

1 AND 2 GEORGE V.—SESSION 1911.

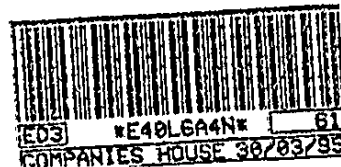
THE MANCHESTER SHIP CANAL ACT 1911.

ARRANGEMENT OF SECTIONS.

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SCHEDULE.	

(B)

A



AN

ACT

To empower the Manchester Ship Canal Company to construct a Pier or Jetty; to confer further powers upon that Company; and for other purposes.

[ROYAL ASSENT 18TH AUGUST 1911]

WHEREAS it is expedient that the Manchester Ship Canal Company (hereinafter referred to as "the Company") should be empowered to make and maintain the pier or jetty hereinafter described and to acquire lands for that purpose and for the general
5 purposes of their Undertaking;

And whereas it is expedient that such other powers should be conferred upon the Company and such other provisions with respect to the Company and their undertaking should be made as are contained in this Act;

10 And whereas plans and sections showing the lines and levels of the Works authorised by this Act and the lands in or through which the same are intended to be made and plans of the lands which are authorised to be acquired under the powers of this Act and books of reference to such plans containing the names of the
15 owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the respective clerks of the peace for the Counties of Lancaster and Chester and are hereinafter respectively referred to as the deposited plans sections and books of reference;

MAY IT THEREFORE PLEASE YOUR MAJESTY

Short title. 1. This Act may be cited as "The Manchester Ship Canal Act 1911."

The Lands Clauses Acts: and

The construction of the Harbour Dock or Pier; 15

The rates to be taken by the Undertakers;

The collection and recovery of rates:

The accounts to be kept of the rates and of the vessels in 20 respect of which they are payable;

The appointment of Harbour Masters Dock Masters and Pier Masters and their duties:

The protection of the Harbour Dock and Pier and the vessels therein from fire or other injury; 25

Buoys, lighthouses and beacons;

The bye-laws to be made by the Undertakers:

Tender of amends;

The recovery of damages not specially provided for and of penalties and the determination of any other matter referred to Justices or the Sheriff;

Access to the special Act ; and

5 The saving of rights ;

so far as the same are respectively applicable for the purposes and are not varied by or inconsistent with the provisions of this Act are incorporated with and form part of this Act.

The following expressions used in the Harbours Docks and
10 Piers Clauses Act 1847 have the following respective meanings (that is to say) :—

15 The expressions "Packet Boat" and "Post Office Packet" mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and the expression "Post Office bag of letters" means a
20 mail bag as defined by the same Act. Provided that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Act shall extend to exempt from rates or duties any such vessel as aforesaid if she also conveys passengers or goods for hire.

25 3. Sections 28 and 30 of the Harbours Docks and Piers Clauses Act 1847 (as incorporated with this Act) shall apply to and for the benefit of any Government Department in the same manner as they apply to and for the benefit of any Government Departments specially named in those sections.

As to application of certain provisions of Harbours Docks and Piers Clauses Act 1847.

4. In this Act and for the purposes of this Act in enactments incorporated with this Act—

Interpretation.

30 "The Act of 1835" means the Manchester Ship Canal Act 1835 ;

"The Canal" means the Manchester Ship Canal authorised by the Act of 1835 as varied by subsequent Acts ;

"Vessel" includes any ship, barge, boat or craft of any class or description however propelled ;

(11)

B

Amended by Act 1960 S. 2(2)

See s. 3(2)/60

See Act 1960 S. 2(2)

See S. 2(2)/60

"Dues" includes all tolls dues rates duties fees and charges of every description payable to the Company under this Act or any other Act relating to the Company ;

"Collector of dues" means any person for the time being duly authorised by the Company to collect dues.

5

Power to
make Pier
or Jetty.

5. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the Pier or Jetty hereinafter described and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of 10 reference as may be required for that purpose (that is to say) :—

A Pier or Jetty of solid construction in the estuary of the River Mersey in the County of Chester commencing in that part of the township or parish of Houston which is situate in the said estuary at a point on the seaward side and at the 15 north-eastern end of the easternmost of the entrance locks to the Canal at Eastham and terminating in that part of the township or parish of Eastham which is situate in the said estuary at a point ninety yards or thereabouts north-westward of the most seaward of the existing dolphins at 20 the said entrance locks ;

and in connection therewith may remove all or any of the dolphins and other works constructed or erected by the Company as part of the Pier or Jetty authorised by the Manchester Ship Canal Act 1894.

Power to
deviate.

6. In constructing the Pier or Jetty by this Act authorised the 25 Company may deviate laterally from the lines thereof as shown on the deposited plans to any extent not exceeding (a) forty feet in either direction from the lines thereof so shown or (b) the limits of deviation for the said Pier or Jetty shown on the said plans which ever shall be the less and may deviate vertically from the levels of 30 the said Pier or Jetty as shown on the deposited sections to any extent not exceeding five feet upwards or downwards.

Time for
completion
of Pier or
Jetty.

7. If the Pier or Jetty by this Act authorised is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for

executing the same shall cease except as to so much thereof as shall be then completed.

8. Whereas pursuant to the Standing Orders of both Houses of Parliament and to the Parliamentary Deposits Act 1846 a sum of five thousand and ninety pounds fifteen shillings and sevenpence two and one-half per centum consolidated stock has been transferred into the name of the Paymaster General for and on behalf of the Supreme Court in respect of the application to Parliament for this Act Be it enacted that on the application of the Company at any time after the passing of this Act the Court may order that the said sum and the interest and dividends thereon shall be paid or transferred to the Company or to any other person or persons whom the Company may appoint in that behalf.

Release of
deposit
funds.

9. From and after the passing of this Act the limits of the Harbour and Port of Manchester shall for the purposes of any Act of Parliament or Order in Council (other than an Act of Parliament or Order in Council relating to the Customs) defining or extending such limits be deemed to be extended so as to include so much of the approach channel to Eastham Locks and of the banks and foreshore thereof as is situate between the seaward limit of the said Harbour and Port of Manchester as existing immediately before the passing of this Act and an imaginary straight line drawn at right angles to the lines of the Pier or Jetty by this Act authorised (as shown on the deposited plans) from the seaward extremity of that Pier or Jetty (as shown on the said plans) to the embankment wall on the westernmost bank of the said approach channel.

Extending
limits of
Harbour
and Port
of Man-
chester.

The limits of the Harbour and Port of Liverpool shall be deemed to be reduced so as to exclude from that Harbour and Port the said portion of the said approach channel.

30 Provided always that nothing in this section shall be deemed to affect the limits of any port as set out or hereafter to be set out for Customs purposes or to abridge or affect the powers of the Lords Commissioners of His Majesty's Treasury to appoint and set out any port.

35 10. Subject to the provisions of this Act the Company may purchase or acquire compulsorily or by agreement and may hold for

Power to
purchase
additional
lands.

the general purposes of their undertaking (in addition to the lands required for the purposes of the works by this Act authorised) the lands hereinafter described which are delineated on the deposited plans and described in the deposited books of reference (that is to say):—

5

- (a) Lands in the County of Chester partly in the township or parish of Partington and partly in the township or parish of Carrington bounded on the south and west by lands in the said townships or parishes belonging or reputed to belong to and in the occupation of the Company on the east by the public road leading from Partington to Carrington and on the north by the occupation road leading from the said public road to Peaksnook Farm.
- (b) Lands in the township or parish and Borough of Eccles in the County of Lancaster bounded on the north by Peel Green Road on the east by Barton Road on the south by the Canal and on the west by the fence which lies between the westerly extremity of the river wall at Barton Bridge and Peel Green Road aforesaid.

Period for
compulsory
purchase of
lands.

11. The powers of the Company for the compulsory purchase of lands under or for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Persons
under dis-
ability may
grant ease-
ments &c.

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act or any of the purposes of their undertaking in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Compensa-
tion in case
of recently
altered
buildings.

13. In settling any question of disputed purchase-money or compensation under this Act the Court or person settling the same shall not award any sum of money for or in respect of any

improvement alteration or building made or erected or for or in respect of any interest in the lands created after the eighteenth day of November One thousand nine hundred and ten if in the opinion of such Court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

14. The tribunal to whom any question of disputed purchase money or compensation under this Act (other than under the section of this Act the marginal note whereof is "For the protection of the Hooton &c. Estate and of Eastham Ferry") is referred shall if so required by the Company award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Company by the claimant giving sufficient particulars and in sufficient time to enable the Company to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Company have been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant.

Costs of arbitration in certain cases.

Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Company to amend the statement in writing of the claim delivered by him to the Company in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Company if they object to the amendment and such amendment shall be subject to such terms enabling the Company to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case.

Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

(11)

C

Charges
for use of
Pier or
Jetty.

15. The Pier or Jetty by this Act, authorized shall form part of the undertaking of the Company and the Company may demand take and recover for and in relation to the use thereof by any vessel any tolls rates and charges not exceeding one halfpenny per register ton of such vessel or the sum of one pound one shilling 5 (whichever shall be the greater) for each tide during which or any part of which such vessel uses the said Pier or Jetty.

Power to
acquire
additional
lands by
agreement

but see section 26

16. The Company may for the purposes of their undertaking (in addition to any lands they are authorised to acquire and hold under the other powers of this or any other Act) from time to time by 10 agreement acquire either by purchase or by way of exchange or otherwise any lands not exceeding in the whole thirty acres and any right easement or privilege therein thereunder thereover or thereupon (not being an easement right or privilege of water in which persons other than the grantors have an interest) but nothing in this Act 15 shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any lands so acquired.

Provisions
for Mersey
Com-
missioners.

17. Notwithstanding any other provisions of this Act the following enactments for the protection of the Commissioners for 20 the Conservancy of the River Mersey (hereinafter called "the Mersey Commissioners") and for the protection of the conservancy of the River Mersey shall have effect and be observed (that is to say):—

- (1) Plans and sections of all works (within the jurisdiction of 25 the Mersey Commissioners) authorized by this Act and of all works within the same jurisdiction required for the benefit or protection of any body or person and plans and sections of the raising of the level of any lands acquired by the Company within the jurisdiction aforesaid 30 under the section of this Act the marginal note of which is "Power to acquire additional lands by agreement" shall be submitted by and at the expense of the Company to the Acting Conservator of the Mersey Commissioners for his approval and no such work shall be executed or level 35 of land raised save in accordance with plans and sections approved by him and three copies of all plans and sections

approved shall be furnished by the Company to the Acting Conservator.

- 5 (2) Notwithstanding the limits of deviation shown on the deposited plans and described in the section of this Act the marginal note of which is "Power to deviate" the Company shall not (except as provided in the next following sub-section) deviate from the lines or levels shown on the deposited plans and sections save to such extent as may be approved by the Acting Conservator.
- 10 (3) The provisions of the following sections of the Act of 1885 (that is to say):—
Section 36 (Provisions for the Mersey Commissioners);
Section 37 (Works not to be altered &c. without consent of Mersey Commissioners);
15 Section 47 (Lights on works);
Section 49 (Abatement of works abandoned or decayed);
Section 50 (Survey of works by Board of Trade or Mersey Commissioners);
- 20 shall extend and apply to the works authorized by this Act and to the raising of the level of any lands acquired under this Act within the jurisdiction aforesaid as if those works and the raising of levels were authorized by the Act of 1885.

18. For the protection of the London and North Western Railway Company the following provisions shall apply and have
25 effect:—

For protection of the London and North Western Railway Company.

If by reason or in consequence of the execution of the works by this Act authorized the existing low water channels on the Lancashire side of the River Mersey known as the Garston Channel or Garston Deep shall be silted up or shifted or in any way affected
30 so as to render the approach to the docks and basins of the London and North Western Railway Company at Garston less safe efficient or convenient than it was at the passing of this Act the Company shall make full compensation to the London and North Western Railway Company in respect thereof the amount of such compensation
35 to be determined by arbitration under or according to the provisions of the Lands Clauses Acts.

For
protection
of the
Shropshire
Union
Railways
and Canal
Company.

19. For the protection of the Shropshire Union Railways and Canal Company (in this section called "the Shropshire Union Company") the following provisions shall unless otherwise agreed upon in writing between the Shropshire Union Company and the Company be observed and have effect (that is to say) :—

5

(1) Notwithstanding anything contained in the section of this Act the marginal note whereof is "Charges for use of pier or jetty" the Company shall not be entitled to demand take or recover any tolls rates or charges for or in relation to the use of the pier or jetty by this Act authorized—

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(a) in respect of any tug flat barge boat or other craft or vessel (or the cargo therein) belonging to the Shropshire Union Company or in tow of any tug belonging to or used by them and proceeding to or from Ellesmere Port or

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(b) in respect of any vessel having a carrying capacity of not exceeding eight hundred tons (or the cargo therein) proceeding to or from Ellesmere Port

which may in accordance with the rules and regulations and by-laws of the Company be temporarily moored alongside the said pier or jetty owing to stress of weather or for the purpose of waiting to enter and pass through the entrance locks to the canal at Eastham or to proceed seaward.

25

(2) If and so long as the Company make no charge for the use of the said pier or jetty in respect of any vessel or cargo using the canal no tolls rates or charges for the use of the said pier or jetty shall be made in respect of any vessel or the cargo therein proceeding to or from or calling at Ellesmere Port.

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(3) If and so long as the Company charge for the use of the said pier or jetty in respect of any vessel or cargo using the canal any lower tolls rates and charges than those for the time being appointed by them for the use of the said pier or jetty they shall make a similar reduction in such tolls rates and charges in respect of any vessel or the cargo therein proceeding to or from or calling at Ellesmere Port.

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20. The following provisions for the protection and benefit of Christopher John Leyland and Mary Naylor the owners of the estate known as "the Hooton Overpool and Netherpool Estates" in the county of Chester adjoining the Manchester Ship Canal and of an ancient ferry known as Eastham Ferry or other the owners for the time being of the said estate and ferry (in this section referred to as "the owners") and for the protection and benefit of the Eastham Ferry Pleasure Gardens and Hotel Company Limited their successors and assigns or other the lessees for the time being of the said ferry and other property comprised in the lease dated the twenty-eighth day of January One thousand eight hundred and ninety-seven and made between Mary Naylor and Sir Herbert Naylor Leyland of the first part Mittie Lady Rossmore of the second part Mary Naylor of the third part and Thomas Montgomery and William Thomson of the fourth part (in this section referred to as "the lessees") shall unless otherwise agreed in writing between the Company and the owners and lessees respectively apply and have effect:—

For the protection of the Hooton &c. Estate and of Eastham Ferry.

- 20 (1) The owners shall be entitled to full compensation for any damage loss or injury that they may sustain both in regard to their said estate and the said ferry by reason of the construction and use of the pier or jetty by this Act authorized or by the exercise by the Company of the powers conferred on them in relation to such pier or jetty.
- 25 (2) The lessees shall also be entitled to full compensation for any damage loss or injury that they may sustain in regard to their interest in the said ferry and other property comprised in the said lease by reason of the construction and use of the pier or jetty by this Act authorised or by the exercise by the Company of the powers conferred on them in relation to such pier or jetty.
- 30 (3) Any compensation payable by the Company under this section shall be ascertained and settled in accordance with the provisions of the Lands Clauses Acts as if the lands of the owners and lessees respectively had been taken for and injuriously affected by the construction of the pier or jetty by this Act authorized or by the exercise of the powers of this Act in relation thereto.

(H)

D

Power to
lease &c.
certain
lands.

See Act 1912
S. 4

21.—(1) Section 4 (Power to Lessee to grant and Company to accept under-lease) of the Manchester Ship Canal Act 1897 as extended or amended by this Act shall extend and apply mutatis mutandis to and in relation to the lands acquired by the Company under the powers of this Act.

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(2) Notwithstanding anything in the Lands Clauses Acts to the contrary the Company shall not be bound to sell or dispose of any lands let or leased by them.

(3) The Company may on any portion of any lands acquired by them under the powers of this Act which they may not require for other purposes of their undertaking erect workmen's dwellings and sell let or lease the same or any of them.

Dues on un-
registered
vessels.

22. Where the register tonnage of any vessel entering or leaving the Canal shall not have been ascertained in accordance with the provisions of the Merchant Shipping Act 1894 or any Act amending the same the register tonnage of such vessel shall for the purpose of ascertaining the amount of the ship dues which the Company may under the powers conferred upon them by the Act of 1885 or any other Act relating to the Company (including the tolls rates and charges authorized by the section of this Act of which the marginal note is "Charges for use of pier or jetty") demand and take in respect of such vessel be assumed to be as provided by the scale set forth in the Schedule to this Act.

A bill
payment of
rates on
imported
cargoes.

23.—(1) A bill giving particulars of the kinds quantities and weights measurements or values according to the denominations in the Fourth Schedule to the Act of 1885 of each parcel of any cargo imported or brought coastwise into the Port of Manchester and made out in such form as may from time to time be prescribed by the Company shall be produced to the Collector of dues and the rates payable under Section 129 (Tolls on cargo &c. carried on Canal) of the Act of 1885 on such cargo as specified in such bill shall be paid to the Collector of dues by the owner of the cargo or other person liable to pay the rates thereon or the payment thereof shall be secured by bond or such other security as the Company may approve at or before the time when the entry at the Custom House is made

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or (if the cargo is brought coastwise) at or before the time when the vessel is ready to discharge and the Collector of Customs and Excise may with the consent of the Commissioners of Customs and Excise refuse to permit the entry at the Custom House to be passed for
5 payment of customs duties or for the landing of any parcel of such cargo imported into the said Port of Manchester until the bill certifying that the rates payable on such parcel of such cargo have been paid or that the payment of such rates has been secured shall have been presented to him.

10 (2) When the cargo specified in such bill and entry shall have been examined and ascertained and the full quantities and weights measurements or values known a further bill shall be made out of the remaining quantities (if any) of such cargo and the rates payable in respect thereof shall thereupon be forthwith paid to the
15 Collector of dues by the owner of the cargo or other person liable to pay the rates thereon.

(3) If the full quantities weights measurements or values when ascertained and known shall be less than the quantities weights measurements or values specified in such first-mentioned bill and
20 entry any excess of rates paid thereon shall (subject to the production within twelve months from the time of the entry of such goods of all documents and the giving within the same period of all information reasonably required by the Company) be repaid to the owner of the cargo or other person by whom the same shall have
25 been paid.

24. In all cases where any cargo is intended to be carried coastwise or exported from the Port of Manchester a bill containing particulars of the kinds quantities and weights measurements or values according to the denominations in the Fourth Schedule to
30 the Act of 1885 of each parcel of such cargo shall be produced to the Collector of dues and the rates payable under the said Section 129 of the Act of 1885 on such cargo as specified in the bill shall be paid to the Collector of dues by the owner of the cargo or other person liable to pay the rates thereon and the owner or master of the
35 vessel shall not allow such cargo to be shipped without production of a receipt signed by or on behalf of the Collector of dues for the rates payable thereon unless security to the satisfaction of the

As to payment of rates on exported cargoes.

Company by bond or such other security as the Company may approve has been given to the Company for the payment of such rates in which case a permit for the shipping of such cargo shall be given by the Collector of dues to the owner of the cargo or other person liable to pay the rates thereon and shall be produced by such owner or other person to the owner or master of the vessel. 5

Amending
Section 4
of the
Manchester
Ship Canal
Act 1897.

25. Section 4 (Power to Leases to grant and Company to accept under-lease) of the Manchester Ship Canal Act 1897 shall be read and have effect as if the term of nine hundred and ninety-nine years had been therein mentioned instead of the term of ninety-nine years. 10

Enlarge-
ment of
powers of
the Com-
pany with
respect to
lands &c.

26.—(1) In addition to and in extension of any powers now vested in or exerciseable by the Company with respect to the acquisition of lands and the holding sale grant conveying exchange leasing or other disposition of lands for the time being belonging to or vested in the Company and easements and rights over or in relation to such lands or over or in relation to water the Company shall have and shall be deemed at all times since their incorporation to have had the following powers with respect to the matters aforesaid (that is to say):— 20

- (a) To grant and convey or to accept any grant or conveyance of land by way of exchange and upon any such exchange to pay or receive money for equality of exchange;
- (b) To sell and dispose of rent-charges or ground rents belonging to them at such time or times and in such manner in all respects as they may think fit and upon any such sale or disposition to impose and provide means for enforcing restrictive covenants and conditions and to make reservations; 25
- (c) To grant and convey or to acquire either in fee or for any term of years for such consideration and upon and subject to such terms and conditions and in such manner in all respects as the Company may think fit any easements or rights over or in relation to lands or water whether with or without any sale lease or other disposition of lands; 30 35
- (d) To acquire or enter into and carry into effect agreements for the acquisition of any estate or interest required for the

purposes of their undertaking in any lands in consideration either of a sum in gross or of any rent-charge or periodical payment or partly in one of those modes and partly in another and in such cases as the Company may think fit to charge any such rent-charge or periodical payment upon the tolls rates or dues payable to the Company under the Act of 1885 or this Act or any other Act relating to the Company and to provide for the recovery of any such rent-charges or periodical payments in the manner prescribed by Section 11 of the Lands Clauses Consolidation Act 1845;

- (e) To grant leases of lands either wholly in consideration of ground rents or partly in consideration of gross sums and partly in consideration of ground rents for any term not exceeding nine hundred and ninety-nine years;
- (f) To grant to or confer upon any person or persons either with or without any sale or disposition of land such options or rights as the Company may think fit of acquiring at future dates lands rents rent-charges or ground rents belonging to the Company and any other rights or interests;
- (g) To waive reduce or vary either temporarily or permanently or to give time for payment of any rent rent-charge or other periodical payment reserved or made payable by any conveyance or lease and to waive release or vary either temporarily or permanently any easements rights or privileges or any covenants (positive or restrictive) rights of entry or other provisions contained in any conveyance lease or other disposition of lands already granted or made by the Company or which may hereafter be granted or made by them;
- (h) To provide that any rent rent-charge or other periodical payment reserved or made payable by any conveyance or lease granted by the Company may be either fixed or varying in amount;
- (i) To release the whole or any part of any property charged therewith from the payment of the whole or any part of any rent-charge or other periodical payment on such terms generally as they may think fit;

(ii)

E

- (j) To accept upon and subject to such terms and conditions and in such manner as the Company may think fit reconveyances of any lands conveyed by the Company and surrenders of any leases granted by them ;
- (k) To reconvey and surrender any land conveyed to or leased by the Company upon such terms and conditions as they may think fit. 5
- (2) The proviso to Section 6 (Company may sell rent-charges and reversions) of the Manchester Ship Canal (Surplus Lands) Act 1898 is hereby repealed. 10

For the protection of Sir R. M. Brooke or other the owners of the Norton Priory Estates.

27. Nothing contained in this Act shall be construed or operate to alter diminish prejudice or affect any provision contained in any other Act relating to the Company or in any agreement heretofore entered into by the Company with Sir Richard Marcus Brooke or other the owner or owners for the time being of the Norton 15 Priory Estates which confers on the said Sir Richard Marcus Brooke or the said owner or owners any right of pre-emption or re-purchase of any lands or which gives to him or them any right of wharfage.

Power to Company to develop surplus lands.

28. It shall be lawful for the Company for the purpose of developing or improving any lands belonging to them but not 20 required for the purposes of their undertaking to make lay out sewer drain level pave metal flag channel and light streets roads and footpaths upon such lands and to construct and lay down in or upon the same such sewers drains pipes mains electric and other wires and apparatus works and appliances as the Company may 25 think fit.

For protection of the Postmaster-General.

29. Any electric wires and apparatus and other electric works constructed laid down or maintained by the Company under the provisions of this Act shall be so constructed maintained and used as to prevent any interference with telegraphic communication by 30 means of any telegraphic line belonging to or used by the Postmaster-General.

Power to apply funds to the purposes of Act.

30. The Company may apply to the purposes of this Act to which capital is properly applicable any of the moneys which they now have in hand or which they have power to raise and which they 35 do not require for the purposes for which such moneys were authorized to be raised.

31. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company to take use or in any manner interfere with any portion of the shore or
5 bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commis-
10 sioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Crown
rights.

32. Nothing in this Act contained shall exempt the Canal
15 or the Company from the provisions of the Merchant Shipping Act 1894 or any general Act relating to docks or dues on shipping or on goods carried in ships now in force or which shall be passed during the present or any future Session of Parliament or
20 from any future revision or alteration under the authority of Parliament of the dock rates or duties authorised to be charged by the Company.

Provision
for
Merchant
Shipping
Act and
General
Acts.

33. All the costs charges and expenses of and incident to the preparing for obtaining and passing of this Act shall be paid by the
Company.

Costs
of Act.

The Schedule referred to in the foregoing Act.

ASSUMED REGISTER TONNAGE OF UNREGISTERED VESSELS.

Dead-Weight Carrying Capacity of Vessel.	Assumed Register Tonnage.
Not exceeding 50 tons	20 tons.
Exceeding 50 tons and not exceeding 75 tons	
Exceeding 75 tons	10 tons (in addition to the above-men- tioned 20 tons) for each 25 tons of dead-weight carrying capacity in excess of 75 tons. Any dead-weight carrying capacity in excess of a complete multiple of 25 tons to be reckoned as 25 tons.

AN

ACT

To empower the Manchester Ship Company to construct a Pier or Jetty, and to confer further powers upon that Company and for other purposes.

(ROYAL ASSENT 12th AUGUST 1911.)

1 AND 2 GEORGE V.—SESSION 1911.

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