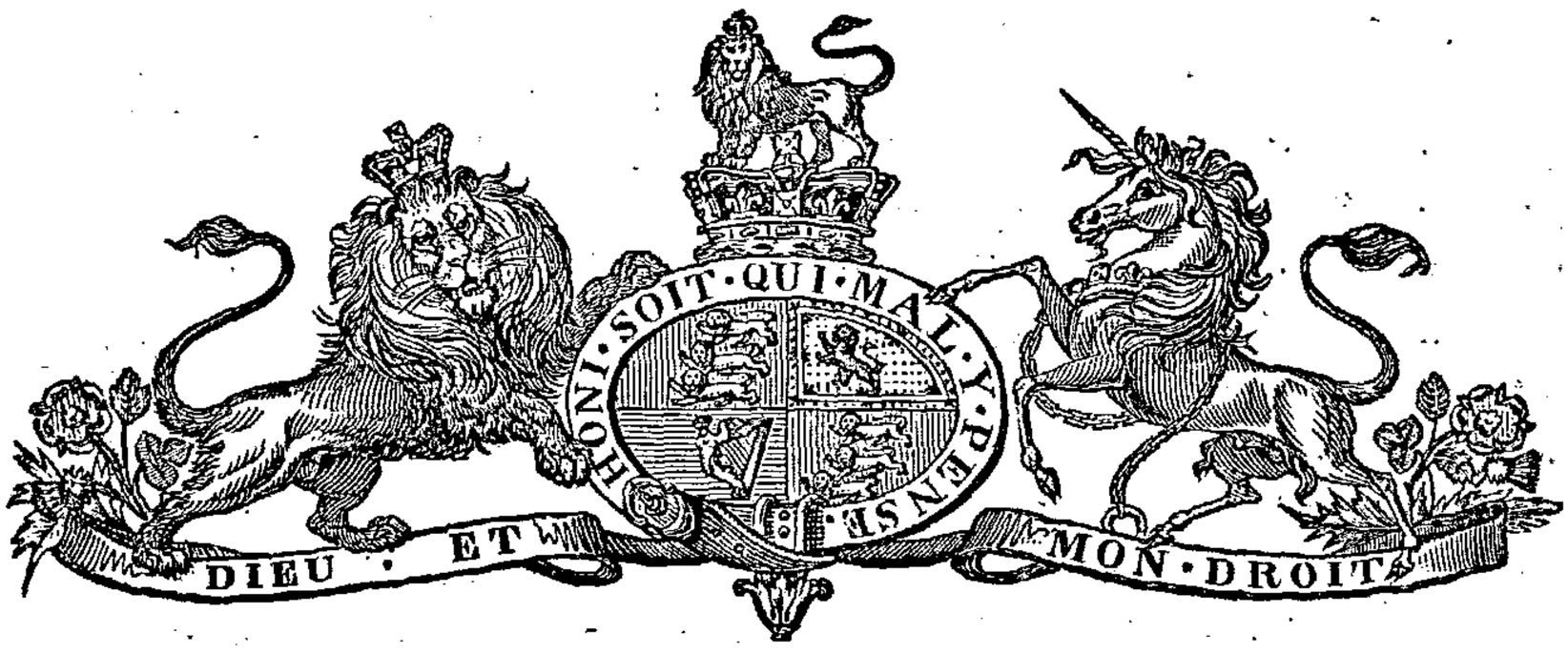


ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

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6 & 7 W. 4. c. 125.

Reign of His Majesty King *William* the Fourth, intituled *An Act to amend an Act for more effectually maintaining and improving the Harbour of* Dovor *in the County of* Kent, certain additional Powers were given to the said Warden and Assistants in reference to the raising of the Sums of Money so authorized to be raised as aforesaid: And whereas since the passing of the said Acts the said Warden and Assistants have proceeded in the Execution of the Works thereby authorized, and have borrowed the whole of the said Sum of Sixty thousand Pounds, and have since paid off a small Part thereof: And whereas the said Harbour is not of sufficient Depth to enable the Government Packets and other Vessels to enter or leave the same until Half Flood, and it would be highly advantageous to the Public if the said Harbour were dredged and deepened: And whereas the said Warden and Assistants are willing so to dredge and deepen the said Harbour, but it is necessary that they should be authorized to raise a further Sum of Money: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the existing Powers, Authorities, Provisions, Regulations, Directions, Matters, and Things contained in the said recited Acts shall (save and except such as are by this Act altered, varied, or repealed) extend and be construed to extend to this Act and the Purposes thereof as fully and effectually as if the same were repeated and re-enacted in this Act.

Powers of recited Acts extended to this Act.

Power to Warden and Assistants to borrow a further Sum of Money.

II. And be it enacted, That it shall be lawful for the said Warden and Assistants (over and above the said Sum of Sixty thousand Pounds which they were authorized to borrow by the said recited Acts) from Time to Time to borrow at Interest such further Sums of Money as they shall judge necessary for the Purposes of the said recited Acts or this Act, not exceeding in the whole the further Sum of Forty thousand Pounds, upon the Credit of the Rates and Duties to be collected by virtue of the said firstly-recited Act, and by Writing under their Common Seal to assign all or any Part of the said Rates and Duties to such Person or Persons as shall advance any Money thereon according to the Form in the said firstly-recited Act set forth, or as near thereto as may be; and in case the said Warden and Assistants shall think fit to raise all or any Part of such Sum of Forty thousand Pounds by granting Annuities instead of Assignments, it shall be lawful for them, by Writing under their Common Seal in the Form in the said firstly-recited Act set forth, or as near thereto as may be, to grant an Annuity or Annuities to any Person or Persons who shall advance or pay any Sum of Money for the Purchase of such Annuity or Annuities.

Power to borrow the said Money of the Public Works Loan Commissioners.

57 G. 3. c. 34.

III. And be it enacted, That it shall be lawful for the said Warden and Assistants, if they shall think fit, to borrow all or any Part of the said Sum of Forty thousand Pounds from the Commissioners for the Time being appointed under the Powers of an Act passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying*

carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, *in manner therein mentioned,* and of the several Acts passed for amending and extending the same, upon such Terms and Conditions as the said Commissioners shall appoint, and by Writing under the Common Seal of the said Warden and Assistants to mortgage or assign the said Rates and Duties as a Security for the Repayment by annual Instalments at the Rate of Five Pounds *per Centum per Annum* at least of any Sum or Sums so borrowed from the said Commissioners, and Interest at any Rate not exceeding Five Pounds *per Centum per Annum* on such Part of the Principal Sums as shall from Time to Time remain due.

Securities to Public Works Loan Commissioners to have Priority.

IV. And be it enacted, That every Security to be given to the said Public Works Loan Commissioners as aforesaid shall not be affected by any Informality in any Meeting or Proceeding of the said Warden and Assistants, and shall have Priority over all other Mortgages, Charges, or Securities whatsoever to be created by the said Warden and Assistants under the Authority of this Act.

Power to re-borrow.

V. And be it enacted, That if the said Warden and Assistants should hereafter pay off any Part of the said Sum of Forty thousand Pounds, it shall be lawful for them again to raise the Amount so paid off, and so from Time to Time, but so nevertheless that there shall not be at any Time due on the Credit of the said Rates and Duties any greater Sum than Forty thousand Pounds, in addition to the said Sum of Sixty thousand Pounds authorized to be raised by the said recited Acts.

Rights of Creditors.

VI. And be it enacted, That the Mortgagees, Assignees, and Annuitants claiming by or under any Mortgages, Assignments, or Grants of Annuities to be made under the Powers of this Act shall proportionally, according to the Amount of the Monies thereby secured, be entitled to be paid out of the said Rates and Duties the respective Sums in such Mortgages, Assignments, and Grants mentioned, and thereby intended to be secured, without any Preference one above another (except as herein-before mentioned) by reason of Priority of Date of any such Mortgage, Assignment, or Grant, or of the Meeting of the said Warden and Assistants at which the same was authorized, or otherwise howsoever.

Rates to be charged equally.

VII. And be it enacted, That all Rates by the said recited Acts or either of them authorized to be levied shall at all Times be charged equally to all Persons in respect of the same Description of Vessel and the same Description of Goods.

Repeal of Clause in first-recited Act as to Limitation of Actions.

VIII. And whereas it was by the said firstly-recited Act enacted, that if any Action or Suit should be commenced or prosecuted against any Person or Persons for anything done in pursuance of that Act or in relation to the Premises, then and in every such Case such Action or Suit should be commenced within Six Calendar Months next after the Fact committed and not afterwards, and should be laid or brought in the County or Place where the Cause of Action should arise and not elsewhere; and the Defendant or Defendants in every such Action

or

or Suit so to be brought should and might plead the General Issue, and give that Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of that Act; and if it should appear to have been so done, or such Action or Actions should be brought after the Time before limited for bringing the same, or should be brought in any other County or Place, then the Jury should find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants should have appeared, or if upon Demurrer Judgment should be given against the Plaintiff or Plaintiffs, the Defendant or Defendants should and might recover double Costs, and have the like Remedy for the same as any Defendant or Defendants had for Costs of Suit in other Cases by Law: Be it enacted, That the said lastly-recited Enactment shall be and the same is hereby repealed: Provided always, that nothing herein contained shall prejudice or affect any Action, Suit, or other Proceeding now existing or depending between the said Warden and Assistants and any Person or Persons whomsoever, or shall revive any Right which under the said Enactment hereby repealed may have been barred prior to the passing of this Act.

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

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