Anno ſecundo.

Georgii III. Regis.

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 *Liverpoole*, 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 Light-houſes and other proper Lights in or near the Port of *Liverpoole*.



WHEREAS by an Act, made and paſſed in the Eighth Year of the Reign of Queen Ann, intituled, An Act for making a convenient Dock or Baſon at *Liverpoole*, for the Security of all Ships trading to or from the ſaid Port of *Liverpoole*, the Mayor, Aldermen, Bailiffs, and Common Council, of the Borough of Liverpoole, were impowered to make a Wet Dock or Baſon, with Wharfs, Sluices, and Canals, in and upon a Piece of Ground therein mentioned and deſcribed, and certain Rates, Tonnage, and Duties, upon ſuch Ships and Veſſels as are therein mentioned, were thereby granted Recital of the Acts 8 *Anne*,

and directed to be levied and paid to the ſaid Mayor, Aldermen, and Bailiffs, and Comnion Council, for the time being, and their Succeſſors, or to their Collectors or Deputies, for the Term of Twenty one Years, from the Twenty fourth Day of June, One thouſand ſeven hundred and ten, to be applied for the building and repairing the ſaid new Dock or Baſon, and other Works in and about the ſame, and for ſecuring, preſerving, and amending the ſaid Dock or Baſon and Harbour of Liverpoole; and that the ſaid Mayor, Aldermen, Bailiffs, and Common Council, for the time being, and their Succeſſors, were thereby impowered, by Indenture under their Common Seal, to convey and aſſure the Duties granted by the ſaid Act as a Security for any Sum or Sums of Money, not exceeding Six thouſand Pounds, to be by them borrowed for the Ends and Purpoſes of the ſaid Act, to any Perſon or Perſons, that ſhould advance ſuch Sum and Sums of Money upon ſuch Security; which Money ſo to be borrowed was thereby directed to be employed for and towards the building and erecting the ſaid Dock or Baſon, and other Works for the ſecuring, preſerving, and amending the ſaid Dock or Baſon: And it was by the ſaid Act further enacted, that from and after the ſaid Term of Twenty one Years, and ſo long as the ſaid Dock or Baſon and other Works ſhould be continued or kept up, there ſhould be paid to the ſaid Mayor, Aldermen, Bailiffs, and Common Council, for the time being, and their Succeſſors, not exceeding One Fourth Part of the Rates and Duties therein mentioned; and alſo enacted, that Commiſſioners ſhould be appointed to inſpect the Accounts of all the Collections, Receipts, and Diſburſements, of all ſuch Monies as ſhould be collected
3 Geo. I. and levied by virtue of the ſaid Act: And by another Act paſſed in the Third Year of the Reign of His late Majeſty King George the Firſt, the ſaid Rates, Tonnage, and Duties, granted and directed to be levied by the ſaid Firſt Act, and all Clauſes, Powers, Proviſions, Penalties, Forfeitures, and Exceptions therein mentioned, concerning the Collection and Payment of the ſaid Duties, and Management of the ſaid Dock or Baſon, and other Works, were continued, and enacted and declared to be in Force from and after the Expiration of the ſaid Term of Twenty one Years (for which the ſame were granted by the ſaid former Act) for and during and unto the full End and Term of Fourteen Years: And it was enacted, that all and every Sum and Sums of Money to be collected and received by virtue of the ſaid Acts, ſhould be appropriated and employed, as well towards ſatisfying, paying, and diſcharging, all Sums of Money borrowed, advanced, or received,

by the ſaid Truſtees, over and above the ſaid Sum of Six thouſand Pounds, as for and towards carrying on, compleating, and finiſhing, the ſaid Dock or Baſon, and all other Works in and about the ſame; and erecting and placing ſuch proper Land-marks, Buoys, and other Directions, at the Mouth and Entrance into the ſaid Harbour, as by the ſaid Mayor, Aldermen, Bailiffs, and Common Council, of the ſaid Borough and Corporation for the time being, ſhould be thought needful or proper: and that after the Expiration of the ſaid Term of fourteen Years, the Fourth Part of the ſaid Duties granted in and by the ſaid former Act, ſhould continue and take Place, and not before; and the Mayor, Bailiffs, and Burgeſſes, of the ſaid Borough and Corporation for the time being, were by the ſaid Act impowered, by Indenture or other Writing under the Common Seal of the ſaid Borough and Corporation, to convey and ſecure as well all ſuch of the Duties granted by the ſaid former Act for the ſaid Term of Twenty one Years as were not then conveyed, as alſo the Duties continued and granted by the ſaid Act of the Third Year of King George the Firſt, as a Security for any Sum or Sums of Money to be borrowed for the Ends and Purpoſes of the ſaid ſeveral Acts, to any Perſon or Perſons that ſhould advance ſuch Sum or Sums of Money upon ſuch Security, ſo that the Duties thereby granted ſhould not at any Time be charged with a greater or further Sum than Four thouſand Pounds: And whereas by another Act paſſed in the Eleventh Year of his late Majeſty King George the Second, after reciting the ſaid Two former Acts, and taking Notice that the ſaid Dock or Baſon had been finiſhed and perfected, purſuant to the Directions of the ſaid Two recited Acts, and made capable of taking, receiving, and harbouring, a conſiderable Number of Ships, which had tended to the Increaſe of Navigation and Improvement of Trade within the ſaid Town and Port of Liverpoole; and that, in order to enable the Truſtees to compleat the ſaid Dock or Baſon, they had borrowed upon the Credit of the ſaid recited Acts ſeveral Sums of Money; and there then remained due to the Perſons who lent the the ſame on that Account, the Principal Sum of Four thouſand eight hundred and thirty Pounds at Intereſt; the Mayor, Aldermen, Bailiffs, and Common Council, of the Borough of Liverpoole, were thereby authorized and impowered to make an Addition to the Weſt Dock, and erect

and 11 Geo. [illegible]

and set up a Pier in the open Harbour of Liverpoole, at such Place and Places, and by such Ways and Means, and in such Manner, as is therein mentioned; And for the better effecting the said Works, the said Two recited former Acts, and all and every the Rates, Duties, Clauses, Penalties, and Forfeitures, relating to the said Dock and Port, and not thereby altered or explained, were directed to be in full Force, and continued from the Expiration of the Term granted and continued by the said Act of his said late Majesty King George the First, for the further Term of Thirty one Years: And the said Mayor, Aldermen, Bailiffs, and Common Council, were thereby impowered from time to time, by Writing or Writings under the Common Seal of the said Corporation, to grant, bargain, sell, mortgage, assign, and set over, the said several Rates, Duties, Tonnage, Sum and Sums of Money, given, granted, continued, and directed to be levied by the said Act and the said former Acts respectively; but subject to the prior Assignments and Incumbrances which should be then subsisting upon and affecting the same Premisses, unto any Person or Persons, for securing any Sum or Sums of Money to be advanced upon the said Rates and Duties, not exceeding Fourteen thousand Pounds, with Interest for the same; and which Money, so to be advanced and secured, was to be issued, paid, and applied, to and for the Uses and Purposes therein mentioned, directed, and appointed; And whereas the enlarging the Dock, and erecting and building a new Pier, at the Harbour and Port of Liverpoole aforesaid, hath been perfected and compleated, pursuant to and under the Authority of the said last-mentioned Act; and the said Harbour is thereby made capable of receiving and protecting a greater Number of Ships, and of larger Burden and Dimensions than formerly, and which has tended greatly to the promoting Trade and Commerce, and the Increase of His Majesty's Revenue: And whereas the said Trustees, to enable them to finish, compleat, and support the said Works, have borrowed and taken up at Interest several Sums of Money, in pursuance and upon the Credit of the said several Acts of Parliament, and there now remains due and owing to the Persons who have advanced and lent the same on that Account, the Principal Sum of Thirteen thousand one hundred Pounds, carrying Interest: And whereas the Trade and Shipping of the said Town and Port of Liverpoole of late Years is greatly increased, and the Ships and Vessels now belonging to and trading to and from the Port of Liverpoole are more numerous, and of larger Dimensions, and require

a great-

a greater Draught of Water than heretofore: And whereas the Two Wet Docks and Dry Pier already made and constructed in the said Port of Liverpoole, by virtue and under the Authority of the said former Acts, are not sufficient for the Reception of the Ships and Vessels resorting thereto, and for the requisite convenient Dispatch in lading and unlading the same; and as there is not a sufficient Depth of Water in the said Docks or Pier for the Security and Protection as well of his Majesty's Ships of War, which frequently, and especially in Time of War, are stationed at the Port of Liverpoole, as for large Merchant Ships trading thereto, to go in or out of the said Docks or Pier, unless in high Spring Tides, and which, for want of an additional Dock, and being obliged to lie in the open Harbour, are exposed to the Rage of tempestuous Weather and a rapid Tide or Current, and in imminent Danger of Shipwreck; the Mayor, Aldermen, Bailiffs, and Common Council of the Borough of Liverpoole have taken the Premisses into Consideration; and, in order to obviate and remove the said Difficulties and Inconveniences, and encourage and promote Trade and Commerce, and for the Benefit of Navigation, have thought it requisite that another Wet Dock with proper Piers, and other proper and necessary Works incident to the same, should be made and erected at Liverpoole aforesaid; and for that Purpose have agreed to give, grant, and appropriate another Piece or Parcel of Ground belonging to the said Corporation, lying and being at the Ends or Bottoms of certain Streets called James's or Saint James's-street and Chapel-street, in Liverpoole aforesaid, or such Part thereof, or any other Lands adjoining to the North or West Wall of the said Dry Pier, which shall be thought necessary on that Behalf; but as the Rates and Duties, arising by virtue of and under the said recited Acts, will not be sufficient to answer the Expences of such new Works, and also to discharge the Debt due on the said Securities, made in pursuance of the said former Acts, a Design so useful and beneficial to the said Town and Port of Liverpoole, and to the Trade and Navigation of the Kingdom, cannot be effected and carried into Execution, unless the said former Acts, and the Terms, Rates, and Duties thereby granted, be further continued, and other Provisions be made and enacted for the Purposes before-mentioned: May it therefore please your most Excellent 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, That from and after the Twenty fourth Day of June, in the Year of our Lord One thousand seven hundred and sixty two, the said Piece and Parcel of Ground, so agreed to be granted by the said Corporation as aforesaid, shall be, remain, enure, and be applied and appropriated to and for the Uses, Intents, and Purposes in and by this Act mentioned, directed, and appointed, and to no other Use, Intent, or Purpose whatsoever.

Ground appropriated.

Corporation of *Liverpoole* to execute this Act.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation of Liverpoole, and their Successors, or the major Part of them, in any Common Council to be assembled, to make, erect, and build, or cause and procure to be made, erected, and built, another new Wet Dock with proper Piers, and other Works necessary to support and compleat the same, on the said Piece or Parcel of Ground herein before mentioned to be granted and appropriated for that Purpose, or upon some Part thereof, after such Form, Plan, or Model, and of such Materials and Dimensions, as to them shall seem requisite and necessary in that Behalf.

Duties and Powers, &c. granted by the recited Acts, extended to this Act.

And, for the better effecting and accomplishing the said Works, be it further enacted by the Authority aforesaid, That the said Three several Acts herein before mentioned or referred to, and all and every the Rates, Duties, Powers, Clauses, Penalties, and Forfeitures, thereby enacted to be made, given, vested, levied, or executed, and therein inserted and contained, relating in any wise to the said Docks and Dry Pier, or any of them, and the said Port of Liverpoole (except so far as the same, or any of them, are in and by this present Act enlarged, altered, or otherwise explained) shall be and they are hereby declared to be in full Force, and shall be further continued from the Expiration of the said Term, granted and continued in and by the said Act of the Eleventh Year of his said late Majesty King George the Second, for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament, in as full, large, ample, and beneficial Manner, to all Intents and Purposes whatsoever, as if the same had been expressly inserted and re-enacted in the Body of this present Act.

25,000 *l.* may be borrowed for paying the former Debt, and compleating the additional Works.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and sixty two, the said Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation as aforesaid, for the time being,

being, shall and may and they are hereby authorized and impowered, from time to time, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the Whole the Sum of Twenty five thousand Pounds, and, by Writing or Writings under the Common Seal of the said Borough and Corporation, to grant, bargain, mortgage, assign, and set over the several Rates, Duties, and Tonnage given, granted, continued, and directed to be taken and levied by virtue of and under the said former Acts or of this present Act, or any of them; subject, always and nevertheless, to the several prior Assignments, Mortgages, Bonds, and other Securities and Incumbrances, which shall be then subsisting upon and affect the same Premisses, unto any Person or Persons whatsoever who shall be willing to advance and lend Money thereon, for securing the Payment of the same respectively, with Interest for the same.

Money so borrowed, how to be applied.

And be it further enacted and declared by the Authority aforesaid, That the Monies to be borrowed and raised in pursuance of this Act, shall be applied and disposed of, in the first Place, for paying and defraying the Charges and Expences attending the obtaining and passing this present Act, and in the next Place for and towards the discharging such Sum and Sums of Money as hath or have been borrowed by, and advanced to, the Trustees of the said former Acts, in pursuance and upon the Credit of the said Acts respectively, and which now remains due and unsatisfied, and all Interest attending the same; and afterwards in, for, and towards the making, erecting, building, and finishing such Docks, Piers, and other Works, directed, appointed, and provided to be done and performed by this present Act; and for the maintaining, cleansing, supporting, and preserving the Two present Wet Docks and Piers, and the Buoys and Land Marks, Beacons or Perches, and other Works, erected, built, constructed, set up or made, or to be erected or set up, in pursuance of the said former Acts, and of this present Act, and the executing and performing of all necessary Works in, about, or concerning the same.

One Third Part of the Duties continued for ever, for keeping the Works in Repair.

And be it further enacted and declared by the Authority aforesaid, That from and after the Expiration of the last-mentioned Term, and so long as the Docks, Basons or Piers, and other Works provided for by this Act, shall be continued and kept up in good Repair, there shall be paid to the said Mayor, Aldermen, Bailiffs, and Common Council for the time being, and their Successors, their Collectors or Deputies, One Third Part of the Rates and Duties before-mentioned, and no more; all which

Rates and Duties shall be collected and levied, paid and accounted for and satisfied, in the Manner, and under the Penalties and Forfeitures, Rules, Orders, and Directions, mentioned, prescribed, appointed, and provided in and by the said former Acts and this present Act concerning the same.

Duties to be paid upon the Arrival of all Vessels inwards, and before cleared, at the Custom-house.

And be it further enacted by the Authority aforesaid, That all and every the said Tonnage Duties to be hereafter paid or made payable by any of the said former Acts, or this Act, upon all and every Ship, Sloop, Hoy, Bark, or other Vessel, coming into or arriving in the said Port of Liverpoole, shall be made due, payable, and be paid at the Dock Office to be kept in Liverpoole, to the Receiver or Collector of the said Dock Duties, for the time being, upon the Arrival of every such Ship, Sloop, Hoy, Bark, or other Vessel inwards, at Liverpoole, and before such Ship, or other Vessel, shall be discharged or cleared inwards at the Custom-house, or by any Custom-house Officer; any thing in the said Acts, or this Act, or any of them, to the contrary notwithstanding.

Custom-house Officers not to receive any Entry or take any Report inwards for any Ship or Vessel, unless a Receipt be first produced for these Duties.

And, to the Intent that the said Duties may be truly and fully answered and paid, be it further enacted by the Authority aforesaid, That the Collector of His Majesty's Customs, Comptroller, Receiver of Entries, Surveyors or Searchers, Waiters, and all other Officers of the Customs whatsoever within the said Port of Liverpoole, their respective Deputies or Clerks, shall not, nor shall any of them, after the Commencement of the said Duties herein last before-mentioned, receive any Entry or Cocquet, or other Discharge or Clearance, or take any Report inwards for any Ship, Sloop, or other Vessel, British or Foreign, liable and subject to the Payment of the said Duties, until the same Duties shall be paid to the said Collector or Receiver for the time being, and until such respective Master, Owner, Agent or Consignee of any such Ship or Vessel, subject and liable to the Payment thereof, shall shew to such Officer respectively a Receipt under the Hand of such Collector for the same, under the Penalty of Twenty Pounds.

Collector may distrain.

And be it further enacted by the Authority aforesaid, That in case any Owner or Master, or any other Person having or taking upon himself, or appearing to have or take the Command or Charge, Agency or Consignment, of any such Ship or Ships, Vessel or Vessels, charged or chargeable with the same Dock Duties granted by this Act, shall refuse to pay the same, then and in such Case it shall and may be lawful to and for the said Collector or Receiver for the time being, either with or without any Warrant

from the Mayor, or any other Justice of the Peace for the said Borough of Liverpoole, and preferable to, and notwithstanding any Right of Hypothecation, Attachment, Arrestment, or other Right whatsoever, claimable by or due to any Person or Persons whatsoever, to seize, take, and detain any of the Goods, Merchandise, Guns, Tackle, Furniture and Apparel of or belonging to any such Ship or Vessel, and the same to detain and keep, until the said Duties shall be paid and satisfied; and in case of any Neglect or Delay in Payment of the said Duties for the Space of Three Days next after such seizing, taking, or detaining, then it shall and may be lawful to and for the said Trustees, their Collector or Receiver for the time being, to cause the same to be appraised by any Two sufficient Persons, or Sworn Appraisers, of the said Borough of Liverpoole, and afterwards to sell and dispose of the Goods so taken and appraised, and thereout to satisfy the Duties so due and unpaid, with the Charges of such seizing, taking, detaining, and selling, as the same shall be so ascertained and fixed by the Mayor of Liverpoole for the time being, or his Deputy; rendering to the Masters or Owners, Agents or Consignees of such Ship or Vessel respectively, the Overplus, if any there be, upon Demand.

Ships not to lie in Dock above Months.

And be it further enacted by the Authority aforesaid, That no Ships or Vessels, which shall be laid by as unfit for further Sea Service, shall be permitted to be and remain in any of the said Docks or Piers to incumber the same for above the Space of Three Months in the Whole: And that during all such Time the Owner or Owners, Master, Factor, or Agent of or for such Ship or Vessel, shall keep the same constantly and well and sufficiently moored, to prevent any such Ship or Vessel from doing any Spoil or Damage to any other Ship or Vessel lying in the said Docks: And that in all and every such Case it shall and may be lawful to and for the Water Bailiff, or his Deputy or Dock Masters, and every of them, to cause such Ships, or other Vessels, so incapable or unserviceable, which shall lie in the said Docks for above the Space of Three Months, or that shall be found loose and unmoored in the said Docks, to be removed out of the said Docks and Piers, and every of them, and to lay the same on any Part of the Strand or Sea Shore within high Water Mark, or other Place of Safety, and as nigh the Town of Liverpoole as conveniently may be, and there to moor them: And that upon Demand of Payment made by such Water Bailiff, his Deputy, or by the said Dock Masters, or any of them, from the Owner or Owners, Master or Agents for such Ship or Vessel, of the Charges

of

of removing or mooring such Ships or Vessels as aforesaid, such Charges and Expences being first seen and allowed by the Mayor of Liverpoole for the time being, or his Deputy; and in case of a Refusal or Neglect of Payment of such Charges and Expences allowed as aforesaid, by the Space of Five Days next after a Demand made; then and in every such Case it shall and may be lawful to and for the said Water Bailiff, his Deputy, or the Dock Masters of the said Port, or any of them, to levy such Expences by Distress and Sale of such Ship, or other Vessel, or any of her Tackle, Apparel or Furniture, or any Part thereof, rendering the Overplus (if any such there be) after deducting the Charge of taking, keeping, and Sale of such Distress, to the Owner or Owners, Master, Factor or Agents for such Ship, or other Vessel, upon the same being demanded.

On Neglect to remove them, Water Bailiff, &c. may do it at the Owners Charge.

And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever, landing, or causing to be landed and laid, any Goods or Merchandize, Timber, Wood of any Kind, Masts, Yards, Pumps, Boats, Anchors, Cables, Casks, Guns, Ballast, paving Stones, Lime Stones, Soapers Waste, Dung, or Manure, or any other Things whatsoever (other than Materials for the necessary Repairs of the Docks and Piers, and for immediate Use in Shipping) upon any of the said Keys of any of the said Docks or Piers or Landing-places within the said Harbour, or in any of the adjacent Streets leading to the said Docks and Pier, or any of them, shall continue or permit the same, or any Part thereof, to remain and lie thereon for above the Space of Forty eight Hours; and that in all and every such Case and Cases, it shall and may be lawful to and for the said Water Bailiff, or his Deputy, or any of the said Dock Masters for the time being, to remove or cause to be removed all such Goods or other Things as he shall so find lying, continuing, and being on the said Keys or other Places, above the said limited Time, to some Place or Places of Safety, and therein to detain and safely keep the same, till Payment of such Charges, on account of such Removal and Detention as aforesaid; and for such Officers Trouble in and about the same, as the said Mayor or his Deputy shall think sufficient and reasonable, to be allowed and paid on that Behalf; and if such Charges and Expences shall not be paid within the Space of Five Days next after Demand made thereof by the said Water Bailiff, or his Deputy, or the said Dock Masters, or some of them, then and in every such Case he and they respectively are hereby authorized and required to levy the same by Distress and Sale of the

Goods or Lumber landed on the Keys, not to lie there above 48 Hours.

said

ſaid Goods and Chattles ſo reſpectively ſecured; rendering to the Owner the Overplus, if any be, the Charges of taking, keeping, and making Sale of ſuch Diſtreſs, being deducted and allowed, and on the ſame being demanded.

Mayor, &c. impowered to hire or erect Warehouſe, &c. for the Reception of ſuch Goods or Lumber.

And be it further enacted by the Authority aforeſaid, That the ſaid Mayor, Aldermen, Bailiffs, and Common Council of Liverpoole as aforeſaid, ſhall and may, and they are hereby authorized and impowered, out of any of the ſaid Rates or Duties aforeſaid, to rent or hire, by the Year or otherwiſe, any convenient Warehouſe, Yard, or other Place, for the receiving and ſafe keeping or lodging of ſuch Goods and other Things, ſo to be removed from off the ſaid Keys and other Places as aforeſaid, or to inclose, erect, or build any ſuch Yards, Warehouſe, or other Buildings, on any Piece of their waſte Land, to be by them at any Time hereafter granted for the Purpoſes aforeſaid, as and where to them in their Judgement ſhall ſeem moſt fitting and ſuitable.

No combuſtible Goods, &c. to lie on the Dock Keys all Night.

And be it further enacted by the Authority aforeſaid, That no Gunpowder, Pitch, Tar, Roſin, Hemp, Flax, Faggots, Furze, Brandy, or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Greaſe, Shavings of Wood, or any ſuch combuſtible Things, ſhall be ſuffered to be and remain on the Keys of the ſaid Docks and Piers, or on any Part thereof, or on the Keys of any repairing or graving Dock already conſtructed, or hereafter to be conſtructed, within the ſaid Port and Harbour of Liverpoole, or on the Deck of any Ship or other Veſſel in the Docks or Piers, for above the Space of Twenty four Hours together; and that in caſe ſuch Goods and Things cannot be conveniently removed or got off from ſuch Keys, Place or Places, by Daylight, that then and in every ſuch Caſe the Owner of ſuch Goods and Things ſhall be obliged, and is hereby required to ſet and maintain, at his, her, or their own Expence, a ſufficient Number of careful, diſcreet, and ſober Perſons, to guard and watch over the ſame, for ſuch and ſo many Hours, according to the Seaſon of the Year, as the ſaid Water Bailiff and Dock Maſter, or any of them, ſhall by Writing ſignify and appoint; and in caſe the Owner or Owners of ſuch Goods or other Things, or Maſters or Mates of Ships, ſhall make Default herein, every ſuch Owner and Owners, Maſter or Mate, ſhall forfeit and pay for every ſuch Offence the Sum of Ten Pounds.

Perſons damaging the Works, how puniſhable.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall, at any Time after the paſſing of this Act, wilfully, negligently, or care-

wilfully, to or cause to be done any Spoil or Damage to any Ship, Flatt, Barge, Boat, or other Vessel, or to the Tackle, Apparel, Furniture, or Lading of any such Ship, Flatt, Barge, Boat, or other Vessel, being within the Limits of the Port of Liverpoole; then, and in every such Case, it shall and may be lawful to and for the Mayor of Liverpoole for the time being, and any One Justice of the Peace for the said Borough of Liverpoole, and to and for any Two or more of His Majesty's Justices of the Peace for the Counties of Lancaster and Chester, within their respective Jurisdictions, and they are hereby authorized and required, upon Complaint and Information made and given to them, or any Two of them respectively, to summon the Person or Persons against whom such Complaint or Information shall be made or given, before such Justices respectively; and upon his, her, or their Appearance, or making Default to appear, to proceed to hear the whole Matter: And if it shall appear to any such Two Justices of the Peace for the said Borough of Liverpoole, or for the County of Lancaster or Chester, within their respective Jurisdictions, by the Oath of One or more credible Person or Persons (and which Oath the said Justices respectively are hereby impowered to administer) that such Damage or Injury was wilfully done, committed, or suffered, by any of the Persons ordinarily belonging to or employed in such Ship, Flatt, Barge, Boat, or other Vessel, or by any other Person or Persons; then every such Person and Persons, being thereof lawfully convicted before such Mayor or Justices as aforesaid, shall for every such Offence forfeit and pay such Sum of Money, not exceeding the Sum of Five Pounds, as the said Justices respectively shall order, inflict, or appoint; to be recovered and applied in Manner hereinafter mentioned.

No Buildings to be erected on Weft Key.

No Light reared to mislead the Weftward.

Water Bailiff, &c. fineable for Neglect of Duty.

And be it further enacted by the Authority aforesaid, That the Water Bailiff of the said Port and Harbour of Liverpoole, for the time being, and his Deputy; and also the Dock Masters of the said Docks, Dock Gate Men, and every of them, are hereby authorized and required, from time to time, and at all Times, from and immediately after the passing this Act, carefully to inspect into and prevent, as far as in him and them lies, any such offensive and dangerous Acts and Things to be laid, done, and transacted, in and about the said Keys, Wharfs, and other Places of the said Docks and Pier within the Port and Harbour of Liverpoole, contrary to the Directions of this Act; and in case of any wilful Neglect or Default therein, he and they respectively shall, for every such wilful

Out Neglect, forfeit and pay any Sum not exceeding the Sum of Twenty Shillings for each and every such Offence, whereof he and they, or any of them, shall be duly convicted, as herein after is mentioned.

No Buildings to be erected on West Keys.

And be it further enacted by the Authority aforesaid, That it shall not be lawful to and for the said Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation, or their Successors, nor for any Person or Persons claiming by, from, or under them, at any Time hereafter, to erect and build, or cause to be erected and built, any House, Warehouse, or other Buildings, upon the West or North Walls of the new intended Dock or Piers, or to the Westward of the said Key thereof, except Cranes, or other such necessary Machines or Engines, for the lading and unlading of Ships and other Vessels.

Right reserved to inclose to the Westward.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to prohibit the said Mayor, Aldermen, Bailiffs, and Common Council of the said Borough and Corporation, their Lessees or Assigns, at any Time hereafter, from inclosing any Land to the Westward of the said new intended Docks and Piers, so as the same be done without Prejudice to the said Docks or Navigation of the said Port and Harbour of Liverpoole; nor to extend or be construed to extend to hinder the Mayor, Bailiffs, and Burgesses, of the said Borough and Corporation for the time being, and their Successors, from having and enjoying, letting, demising, or letting, the Sides and Brinks of the said new intended Works; but that the same, and all the Overplus Land, not made use of, or necessary for the said new Works, shall remain to them and their Successors for ever, as the same have heretofore done, and as they have enjoyed and possessed the same.

Obstructions to be removed.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, their Agents, Servants, or Workmen, when and as often as Occasion shall require, well and sufficiently to cleanse, scour, open, deepen, widen or straiten, take up or cut through, any Banks, Shoals, Flatts, Shallows, Dock Sluices, or Guts, in the said Harbour of Liverpoole, or leading into the same from the Sea; as the same Trustees, or any Twenty five or more of them, shall think proper and necessary for the better securing, maintaining, and preserving a free, open, and perfect Navigation into and through the said Harbour of Liverpoole, and to dig, cut, remove, and take away, any Sand, Gravel, Rocks, Stone, Anchors, Cables, Timber, and other Things, Wrecks of

of Ships, or other Vessels, or any other Obstructions or Impediments to the Navigation leading into and being within the said Harbour of Liverpoole, from the Sea or Mouth of the said Harbour, and so far Southwards as the Liberties or Lordship of the Corporation of Liverpoole extend, be it the Ground or Soil of the King's most excellent Majesty, or any other Person or Persons, Bodies Politick or Corporate whatsoever; and to defray the Expence thereof out of the said Dock Duties or Tonnage, to be raised, collected, and received as aforesaid.

Persons eluding Payment of Duties to continue chargeable.

And be it further enacted by the Authority aforesaid, That if any Master, Commander, or other Person taking upon himself the Command, or appearing to be the Master or Commander, or any Owner, Factor, or Consignee of any Ship, Sloop, Hoy, Bark, Flatt or other Vessel, shall, at any Time from the Commencement of this Act, elude or avoid the Payment of any of the Dock Duties granted by this Act, or any of the former Acts, by any Method whatsoever; every such Master, Commander, or other Person taking upon himself such Command, or appearing to be the Master or Commander, or any Owner, Factor, or Consignee of any such Ship, Sloop, Hoy, Bark, Flatt, or other Vessel, shall, for every such Offence, forfeit to the said Trustees the Sum of Five Pounds, and shall still stand charged with, and be liable to, the Payment of the same Duties.

No Person shall empty any Ballast, &c. in the said Harbour;

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, no Person or Persons whatsoever shall throw or empty any Ballast, Earth, Dust, Ashes, or Rubbish, Shingle, Stones, or other Things, into any of the said Docks or Piers, or graving Docks, or into the said Harbour, or take away any Ballast, Shingle, Stones, or other Things, within the Boundaries or Lordship of the said Corporation of Liverpoole, the Removal or taking away of which may be prejudicial to the said Harbour, or to the Works erected or to be erected for Security or Accommodation of the same, or to do any Act to prejudice or annoy the same, under the Penalty of Forty Shillings.

or throw any Ballast or Rubbish upon the Docks, Keys, &c. without immediately carting the same,

And be it further enacted by the Authority aforesaid, That all and every Person and Persons who shall or may hereafter have Occasion to throw or cast any Ballast or Rubbish from out of any Ship or other Vessel, upon any Key, Wharf, or other Place in or about the said Docks, Piers, or other Works, made or to be made and constructed under the Powers of the said former Acts, or of this Act, shall not suffer the same to lie on the said Dock, Keys, or other Places, but shall immediately after cast and car-

ry away, or cause the same to be carted and carried away, to such Place or Places as the said Trustees shall for such Purpose provide and appoint, on Pain of forfeiting for every such Offence the Sum of Forty Shillings. And, for the better Security of such Works as have been or shall be erected for the Preservation of the said Docks, Piers, and Harbour, be it further enacted by the Authority aforesaid, That every Ship, Sloop, or other Vessel that shall go in, at, or through the Gates of the said Docks or Piers, or any of them, shall, before she comes within any of the Gates of the said Docks and Piers, pull or take down her Sails, so that she may not go in sailing, or under Sail, upon Pain that every Captain, Master or Pilot taking the Care or Command of every such Ship, Sloop, or other Vessel, shall forfeit for every such Offence, to the Trustees by this Act appointed, the Sum of Five Pounds.

on Penalty of 40s.

Ships not to sail into the Bason,

on Penalty of 5l.

And whereas the chief End and principal Motive of making and constructing Docks and Piers at Liverpoole aforesaid, is for the sheltering Ships and Vessels from the Rage and Violence of the Sea and Weather, and for accommodating them with greater Conveniencies of lading and unlading, and the Preference of Births or Lying Places is generally given to such Ships or Vessels as, from their Frame and Construction, are least capable of lying upon or taking the Ground, and not solely for the Purpose of lying or being moored in such Docks and Piers, unless sufficient Room be left therein for the safe lying of Ships or Vessels that are upon their outward-bound or homeward-bound Voyages, or that want to lade or unlade therein respectively; be it therefore enacted and declared, That if the said Docks or Basons already built, or hereafter to be built, or any of them, shall be so filled with Shipping, as not to admit the Reception of more Ships or Vessels with Safety, then and in such Case the said Trustees, or the said Water Bailiff or Dock Masters for the time being, or such other Person or Persons as they shall authorize and appoint, shall and may, and they are hereby impowered, when and as often as he or they shall see Occasion, to remove out of the said Docks, or any of them, into the said Piers, or any of them, such Ship or Vessel, Ships or Vessels, and also to remove or cause to be removed any Ship or other Vessel, from before, or out of any of the Entrances, or the Passage or Passages into any of the said Docks and Piers, as he or they shall see Occasion and think proper, in case the Master, Mate, or other Person having or taking the Command of any such Ship or Vessel, shall, after Notice in Writing to him given, or left on Board his Ship or Vessel for the Space of Twenty

Trustees, &c. impowered to remove Ships out of the Bason.

four Hours, neglect or refuse the next Tide to remove such his Ship or other Vessel out of any Part of said Docks or Entrances to some other Part of the said Docks or Piers, as the Case may require; and the said Trustees, Water Bailiff, and Dock Masters, or such other Person or Persons as they shall order and appoint, are hereby directed and impowered in the first Place, after such Notice and Neglect or Refusal, as aforesaid, to remove out of the said Docks, or any of them, into any of the said Piers, or from one Part of the said Docks into another Part of the said Docks, such Ship or Vessel, Ships or Vessels, as are laid up or moored, or are not immediately on their outward or homeward-bound Voyage; and in the next Place, such of the said Ships or Vessels as are upon an outward-bound, or homeward-bound Voyage, but which may with the least Danger be removed into and lie in the said Piers, to the Intent that Ships coming into the said Docks, and less capable of taking the Ground, may have the Benefit of the said Docks; and also that when and as often as any Ship or Ships, Vessel or Vessels, shall be found lying in or blocking up any of the Passages into the said Docks, or in case there be at any Time any Ship or Ships, Vessel or Vessels, which want to lade or unlade in any of the said Docks and Piers, and there shall be at such Time and Times any Ship or Ships, Vessel or Vessels, lying at or next the Key or Keys of the said Docks and Piers, or any of them, and not immediately lading or discharging respectively; then the said Trustees, or the said Water Bailiff, Dock Master, or other Person or Persons being authorized as aforesaid, upon such Notice to be given as aforesaid, shall in like Manner remove any such Ship or Ships, Vessel or Vessels, to any other Part of the said Docks and Piers, for such Purposes, and the Masters and Commanders, Owners and Consignees severally of such Ships or Vessels so to be removed as aforesaid, shall pay to the said Trustees all such Costs and Charges, as they the said Trustees, or such their Officers, shall reasonably expend in removing such Ship or Vessel, to be recovered, levied, and applied, in like Manner as any Fines and Penalties are herein after by this Act directed: And if any Master, Commander, Mate, or other Person taking upon himself the Command of any Ship or Vessel, or the Owner, Consignee, Factor, or Agent, or other Person or Persons whatsoever, shall obstruct or hinder the Removal of any such Ships or Vessels in any of the Cases aforesaid, such Person or Persons shall for every such Offence forfeit the Sum of Twenty Pounds.

Penalty on obstructing them.

And whereas, by reason of the many Sand Banks that lie off the adjacent Sea Coasts, and the Entrance into the

said

ſaid Harbour of Liverpoole, and by the frequent moving and ſhifting of the ſaid Sand Banks, and thereby choaking up, ſtraitening, or confining the old Chanels and Currents, and making and forming new Chanels and Currents in the Sea; and by there being at preſent no Light-houſes, or other Lights, erected and ſet out, Ships and Veſſels ſailing to and from the ſaid Port and Harbour of Liverpoole, are frequently engaged and intangled in dark and tempeſtuous Nights within the ſaid Banks and Shoals, and the Navigation into and from the ſaid Port and Harbour is very difficult, precarious, and uncertain, whereby the Lives and Properties of ſeveral of His Majeſty's Subjects have from time to time been loſt, and are frequently endangered: And whereas by the erecting proper Light-houſes in convenient Places within or near the ſaid Port, the Navigation into the ſaid Port and Harbour of Liverpoole would be rendered more ſafe and certain, not only to all trading Ships and Veſſels, but alſo for His Majeſty's Ships of War: And whereas there is not any proper Fund provided for anſwering the good Purpoſes aforeſaid, and it might be neceſſary in that Behalf for the ſaid Corporation of Liverpoole to purchaſe or hire certain Lands for the Scites and other Uſes of ſuch Light-houſes; be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Mayor, Aldermen, Bailiffs, and Common Council, of the ſaid Borough of Liverpoole, or any Perſon or Perſons by them in that Behalf authorized, to contract and agree with the Owner and Proprietor of ſuch Pieces or Parcels of Lands or Ground, for the abſolute purchaſing of their reſpective Eſtates and Intereſts therein, or for the hiring the ſame; and alſo to purchaſe, accept, and take One or more good Conveyance or Conveyances, Aſſurance or Aſſurances in Law thereof in Fee-ſimple for ever, or for any Term of Years, at ſuch Price and Conſideration as ſhall be agreed upon between the contracting Parties: And in caſe the Owners or Proprietors of ſuch Lands or Grounds, or any of them, ſhall refuſe to contract and agree to and with the ſaid Mayor, Aldermen, Bailiffs, and Common Council, of the ſaid Borough of Liverpoole, or the Perſon or Perſons ſo to be appointed for that Purpoſe, or through any Diſability of Non-age, Coverture, or other Impediment, ſhall not be qualified or enabled to contract or agree, or to execute or perform ſuch Contract or Agreement, or to carry the ſame into Execution; that then, and in every ſuch Caſe, Complaint being made thereof, upon Oath, by the Mayor of Liverpoole or his Deputy, or any Perſon or Perſons authorized by them, or either of them, to any Two Juſtices of the Peace for the County Pala-

Mayor, &c. impowered to purchaſe Land, erecting Light-houſes.

Owners not agreeing in the Premiſſes,

the Value to be ſettled by a Jury, in caſe of Difference.

Palatine of Lancaster, or for the County Palatine of Chester, as the Case may happen, the said Justices are hereby impowered and required, from time to time, to issue out their Warrant or Warrants, under their Hands and Seals, directed to the Sheriff of the County Palatine of Lancaster, or to the Sheriff of the County Palatine of Chester, as the Lands wanted in each respective County may respectively be, for the impanelling and returning a Jury out of the Hundreds of Wirral, in the County Palatine of Chester, or West Derby, in the County Palatine of Lancaster; and such Sheriff and Sheriffs is and are hereby severally required accordingly, as the Case may require, to summon a Jury out of their respective Counties, each Jury consisting of Twelve able and sufficient Men, qualified according to the Laws and Statutes of this Realm, to be returned for Tryals of Issues, to be joined in his Majesty's Court of Common Pleas in and for the County Palatine of Lancaster, or in the Court of Great Session in and for the County Palatine of Chester, to appear before the Mayor, Aldermen, and Bailiffs of the said Borough and Corporation for the time being, or any Five or more of them, whereof the Mayor and One of the Bailiffs to be Two, at such Time as by such Warrant shall be appointed, and in the Township in each County next adjacent to the Land wanted; and also to return Issues upon every Person so to be appointed, the Sum of Forty Shillings, which shall be duly estreated and levied; and for want of a sufficient Number of Jurymen appearing, such Sheriff, or his Deputy, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend the Service, so as they be of each County respectively, and qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties shall and may have their lawful Challenges against any of the said Jurymen; and the said Mayor, Aldermen, and Bailiffs, or any Five or more of them, are hereby impowered to authorize and order the said Jury to view the Place or Places or Matters in Question, as shall be thought requisite, and to administer the Oaths to them, and to such Person and Persons as shall be called upon to give Evidence before them; and which Jury, so impanelled and sworn, shall enquire into the Value of the said Premisses in Question, and award and assess such Damages and Recompence as they shall think fit, to be assessed and awarded to the Owners and Occupiers of such Ground so to be taken, used, applied, and appropriated for making, erecting, building, and compleating such Lighthouses,

Sheriffs to summon a Jury.

houses, or other Lights, and for all other the Uses and Purposes of this Act, for the Purchase of their respective Estates and Interest therein, or for any Term or Terms of Years therein, or otherwise, as the said Trustees shall see Occasion or think proper: And the said Mayor, Aldermen, and Bailiffs, or any Five or more of them, shall give Judgement for such Sums so to be assessed or awarded by such Juries; and shall, upon Oath as aforesaid, and by all other lawful Ways and Means, examine, hear, and finally determine, all manner of Disputes and Controversies which shall happen or arise between any Persons whatsoever, touching any Matter or Thing relating to the said Premisses, or any Part thereof; which said Verdict, and the Judgement, Decree or Determination thereupon, declared or pronounced by the said Mayor, Aldermen, and Bailiffs, or any Five or more of them, and the Value and Recompence so to be assessed, shall be binding and conclusive to all Infants, Femes-covert, and all other Person or Persons whatsoever, as also on all and every Bodies Politick or Corporate, and against his, her, or their Heirs, Successors, Administrators and Assigns, and all others claiming any Title or Interest in the said Ground and Premisses; so as Notice in Writing of the Time of such Meeting of the Jury and Juries be given or declared by the said Mayor, or by the Town Clerk of the said Borough and Corporation for the time being, or other Person or Persons under his Direction and Authority, at least Fourteen Days before every such Meeting, to every Person concerned, or left in Writing at the Dwelling-house of such Party concerned, or at his, her, or their usual Place of Abode, or with some Tenant or Occupier of such Ground, Buildings, or Premisses, in case such Owner thereof cannot conveniently be found to be served with that Notice.

14 Days Notice to be given of their Meeting.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, who in any Examination directed to be taken by this Act, shall give false Evidence before such Trustees, appointed or to be appointed by virtue and in pursuance of this present Act, or before any Mayor, his Deputy, or other Justice or Justices of the Peace, or before any Jury, shall and may be prosecuted for the same; and such Person or Persons as shall be convicted thereof, shall be subject and liable to the same Punishment and Disqualifications which any Person or Persons can or may be subject or liable to for wilful and corrupt Perjury, by the common Law of this Realm.

Persons giving false Evidence,

And be it further enacted by the Authority aforesaid, That if any Person or Persons, summoned to give Evidence by virtue of this Act, shall neglect or refuse to appear

or not appearing, &c. forfeit 5*l.*

at such Time or Times, Place or Places, as shall be appointed in the Warrant or Warrants by any Two Justices of the Peace, or appearing, shall refuse to be sworn by or give Evidence before the said Trustees; or if any Person, summoned as a Juryman as aforesaid, shall after his Appearance refuse to be sworn, or being so sworn, refuse to give or not give his Verdict, or in any other Manner wilfully neglect his Duty in the Premisses, contrary to the true Intent and Meaning of this Act; every Person so offending, having no reasonable Excuse to be allowed by the said Trustees, or any Five or more of them, shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Verdict of the Jury to be binding.

And be it further enacted by the Authority aforesaid, That the Sentences, Decrees, or Determinations so to be made, shall be set down in Writing, without Stamps, under the Hands and Seals of the Mayor, Aldermen, and Bailiffs of the said Borough and Corporation, or such of them as shall make the same, and be kept among the Records and Writings of the said Corporation; and the same, and true Copies thereof, shall be taken, adjudged, and deemed good and sufficient Evidence and Proof in any Court of Law or Equity; and all Persons shall and may have Recourse to the same, paying for every Copy, not exceeding Two hundred Words, Six Pence; and so in proportion for any greater or less Number of Words: And that upon Payment of any such Sum or Sums of Money so agreed on or assessed to the Parties concerned, or Tender thereof, made at his, her, or their Dwelling-house, and if they have no such Dwelling-house, then at the House of some Tenant or Occupier of some Part of the Ground and Premisses before mentioned; and if, upon such Tender as aforesaid, he or they shall refuse or shall not be willing to receive the same, then, upon Payment of such Sum into the Hands of such Person or Persons as the Mayor, Aldermen, Bailiffs, and Common Council, of the said Borough and Corporation, or any Five or more of them, shall appoint, for the Use of the Parties interested as aforesaid; it shall then, and not before, be lawful to and for the said Mayor, Aldermen, Bailiffs, and Common Council, of the said Borough and Corporation, or any Twenty-five of them, their Nominees, Agents, Servants, and Workmen, in that Behalf to be assigned and appointed, to take, use, occupy, and appropriate the said Ground, Buildings and Premisses, or any Part thereof, for which Satisfaction shall be assessed, awarded, or decreed as aforesaid, for the setting, marking, constructing, and erecting, One or more Light-Houses or Lights, and other necessary Works upon, and for carrying the Uses and Purposes of this Act: And that this Act shall be sufficient

sufficient and effectual to indemnify, as well the said Mayor, Aldermen, Bailiffs, and Common Council, and their Successors, Executors and Administrators, as also their Agents, Nominees, and all Persons employed or authorized by them as aforesaid, against the Owners and Occupiers of such Ground, Buildings and Premisses, their respective Heirs, Executors, Administrators, and all Persons claiming under them, or some or any of them.

Fee-simple of said Lands vested in the Mayor, &c.

And be it further enacted by the Authority aforesaid, That the Fee-simple and Inheritance, Term or Terms of Years, and Possession of all such Land, Buildings, and Premisses, as shall be so had, taken, adjudged, or decreed to be necessary for the setting up, constructing, or building Light-houses, or other Lights upon, and for all other Works, Roads, and Ways necessary to the same, shall be vested in the Mayor, Bailiffs, and Burgesses, of the said Borough and Corporation of Liverpoole, and their Successors; and that the Mayor, Bailiffs, and Common Council, of the said Borough and Corporation are hereby appointed the Trustees for putting this Act into Execution.

Officers to be appointed;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor, Aldermen, Bailiffs, and Common Council in Council assembled as aforesaid, to choose and appoint, by Writing under their Hands, a Clerk and Collector or Collectors for levying the Duties herein-after mentioned, and such other Officers as they shall judge necessary to be employed under them for carrying this Act into Execution, and from time to time to remove such Officers, or any of them, and to appoint others in their Stead, and to settle such Fees or Salaries of such Clerks, Collectors, or other Officers, as the said Trustees, or the major Part of them, in Common Council assembled, shall judge reasonable and necessary.

they may be removed.

Light-houses, &c. to be built.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or the major Part of them, assembled as aforesaid, to erect, or cause to be erected, upon any Part of the said Lands and Grounds, so to be purchased or hired by them as aforesaid, betwixt Helbree Island and the Point of the Rock-Land, in the County Palatine of Chester, and betwixt Formby Point and the Town of Liverpoole, in the County Palatine of Lancaster, and within One Mile of high-water Mark, One or more proper Light-houses or other Lights, with such other necessary Buildings and Conveniencies, and from time to time to remove them, or erect others in proper Places, as the shifting, forming, Removal, or Alteration of Banks or Channels may require, as they shall judge expedient and requisite for rendering the Navigation into the said

ſaid Port and Harbour of Liverpoole leſs dangerous, and more certain, ſafe and commodious; and alſo to make, or cauſe to be made, neceſſary Roads to ſuch Light-houſes and Lights, paying all reaſonable Damages for cutting ſuch Roads to be aſcertained as aforeſaid.

And be it further enacted by the Authority aforeſaid, That from and after the Time that any Four ſuch Light-houſes or other Lights ſhall be finiſhed, betwixt Helbree Iſland and the Point of the Rock Land as aforeſaid, in ſuch Manner as to have the proper Lights or Signals put or placed in and upon the ſame, it ſhall and may be lawful to and for the ſaid Mayor, Bailiffs, and Common Council, or the major Part of them, in Council aſſembled as aforeſaid, and their Succeſſors, and to and for ſuch Perſon or Perſons as they ſhall appoint in that Behalf, to demand, collect, receive, and take of and from all and every the Maſters, Owners, Agents, or Conſignees of every Ship or other Veſſel (His Majeſty's Ships of War, and others employed in the King's Service, wholly exempted) the ſeveral Rates, Tonnage, Keelage, or Duties hereafter-mentioned, once in every Voyage any ſuch Ship or other Veſſel ſhall make, and paſs by the ſaid Light-houſes or Lights, or any of them, in Manner herein after-mentioned; to wit, For every ſuch Ship or other Veſſel, trading or ſailing to or from the Port of Liverpoole and Saint David's Head or Carliſle, or to any other Port or Place between Liverpoole and Saint David's Head or Carliſle, the Sum of One Halfpenny per Ton; and for every Ship or other Veſſel trading or ſailing to or from the ſaid Port of Liverpoole and any other Port or Place in Great Britain or Ireland, or the adjacent Iſlands, not herein above named, the Sum of One Penny per Ton; and for every ſuch Ship or other Veſſel trading or ſailing to or from the ſaid Port of Liverpoole and any other Port or Place not being within the Kingdoms of Great Britain and Ireland, or the adjacent Iſlands, the Sum of Two Pence per Ton, according to the Admeaſurement or Tonnage of ſuch Ships or Veſſels reſpectively.

Duties for Support of ſuch Light-houſes,

to be paid at Liverpoole or Cheſter.

And be it further enacted and declared, That the ſaid Rates, Duties, and Tonnage, ſhall be paid reſpectively at the Dock Office in Liverpoole, or at the Cuſtom-houſe of the Port of Cheſter, according as ſuch Ship or Veſſel ſhall lade or diſcharge her Goods wholly or in part at either of thoſe Places or Ports, to ſuch Perſon or Perſons as the ſaid Truſtees, aſſembled as aforeſaid, ſhall, from time to time, nominate and appoint for ſuch Purpoſe.

Proceedings to be entered in a Book.

And be it further enacted, by the Authority aforeſaid, That the ſaid Truſtees ſhall keep, or cauſe to be kept and entered

entered in proper Books, Minutes of their Proceedings, and fair, juſt, and true Accounts of the Receipts and Diſburſements, which ſhall be received or expended by them in conſequence of this Act; which Books of Account and other Proceedings ſhall be open at all convenient Hours of Buſineſs, to the Inſpection of all Perſons chargeable with and liable to the Payment of the ſaid Duties.

Truſtees to defray their own Expences.

And be it further enacted and declared, by the Authority aforeſaid, That the ſeveral Truſtees, aſſembled at any Meeting for the Purpoſes of this Act, ſhall pay and defray their own Charges and Expences.

Mayor, &c. may mortgage theſe Duties.

And be it further enacted by the Authority aforeſaid, That the Mayor, Aldermen, Bailiffs, and Common Council, of the ſaid Borough and Corporation, and their Succeſſors, or the major Part of them, in Common Council aſſembled as aforeſaid, ſhall and they are hereby authorized and impowered, at any Time from and after the Commencement of this preſent Act, to borrow and take up at Intereſt any Sum or Sums of Money, not exceeding Two thouſand Pounds in the Whole; and by Writing or Writings under the Common Seal of the ſaid Borough and Corporation, to be duly paſſed and executed, to grant, bargain, ſell, mortgage, aſſign, and ſet over, the ſeveral Rates, Duties, and Tonnage, herein laſt before given and granted, unto ſuch Perſon or Perſons as ſhall be willing to advance and lend Money thereupon for ſecuring the Payment of the ſame reſpectively, with Intereſt for the ſame.

Money borrowed how to be applied.

And be it further enacted and declared by the Authority aforeſaid, That the ſaid Money, ſo to be borrowed, ſhall be iſſued, paid, applied, and diſpoſed of, for and towards the purchaſing or hiring Lands and Grounds for the erecting and building Light-houſes thereupon, and for other the Uſes and Purpoſes in and by this Act mentioned, expreſſed, provided, directed, and appointed.

Account of Light Duties to be kept diſtinct.

Provided always, and it is hereby enacted and declared, That the Accounts of all Sums of Money to be collected, received, iſſued, paid, and applied, for the Purpoſe of or concerning the erecting, building, maintaining, and ſupporting, ſuch Light-houſes and Lights as aforeſaid, by virtue and in purſuance of this Act, ſhall be entered and kept ſeparately and diſtinctly, and in ſeparate Books, and ſhall not be complicated or intermixed with the Accounts of the Money collected, received, iſſued, and applied, for, concerning, or relating to the enlarging, augmenting or maintaining the ſaid Harbour and Docks of Liverpoole; any thing herein before contained to the contrary notwithſtanding: And that an annual Return of the Account of the Receipts

3 [illegible] 16 G [illegible] and

and Payments of Money ariſing by the ſaid Light Duties ſhall be returned to the Juſtices at the Firſt Quarter Seſſions to be held after Chriſtmas in and for the ſaid Counties Palatine of Lancaſter and Cheſter.

Truſtees impowered to leſſen theſe Duties, &c.

Provided always, and it is hereby further enacted and declared, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Twenty five or more of them, in Common Council aſſembled, at any Time or Times, upon examining and inſpecting the Accounts to be kept of, for, or concerning the ſaid Light-houſes and Lights to be made, erected, and maintained by virtue and in purſuance of this Act, to leſſen, lower, diminiſh, or reduce the Rates, Duties, Connage and Reelage hereby granted and made payable, or any of them, ſo as the ſame be done without Prejudice to, or with the Conſent of, any ſuch Mortgagee or Mortgagees as aforeſaid; and alſo to advance and raiſe again the Rates and Duties ſo to be leſſened, diminiſhed, or reduced, in ſuch Manner as to them ſhall from time to time ſeem meet, requiſite, or expedient; ſo as the ſaid Rates and Duties when ſo raiſed again or advanced, do not exceed the Rates and Duties herein before granted, made payable, and directed to be collected and levied as aforeſaid; any thing herein contained to the contrary notwithſtanding.

Commiſſioners to be appointed for the Light Duties.

And be it further enacted by the Authority aforeſaid, That from and after the Twenty fourth Day of June One thouſand ſeven hundred and ſixty two, there ſhall be Twelve Commiſſioners to inſpect, audit, and adjuſt the Account of all the Collections, Receipts, and Diſburſements of all the Monies collected and levied by virtue and in purſuance of this Act, for erecting Light-houſes and other Lights, and ſupporting and maintaining the ſame, whereof Four ſhall be yearly nominated by the Mayor, Aldermen, Bailiffs, and Common Council of the ſaid Borough or Corporation of Liverpoole aforeſaid, in their Common Council aſſembled; and the other Eight of the ſaid Commiſſioners ſhall be nominated by the Merchants inhabiting in the Town of Liverpoole, and being Owners or Part Owners of Ships belonging to the Port of Liverpoole aforeſaid, or the major Part of them, ſo as none of the ſaid Commiſſioners, to be nominated by the ſaid Merchants, be Members of the ſaid Common Council at the Time of ſuch Nomination; which ſaid Twelve, ſo to be appointed, ſhall be inveſted with ſuch and the ſame Powers and Authorities, in all Reſpects, and to all Intents, Conſtructions, and Purpoſes, as were given to and veſted in the Commiſſioners, appointed in purſuance of the ſaid former Acts, for building Docks at Liverpoole, or either of the ſaid Acts; and ſhall cauſe the Treaſurer and Treaſurers to print and publiſh the ſaid Accounts yearly, in the

like Manner as the Accounts relating to the said Docks are, by the said respective Acts of the Eighth Year of the Reign of Queen Anne, and the Eleventh Year of the Reign of his late Majesty King George the Second, directed to be printed and published.

Collector, &c. to give Security.

And be it further enacted by the Authority aforesaid, That the said Mayor, Aldermen, Bailiffs, and Common Council, and their Successors, shall and they are hereby required to take such Security from the Collector or Collectors, Receiver or Receivers of the said Light Duties, as to the said Mayor, Aldermen, Bailiffs, and Common Council, and their Successors, shall seem reasonable and proper.

Officers of the Customs not to grant Cocquets, &c. till Payment of this Duty;

And to the Intent that the said Duties may be truly and fully answered and paid, be it further enacted by the Authority aforesaid, That the Collector of his Majesty's Customs, Comptroller, Receiver of Entries, Surveyors, or Searchers, Waiters, and all other Officers of the Customs whatsoever, within the said Port of Liverpoole, their respective Deputies or Clerks, shall not, nor shall any of them, after the Commencement of the said Duties herein last before-mentioned, receive any Entry or Cocquet, or other Discharge or Clearance, or take any Report inwards for any Ship, Sloop, or other Vessel, British or foreign, liable and subject to the Payment of the said Duties, until the same Duties shall be paid to the said Collector or Collectors to be appointed by the said Trustees to receive the same; and until such respective Master, Owner, Agent, or Consignee of any such Ship or Vessel, subject and liable to the Payment thereof, shall shew to such Officer respectively a Receipt under the Hand of such Collector for the same, under the Penalty of Twenty Pounds.

and, on Non-payment, to distrain.

And be it further enacted by the Authority aforesaid, That in case any Owner or Master, or any other Person, having or taking upon himself, or appearing to have or take, the Command or Charge, Agency or Consignment of any such Ship or Ships, Vessel or Vessels, charged or chargeable with the same Light Duties granted by this Act, and payable at the Town and Port of Liverpoole, shall refuse to pay the same; then and in such Case it shall and may be lawful to and for the said Trustees, or for their Collector or Collectors, or other Person or Persons to be appointed by the said Trustees, either with or without any Warrant from the Mayor or any other Justice of the Peace for the said Borough of Liverpoole, and preferable to and notwithstanding any Right of Hypothecation, Attachment, Arrestment, or other Right whatsoever, claimable by or due to any Person or Persons whatsoever, to seize, take, and distrain any of the Goods, Merchandise, Guns, Tackle,

kle, Furniture, and Apparel, of or belonging to any ſuch Ship or Veſſel, and the ſame to detain and keep until the ſaid Duties ſhall be paid and ſatisfied; and in caſe of any Neglect or Delay in Payment of the ſaid Duties for the Space of Three Days next after ſuch ſeizing, taking, or diſtraining, then it ſhall and may be lawful to and for the ſaid Truſtees, or their Collector or Collectors, or ſuch other Perſon or Perſons as the ſaid Truſtees ſhall authorize and appoint, to cauſe the ſame to be appraiſed by any Two ſufficient Perſons or ſworn Appraiſers of the ſaid Borough of Liverpoole, and afterwards to ſell and diſpoſe of the Goods ſo taken and appraiſed, and thereout to ſatisfy the Duties ſo due and unpaid, with the Charge of ſuch ſeizing, taking, diſtraining, appraiſing, and ſelling, as the ſame ſhall be aſcertained and fixed by the Mayor of Liverpoole for the time being, or his Deputy, rendering to the Maſters or Owners, Agents or Conſignees of ſuch Ship or Veſſel reſpectively, the Overplus (if any there be) upon Demand.

Mayor of *Cheſter* impowered to ſeize Veſſels in that Port, for Non-payment.

And be it further enacted by the Authority aforeſaid, That in caſe any Owner or Maſter, or any other Perſon, having or taking upon himſelf, or appearing to have or take the Command or Charge, Agency or Conſignment, of any ſuch Ship or Ships, Veſſel or Veſſels, which ſhall arrive at the Port of Cheſter, and be charged or chargeable with the Light Duties granted by this Act, ſhall refuſe to pay the ſame, then and in ſuch Caſe it ſhall and may be lawful to and for the Mayor of the City of Cheſter aforeſaid, or for any One Juſtice of the Peace for the ſaid City, and for no other Perſon or Perſons whatſoever, upon Complaint made before him or them reſpectively by the Collector or Collectors, or other Perſon or Perſons appointed to receive the ſaid Duties at the ſaid Port of Cheſter, to iſſue out a Warrant or Warrants to ſeize, take, and retain, any of the Goods, Merchandize, Guns, Tackle, Furniture, and Apparel, of or belonging to any ſuch Ship or Veſſel; and the ſame to detain and keep, until the Duties payable for ſuch Ship or Veſſel ſhall be paid and ſatisfied: And in caſe of any Neglect or Delay in Payment of the ſaid Duties for the Space of Three Days next after ſuch ſeizing, taking, or detaining, then it ſhall and may be lawful to and for the ſaid Collector or Collectors, Receiver or Receivers, of the ſaid Duties for the time being, to cauſe the ſame to be appraiſed by any Two ſufficient Perſons or ſworn Appraiſers of the ſaid City of Cheſter, and afterwards to ſell and diſpoſe of the Goods ſo taken and appraiſed, and thereout to ſatisfy the Duties ſo due and unpaid, with the Charge of ſuch ſeizing, taking, detaining, and ſelling, as the ſame ſhall be aſcertained and fixed by

the

the Mayor or any One Justice of the Peace for the said City of Chester for the time being; rendering to the Masters or Owners, Agent or Consignees, of such Ship or Vessel respectively, the Overplus, if any there be, upon Demand.

Ships of War, &c. and Ships belonging to *Chester*, not charg able.

And be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to charge or make chargeable any of the Ships or Vessels belonging to His Majesty, His Heirs, and Successors, nor any Vessel or Wherry employed in the Service of His Majesty's Revenue, nor to any open Boat or Wherry under the Burden of Forty Tons laden with Lime stone or paving Stones only, or to any open Vessel or Boat under the Burden of Forty Tons laden only with Slate, Dung or other Manure, used for Improvement in Husbandry only; nor to charge any Ship or Vessel belonging to or bound to or from the Port of Chester, and coming within the Limits aforesaid, in case such Ship shall neither load or discharge the Goods therein within the Limits of the said Port of Liverpoole, and unless such last-mentioned Ships shall go or come through the Road of Hoyle Lake, in which Case they are to be chargeable with and pay the Rates herein before limited and directed.

Light-houses vested in Trustees;

And be it further enacted and declared by the Authority aforesaid, That the said Light-houses, and other the said Buildings, Premisses, and Things thereto belonging, shall be vested in the said Trustees, and their Successors, who shall, from time to time, keep and maintain the same in good and sufficient Repair, and shall keep and maintain constant, bright, and sufficient Fires, or other Lights, in such Light-houses and framed Lights every Night from the Time of Sun-setting to the Time of Sun-rising every succeeding Day.

who may out of these Duties defray the Expence.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor, Aldermen, Bailiffs, and Common Council, of the said Borough and Corporation for the time being, or the major Part of them, in Council assembled as aforesaid, out of the said Light Duties granted by this Act, to pay all just and reasonable Charges and Expences of erecting, maintaining, and supporting, the said Light-houses and moveable Lights standing on Frames, and the Fires or other Lights to be kept therein, together with all other Charges that shall be proper and necessary for executing the Trust concerning the same, and the Interest of all such Sums of Money from the respective Times of advancing the same until Reimbursement, with the Charges of collecting and recovering the Duties aforesaid.

Penalty on neglecting to keep Fires.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons appointed or to be appointed by the ſaid Truſtees to attend the ſaid Light-houſes, or other Lights, ſhall neglect to keep and ſhew forth good and ſufficient Fires or Lights during the Whole of the ſeveral Periods of Time herein before limited and deſcribed for ſuch Purpoſe, every Perſon ſo offending ſhall for every ſuch Offence forfeit the Sum of Five Pounds.

Wilfully deſtroying or ſetting on Fire any of the Works, Felony.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever, after the paſſing of this Act, ſhall maliciouſly, wilfully, or wantonly, demoliſh, break down, deſtroy, or ſet on Fire, any of the ſaid Docks, Piers, or Graving Docks, or the Gates, Bridges, Land-marks, or Buoys, or other Works, in or belonging to the ſaid Harbour or Port of Liverpoole, or any Ship, Boat, or other Veſſel, lying and being therein, or any of the ſaid Light-houſes, or other Lights, or any other of the ſaid Works to be erected, made, or ſet up, for the Purpoſes aforeſaid, or ſhall wilfully, maliciouſly, or wantonly, extinguiſh or put out any of the ſaid Fires or Lights that ſhould and ought to be ſhewn forth in the ſame, or in like Manner ſet the ſame or any of them purpoſely on Fire, every ſuch Perſon and Perſons ſo offending in any of the Caſes aforeſaid, ſhall be adjudged guilty of Felony without Benefit of Clergy; and every ſuch Felon and Felons ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony without Benefit of Clergy; and that the Court and Courts, by and before whom ſuch Perſon and Perſons ſhall be indicted and tried, ſhall and have hereby Power and Authority to award Judgment and Execution on ſuch Felon and Felons, or may tranſport ſuch Felon and Felons for the Space of Seven Years, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm, according to the Heinouſneſs of the Crime or Crimes which ſuch Perſon or Perſons ſhall be charged with and convicted of.

Docks, &c. veſted in Truſtees.

And be it further enacted by the Authority aforeſaid, That the Right and Property of all and every the Docks, Piers, Buoys, and Land-marks, Beacons or Perches, Light-houſes or Lights, and other Directions, erected, built, conſtructed, ſet up, or made, or to be erected or ſet up, in purſuance of the ſaid former Acts or of this preſent Act, ſhall be veſted in the ſaid Truſtees, appointed or to be appointed by or in purſuance of this Act to put the ſame into Execution; and they, or any Two or more of them, are hereby authorized and impowered to bring Actions in the Name of the ſaid Truſtees, or by the Name or Stile of the Truſtees of the Docks and Harbour of Liverpoole, or in the Name

of

of their Receiver or Treasurer, or prefer Bills of Indictment against any Person or Persons who shall steal, take away, break down, or spoil any Works or Materials used or to be used in the Work of enlarging, constructing, or maintaining the said Harbour, or to any of the said Light-houses, or other Lights, Beacons, Perches, Buoys, or other Directions for Navigation, or shall do any Matter or Thing whereby any Damage may accrue to the said Works or Harbour, or any other Works, Matters, and Things, or any of them, or any Parts thereof respectively; and the Damages to be recovered, after deducting the Costs of Suit, shall be paid and applied to such and the same Uses and Purposes as the said Tonnage Rates and Duties, and Light Duties, made payable by this or the former Acts, or any of them, and thereby and hereby directed to be paid, according to and on which of the said Works the said Offence shall be committed, and to and for no other Use or Purpose whatsoever.

Mayor, &c. may make Bye-laws.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Mayor, Aldermen, Bailiffs, and Common Council, or the major Part of them, in Common Council assembled at any Time or Times hereafter, to make, ordain, and establish, such Orders, Rules, and Bye-laws, for the better regulating, governing, and managing the said Docks, Piers, Graving Docks, Light-houses, Lights, Buoys, Land-marks, Beacons or Perches, and every other the Works and Things herein before-mentioned; and also from time to time, as Occasion may be, to repeal, add to, amend, or alter such Rules, Orders, and Bye-laws, as to them shall seem meet, fitting, and requisite, and to fix and appoint reasonable pecuniary Penalties, not exceeding Forty Shillings, for the Non-observance, Non-performance, or other Breach, of all or any such Rules, Orders, or Bye-laws, or any Part of them, to be recovered by such Ways and Means as are herein after directed: And the said Mayor, Aldermen, Bailiffs, and Common Council, shall cause the said Rules, Orders, and Bye-laws, to be printed and distributed at the Dock Office in Liverpool, and likewise hung up at the said Office, and in the most conspicuous Place at the Custom-house, and to pay the Expence and Charge thereof out of the said Dock Duties.

Reservation of Rights.

Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to take away, alter, abridge, lessen, change, or intrude upon any Jurisdiction or Power of the Mayor, Aldermen, Bailiffs, and Common Council, of the said Borough and Corporation, in, about, or concerning the Docks and Harbour

of

of Liverpoole, as settled and vested in them in and by the said herein before-recited Acts; and also saving and reserving to the said Mayor, Bailiffs, and Burgesses, of the Borough and Corporation of Liverpoole, and to all Lords and Ladies of Manors, and all other Bodies Politick or Corporate, and other Person and Persons, all their legal Rights, Estates, and Interests in the Premisses aforesaid.

Justices to determine Offences against this Act in a summary Way.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor or his Deputy for the time being, or any One or more Justice or Justices of the Peace for the said Town and Borough of Liverpoole, or any Justice or Justices of the Peace for the Counties Palatine of Lancaster or Chester, within their respective Jurisdictions aforesaid, to hear and determine any of the Offences which are made subject to and punishable by any pecuniary Penalties not exceeding Ten Pounds, directed to be levied by this Act; and such Justice or Justices of the Peace is and are hereby authorized and required, upon any Information exhibited or Complaint made in that Behalf, within Six Months after such Offence committed, to summon the Party or Parties accused, and the Witnesses on either Side; and after Oath of the Commission of any of the Facts above-mentioned, by One or more credible Witness or Witnesses, to issue a Warrant or Warrants for apprehending the Party or Parties so offending; and upon the Appearance, or Contempt of the Party accused in not appearing, upon the Proof of Notice given, to proceed to the Examination of the Witness or Witnesses upon Oath; which Oath they are hereby authorized, impowered, and required, to administer; and to give such Sentence, Judgement, or Determination, as shall be just and conformable to the Tenor and true Meaning of this Act; and where the Party accused shall be convicted of such Offence, upon such Information as aforesaid, or Confession of the Party accused, it shall and may be lawful to and for such Mayor, his Deputy, Justice or Justices, to issue his or their Warrant or Warrants for levying the pecuniary Penalties and Forfeitures so adjudged on the Goods and Chattles of the Offender, and to cause Sale to be made thereof, in case they shall not be redeemed in Five Days, rendering to the Party the Overplus (if any there be): And in case any Person or Persons shall be convicted, in pursuance of this Act, of any Offence punishable by pecuniary Penalties as aforesaid, and no Goods or Chattles of any Person so offending can at the Time of such Conviction be found; then and in such Case it shall and may be lawful to and for such Mayor, his Deputy, and Justice or Justices of the Peace, before whom such Person or

Perſons ſhall be convicted as aforeſaid, to commit ſuch Offender to the Houſe of Correction of the ſaid Counties or Town of Liverpoole reſpectively, there to be kept to hard Labour for any Time not exceeding the Space of Three Months, or until ſuch pecuniary Penalties ſhall be paid; which ſaid pecuniary Penalties, not exceeding Ten Pounds, ſo adjudged and paid, or levied, in the Manner hereby directed, ſhall be applied to the Uſe of and paid to the Informer or Informers only.

Penalties and Forfeitures, how to be recovered and applied.

And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures inflicted, incurred, or impoſed by virtue of this Act, exceeding Ten Pounds, ſhall be ſued for and recovered, either in His Majeſty's Court of Common Pleas in and for the County Palatine of Lancaſter, or in the Great Seſſion in and for the County Palatine of Cheſter, as the Caſe may happen, to the Uſe of the Informer or Informers, or of him, her, or them, who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, Privilege, or Protection, or more than One Imparlance, ſhall be allowed; any Law, Statute, Cuſtom, or Uſage, to the contrary notwithſtanding.

May be mitigated.

Provided always, That it ſhall and may be lawful to and for the ſaid Mayor and Juſtices of Peace as aforeſaid for the time being, or any of them, by whom ſuch Judgement, Sentence, or Determination, ſhall be given, pronounced, or made, from time to time, where they ſee Cauſe, to mitigate, compound, or leſſen, any of the Penalties or Forfeitures aforeſaid, as they in their Diſcretion ſhall think fit, ſo as ſuch Mitigation or Compoſition do not extend to remit above One Moiety of the Penalty inflicted and directed to be levied by this Act; and every ſuch Mitigation or Compoſition ſhall be a ſufficient Diſcharge for the Perſons offending reſpectively, for ſo much of the ſaid Penalties and Forfeitures as ſhall be ſo mitigated, leſſened, or remitted.

Perſons aggrieved may appeal to Quarter Seſſions.

Provided alſo, That if any Perſon or Perſons ſhall find him, her, or themſelves, aggrieved, or remain unſatisfied in the Judgement of the ſaid Juſtice or Juſtices, by reaſon of any Sentence, Judgement, or Decree, given, pronounced, made and recorded, by them or any of them, in purſuance of this Act; then ſuch Perſon and Perſons ſhall and may, by virtue of this Act, complain or appeal to the Juſtices of the Peace at the next Quarter Seſſions, to be held in and for the County Palatine of Lancaſter, or to the next Quarter Seſſions to be held in and for the County Palatine of Cheſter, who are hereby impowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine

mine the Matter of such Complaint or Appeal; and in case of Conviction, to issue a Warrant or Warrants for the levying and enforcing the Payment of the said Penalties and Forfeitures by the Ways and Means aforementioned, together with such Costs and Charges to the Party in whose Favour such Appeal shall be determined, as the Justices in their said Sessions shall order and direct; and which said Orders and Judgement or Judgements respectively shall be final and conclusive to all Parties, and shall not be removed or removeable by any Writ or Writs of Certiorari, or otherwise, into any of his Majesty's Courts of Record at Westminster, or elsewhere.

Provided nevertheless, and be it further enacted by the Authority aforesaid, That no Order or other Proceedings to be had or made by or before any Mayor, Deputy Mayor, and Justice or Justices of the Peace, or any Number or Quorum of them, in relation to the Premisses, shall be quashed or vacated for want of Form only; and that it shall and may be sufficient for such Mayor, Deputy Mayor, and Justice or Justices, to draw up the Conviction of any such Offender against this present Act, in the following Form, or Words to that Effect:

Form of Conviction.

County (or Borough) to wit. } BE it remembered, That on the Day of in the Year of His (or Her) Majesty's Reign, is (or are) convicted before of His Majesty's Justices of the Peace for aforesaid, (*specifying the Offence, and Time and Place when and where the same was committed, as the Case shall be.*)

Given under Hand and Seal, (or Hands and Seals) the Day and Year aforesaid.

Distress not to be deemed unlawful for want of Form only;

And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, or Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the

nor the Party making it a Trespasser *ab initio*.

Per-

b

Person or Persons aggrieved by such Irregularity, shall and may recover special Damages in an Action upon the Case.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons, for any Matter or Thing done in pursuance of this Act, until Twenty Days Notice shall be thereof given to the Person or Persons against whom the same is to be brought, or after a sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Months next after the Cause of Action shall arise; and such Action or Suit shall be laid and brought in the respective Counties Palatine of Lancaster or Chester, where the Cause of Complaint shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon; and if it shall appear to be done in pursuance of this Act; or that such Action or Suit shall be brought after the Time herein before limited in that Behalf, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be Nonsuited, or discontinue his, her, or their Action or Suit after the Defendant shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs of Suit, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

General Issue.

Treble Costs.

Publick Act.

And be it further enacted and declared by the Authority aforesaid, That this Act shall be taken and allowed in all Courts of Judicature within this Kingdom as a Publick Act; and all Judges and Justices are hereby required to take Notice thereof as such, without specially pleading the same.

FINIS.