CHAP. 53.

An Act to amend the Cinque Ports Act. [2d August 1869.] A.D. 1869.

WHEREAS by the Act of the session of the eighteenth and nineteenth years of Her Majesty's reign (chapter forty-eight) "for the better administration of justice in the Cinque Ports" (in this Act called the Cinque Ports Act) provision is made (sections five to eight) for the severance from the town and port of Dover of any district forming part of the members or liberties of that town and port, on the grant of a charter of incorporation to such district; which enactments are amended by the Act of the session of the twentieth and twenty-first years of Her Majesty's reign (chapter one) so that such severance takes effect not immediately on the grant of a charter of incorporation but only on the grant of a court of quarter sessions for the district comprised in any such charter; and it is expedient that the enactments aforesaid be further amended: 18 & 19 Vict. c. 48. 20 & 21 Vict. c. 1.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of sections 6, 7, & 8 of Cinque Ports Act.

1. On section five of the Cinque Ports Act coming into force with respect to any district comprised in a charter of incorporation, sections six, seven, and eight of that Act shall in relation to that district have effect as if the grant of a court of quarter sessions had been therein referred to instead of the grant of a charter of incorporation.

Ascertainment and discharge of liabilities of Margate.

2. On a grant of a court of quarter sessions for the borough of Margate, the Commissioners of Her Majesty's Treasury shall (notwithstanding anything in the Cinque Ports Act) ascertain and determine the capital amount that ought to be paid by the borough of Margate in discharge of the liability of the borough continued or created by the Cinque Ports Act, as amended by this Act, and what other expenses (if any) the borough of Margate will become liable on the severance thereof from Dover to pay to the borough of Dover, and the amount thereof, unless the councils of those boroughs agree on the matters so to be ascertained and deter-

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mined (which they are hereby empowered to do); and the council of the borough of Margate shall, within such time as the councils agree or (in default of their agreement) the Commissioners of Her Majesty's Treasury direct, pay out of the borough fund of that borough the amounts so agreed or ascertained and determined; and on payment thereof that borough shall be by virtue of this Act absolutely discharged from all such liability; and the council of that borough may, with the approval of the Commissioners of Her Majesty's Treasury, (subject and according to the provisions of The Municipal Corporations Mortgages, &c., Act, 1860,) raise any money requisite in that behalf by borrowing the same at interest on the security of the borough fund.

23 & 24 Vict. c. 16.

Recovery of rates due to Dover.

3. All rates which on a grant of a court of quarter sessions for the borough of Margate are due and payable by the churchwardens and overseers of the poor of the parish of St. John the Baptist, in the Isle of Thanet, to the treasurer of the town and port of Dover shall be paid to the deputy or high constable of the liberty wherein that parish is situate, and shall be recoverable as if this Act had not been passed.

Continuance of liability of non-corporate portion of parish.

4. That portion of the parish of Saint John the Baptist, in the Isle of Thanet, which is not comprised within the borough of Margate, shall (notwithstanding the grant of a court of quarter sessions to that borough or this Act) remain and be subject to the provisions of section ten of the Act of the session of the sixth and seventh years of the reign of King William the Fourth (chapter one hundred and five) "for the better administration of justice in certain boroughs," and to such proportionate liability as it would have been subject to under section six of the Cinque Ports Act if that portion of the parish had been originally a separate parish, and had been specified as such in that section, and that section had in terms extended to the debt for the time being charged on the rates in the nature of county rates therein mentioned; which liability shall be satisfied and enforced in manner in that section prescribed, with the substitution only of the police rates for the rates made for the relief of the poor.

6 & 7 W. 4. c. 105. s. 10.

Costs of Act.

5. The costs of the councils of the borough of Margate and town and port of Dover incurred in relation to the obtaining and execution of this Act shall be paid out of the borough fund of the borough of Margate.

Short title.

6. This Act may be cited as The Cinque Ports Act, 1869.

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