stowage in his capacity of a master stevedore and of goods unstowed and unshipped by him in his capacity of a master lumper the amount of any loss damage or injury which such goods might sustain during such shipping receiving weighing loading off stowing unstowing and unshipping as the case might be :

And whereas it is expedient that in lieu of the bonds with two sureties as aforesaid required to be given by the Act of 1858 and the Act of 1861 respectively the Board be empowered to accept a bond conditioned as in the said Acts respectively provided to be executed by the master porter the master stevedore or the master lumper as the case might be and by any company approved by the Board as a surety :

And whereas it is expedient that the Board be empowered to levy rates dues and charges on or in respect of steam vessels engaged in the fishing industry entering the port of Liverpool or entering or using any of the docks or other works or property of the Board and the cargoes thereof respectively :

And whereas it is expedient that the Board be empowered from time to time to close the register of transfers of bonds granted by them and the register of transfer of Mersey Dock annuities and to suspend the registration of transfers of such bonds or annuities and the registration of marriages and deaths whilst the respective register is closed :

And whereas by section 354 of the Act of 1858 the Board were authorised from time to time to let or demise for any term not exceeding twenty-one years any land which might for the time

being be vested in them and which might not be required by them or which consistently with the objects and purposes of that Act might be used or enjoyed by the purchasers lessees or tenants thereof but by the same section it was provided that as to lands at Birkenhead the Board might let the same for any longer term not exceeding sixty years and it is expedient that the term for which the Board may let or demise any such land as in the said section firstly mentioned be extended to the same period as that for which they are authorised to let lands at Birkenhead :

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And whereas under the powers of the Act of 1858 the Board have from time to time improved altered and enlarged or extended and are now improving altering enlarging and extending various of the docks quays sheds and buildings belonging to them with a view to meeting the increased and increasing trade of the port of Liverpool :

And whereas of the moneys required for such improvements alterations enlargements and extensions the sum of sixty-one thousand two hundred and ninety-one pounds has from the eleventh day of May one thousand eight hundred and ninety-one up to the first day of July one thousand eight hundred and ninety-seven been provided by the Board out of revenue and it is expedient that the Board be empowered to recoup to revenue the moneys so provided by the Board as aforesaid and to raise further money for the purposes of such and the like works :

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 (that is to say) :—

1. This Act may be cited as the *Mersey Docks (Various Powers) Act 1898.* Short title.

2. Section 3 of the Act of 1858 relating to the meanings to be assigned to certain words and expressions is incorporated with and forms part of this Act except so far as those meanings may be inconsistent with this Act. Interpretation.

3. In lieu of the bond with two sufficient sureties to be approved of by the Board which by section 36 of the Act of 1858 as amended by section 12 of the Act of 1861 every master porter is required to execute to the Board and in lieu of the bond with two sufficient sureties which by section 13 of the Act of 1861 every master Board may accept a company as surety in bonds to be executed by master

A.D. 1898. porters stevedores and lumpers. stevedore or master lumper is required to execute to the Board the Board may if they think fit accept a bond conditioned as in the said sections respectively provided to be executed by the master porter or the master stevedore or the master lumper as the case may be and by any company approved by the Board as his surety and all the provisions of sections 36 37 and 40 of the Act of 1858 and of sections 12 13 and 17 of the Act of 1861 shall extend to and apply in the case of any bond which the Board are by this section empowered to accept as aforesaid and the word "sureties" in each of those sections shall include the company executing any such bond as aforesaid as the surety for a master porter master stevedore or master lumper as the case may be Any master porter master stevedore or master lumper executing to the Board a bond with a company as his surety as aforesaid shall for the purposes of section 40 of the Act of 1858 and section 17 of the Act of 1861 be deemed to have given to the Board such bond with two sufficient sureties as in those sections respectively mentioned.

Rates on fishing vessels &c.

4. From and after the passing of this Act every steam vessel for the time being engaged in the fishing industry either as a fishing vessel or as a carrier of fish arriving in the port of Liverpool entering any of the Board's docks or using any of the Board's works and which vessel shall not be otherwise chargeable with dock tonnage rates shall be liable according to the tonnage burthen thereof to pay to the Board on every occasion on which such vessel shall so arrive in the port enter the Board's docks or use the Board's works a rate per ton to be from time to time fixed by the Board not exceeding the respective rates mentioned in Schedule A to this Act and the provisions of Part XI. with respect to rates and duties of the Act of 1858 shall apply so far as applicable to such rates respectively.

Vessels paying the rate B mentioned in Schedule A to this Act may remain in the docks for two months to be computed from the time of first entering any dock exclusive of any period during which such vessel shall have been in any graving dock of the Board and after the expiration of that period every such vessel shall be liable to an additional rate equal in amount to that payable for the time being under similar circumstances by vessels which shall have become liable for dock tonnage rates under section 230 of the Act of 1858.

All sums received by the Board in respect of the rate A mentioned in Schedule A to this Act shall be deemed to be conservancy receipts and shall be dealt with and applied accordingly.

All sums received by the Board in respect of the rate B and C mentioned in Schedule A to this Act shall be deemed part of the

receipts applicable to the general expenditure of the Board but the Board from and out of sums received in respect of rate B shall provide and apply for conservancy purposes a proportion of such rate equal to the proportion payable for the time being for conservancy purposes in accordance with section 5. of the Mersey Docks Act 1874 from and out of the dock tonnage rates mentioned in that section and the moneys representing such proportion of rate B shall be deemed to be conservancy receipts and shall be dealt with and applied accordingly.

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In the event of the tonnage burthen of any vessel chargeable with a rate under this section being less than twenty tons the rates so chargeable shall be levied upon a tonnage of twenty tons.

5. All cargo imported into the port of Liverpool by any vessel chargeable with any rate under this Act and brought into any of the Board's docks or landed at or deposited upon or carried over any quay pier landing stage or land belonging to the Board shall be liable to pay to the Board the rates to be from time to time fixed by the Board not exceeding the rates specified in Schedule B to this Act and the provisions of Part XI. with respect to rates and duties of the Act of 1858 shall apply so far as applicable to such rates respectively.

Rates on fish.

6. "The register of transfers of bonds" mentioned in section 298 of the Act of 1858 and "the register of transfer of dock annuities" mentioned in section 299 of the Act of 1858 may respectively be closed at such times and during such periods not exceeding twenty-one days on each occasion as the Board shall from time to time direct and the Board may suspend the registration of transfers of such bonds or annuities and the registration of marriages and deaths whilst the respective register is closed.

Closing transfer books.

7. From and after the passing of this Act section 354 of the Act of 1858 shall be read and have effect as if in lieu of the term of twenty-one years therein mentioned the term of sixty years were inserted in that section.

Extending time for which lands of the Board other than lands at Birkenhead may be demised.

8. Subject to the provisions of this Act the Board may from time to time for any of the purposes authorised by any former Act or Acts and for the purposes of this Act borrow at interest on the security of the rates for the time being belonging to them (exclusive of any sum or sums of money required for the completion of the Birkenhead docks and works and for the purposes specially provided for by the Mersey Docks and Harbour Act 1857) any further sum or sums not exceeding in the whole one million four hundred thousand pounds.

Further borrowing powers.

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Application
of borrowed
money.

9. All moneys borrowed by the Board under the authority of this Act shall save as herein-after mentioned be applied by them for purposes to which capital is properly applicable and not otherwise.

Board to
recoup to
revenue
moneys
advanced.

10. The Board may in their discretion out of the moneys to be borrowed by them under the powers of this Act carry to the credit of their revenue account an amount equal to all sums which since the eleventh day of May one thousand eight hundred and ninety-one they may have advanced out of revenue for any purposes properly chargeable to capital.

Expenses of
Act.

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

SCHEDULES referred to in the foregoing Act.

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SCHEDULE A.

	per ton.	
	s.	d.
A.—Vessels arriving in the port of Liverpool and not entering any of the Board's docks - - - - -	0	0 $\frac{3}{4}$
B.—Vessels arriving in the port of Liverpool and entering any part of the Board's docks - - - - -	0	2 $\frac{3}{4}$
C.—Vessels arriving in the port of Liverpool and using any of the Board's works other than docks in addition to the rate A -	0	0 $\frac{3}{4}$

SCHEDULE B.

	s.	d.
Fish of all kinds including shell fish per cwt. - - - - -	0	0 $\frac{1}{4}$

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