CHAPTER cxxxiii.

An Act to enable the Trustees of the Port Harbour and Town of Whitehaven to raise a further sum of money for the purposes of their harbour and dock. [12th July 1882.] A.D. 1882.

WHEREAS the Trustees of the port harbour and town of Whitehaven in the county of Cumberland (herein-after called the Trustees) were by the Whitehaven Dock and Railways Act 1871 (herein-after called the Act of 1871) authorised to make a wet dock at Whitehaven with railway approaches thereto and other harbour works and conveniences and by that Act were empowered to apply seventy-five thousand pounds out of the moneys thereby authorised to be borrowed for the construction of the said wet dock and works before mentioned and they were authorised by the Whitehaven Harbour and Town Improvement Act 1876 (section 18) (herein-after called the Act of 1876) to borrow a further sum of forty thousand pounds for the said works making in all the sum of one hundred and fifteen thousand pounds for the purposes of the said wet dock and works connected therewith: 34 & 35 Vict. c. xci. 39 & 40 Vict. c. cv.

And whereas the Trustees have raised and expended on the said wet dock and works authorised by the Act of 1871 all the said moneys authorised to be raised and applied by them for that purpose:

And whereas the said wet dock and works are now completed but the same have cost about twenty-five thousand pounds over and above the said sum of one hundred and fifteen thousand pounds such deficiency arising largely from the necessity of repairing and reinstating the entrance to the said wet dock which had unexpectedly shown signs of collapsing and it is expedient that the Trustees should be authorised to raise a further sum of money not exceeding twenty-five thousand pounds on the security of the tolls rates dues and charges arising from their harbour undertaking for the purpose of providing for the payment of the said deficiency:

And whereas the funds authorised to be raised by the Trustees for harbour purposes have been applied solely towards the same and

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have been and are kept separate and distinct from the other funds managed by them relating to the town of Whitehaven:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited as the Whitehaven Harbour and Dock Act, 1882.

Power to borrow additional money.

2. In addition to the sum of seventy-five thousand pounds which the Trustees are by subsection 2 of section 14 of the Act of 1871 authorised to raise and apply in the construction of the wet dock railways and works by that Act authorised and the sum of forty thousand pounds which they are authorised to raise for the said purposes by the Act of 1876 (section 18) the Trustees may for the said purposes borrow on mortgage in the manner prescribed by the Act of 1871 with reference to the moneys thereby authorised to be borrowed on mortgage on the security of all or any part of the tolls rates dues and charges which they are authorised to take with reference to their harbour undertaking (but not the town of Whitehaven) any sum of money not exceeding the sum of twenty-five thousand pounds Provided that the provisions contained in the Act of 1871 and in the Act of 1876 with respect to the repayment of money borrowed on mortgage by means of a sinking fund for harbour purposes shall (except as by this Act otherwise provided) apply to the moneys authorised to be borrowed by this Act in the same way as if the said provisions mutatis mutandis were herein re-enacted Provided further that the formation of the sinking fund for the repayment of the moneys authorised to be borrowed by this Act shall commence and be calculated from the end of five years from the passing of this Act.

Sections of Act of 1876 made applicable to moneys raised under this Act.

3. Sections 51 (priority of mortgages preserved) 52 (protection of lenders from inquiry) and 53 (as to borrowing from Public Works Loan Commissioners) of the Act of 1876 shall be applicable to the moneys authorised to be borrowed by the Trustees under this Act in the same way as if the said sections mutatis mutandis had been re-enacted herein.

Application of moneys.

4. The moneys authorised to be raised by the Trustees under this Act shall be applied by the Trustees only towards payment of the

costs charges and expenses of obtaining and passing this Act and towards such of the said harbour and dock purposes to which capital is properly applicable. A.D. 1882.

5. The costs charges and expenses of and incidental to the preparing for obtaining and passing this Act or otherwise in relation thereto shall be paid by the Trustees wholly out of their harbour funds and moneys. Costs of Act.

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