ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. cxcvii.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Wisbech*, as Guardians of the Port and Harbour of *Wisbech*, to raise a Sum of Money; and for other Purposes.

[9th *July* 1847.]

WHEREAS by an Act passed in the Fiftieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for establishing a Cattle Market within the Town* 50 G. 3.
of Wisbech *in the* Isle of Ely; *for taking down and removing the* c. 206.
Shambles therein; for paving, cleansing, lighting, and watching the said Town, and removing Nuisances therein; for preserving and improving the Port and Harbour of Wisbech, *and for regulating the Pilots belonging thereto*, after reciting that the Burgesses of the Town of *Wisbech* were in their Corporate Capacity the Guardians of the Port and Harbour of *Wisbech*, and that the Affairs of the said Burgesses were under the Management of Ten Capital Burgesses annually elected and chosen as therein mentioned, it was (amongst other things) enacted, that it should be lawful for the said Capital Burgesses and their Successors to demand and receive, for the Use of the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, and their Successors, certain Tonnage Duties upon Vessels coming to or leaving the said Port, which Duties were by the said

Act directed to be applied in discharging the Expences of collecting the same, and in making the necessary Works thereby authorized for the Improvement of the said Port and Harbour, in such Manner as the said Capital Burgesses and their Successors should think expedient: And whereas an Act was passed in the Fifth and Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, by which Act the Title of the Corporation of *Wisbech* aforesaid was converted into "The Mayor, Aldermen, and Burgesses of the Borough of *Wisbech*:" And whereas the said Mayor, Aldermen, and Burgesses are now in receipt of the Duties granted by the said first-recited Act, and apply the same for the Purposes of the said Port and Harbour; but in consequence of the great Increase of late in the Trade of the Port the Berthage for the Shipping is incommodious and insufficient to accommodate the Shipping frequenting the Port, and it would be of great public Advantage if the same were improved, and if Power were given to the said Mayor, Aldermen, and Burgesses to raise Money on the Credit of the said Duties for improving the said Port and Harbour; but this cannot be done 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, That it shall be lawful for the said Mayor, Aldermen, and Burgesses of the Borough of *Wisbech*, and they are hereby empowered, at any Time and from Time to Time when and as often as they shall think expedient, to borrow and take up at Interest any Sum, in their Discretion, not exceeding the Sum of Fifteen thousand Pounds in the whole to be at any One Time, upon the Credit of the Duties by the said first-recited Act authorized to be received for the Use of the Burgesses of the Town of *Wisbech* aforesaid in their Corporate Capacity, or upon the Credit of any of the said Duties, or any Part of them, and to mortgage, assign, and convey the same Duties or any of them, or any Part thereof, by any Writing under the Common Seal of the said Mayor, Aldermen, and Burgesses, to any Person who shall advance or lend to them the said Sum of Fifteen thousand Pounds, or any Part thereof, from Time to Time, as a Security for the Repayment of the Sum of Money that shall be so borrowed, and the Interest thereof; and that the Receipt of the Treasurer of the said Mayor, Aldermen, and Burgesses for the Time being shall be a sufficient Discharge to every Person who shall advance or lend the said Sum of Fifteen thousand Pounds, or any Part thereof, for so much Money as shall be expressed in such Receipt; and the Person advancing or lending the said Sum or any Part thereof shall not after taking such Receipt be liable to see to the Application of the Money which shall be thereby expressed to be received, nor in any way accountable for any Misapplication or Nonapplication thereof; and the Costs of all such Mortgages, Assignments, and Conveyances as aforesaid shall be paid out of the said Duties; and Copies of all such Mortgages, Assignments, and Conveyances shall be entered by the Town Clerk of the said Borough in a Book to be kept by the said Mayor, Aldermen, and Burgesses for that Purpose.

5 & 6 W. 4. c. 76.

Power to borrow Money.

II. And

II. And be it enacted, That every such Mortgage, Assignment, and Conveyance may be made in the Form or to the Effect following, or in such other Form or to such other Effect, and with such other Provisions to be inserted therein, as the Case may require; (that is to say,) Form of Mortgage.

'WE, the Mayor, Aldermen, and Burgesses of the Borough of Wisbech, do, by virtue of the Power and Authority given to us by an Act of Parliament passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here set forth the Title of this Act*], and in consideration of the Sum of to our Treasurer for our Use paid by (being Part of the Sum of Fifteen thousand Pounds which by the said Act we are empowered to borrow and take up at Interest), do by these Presents mortgage, assign, and convey unto the said Successors and Assigns, or Executors, Administrators, and Assigns, [*as the Case may be,*] all and singular the Duties payable unto or for the Use of us the said Mayor, Aldermen, and Burgesses which by the said Act we are empowered to mortgage, assign, and convey to any Person advancing or lending the said Sum of Fifteen thousand Pounds or any Part thereof, to hold the same Duties unto the said Successors and Assigns, or Executors, Administrators, and Assigns, [*as the Case may be,*] until the said Sum of together with Interest for the same after the Rate of per Centum per Annum, to be computed from the Day of the Date hereof, shall be fully repaid and satisfied to him or them [*as the Case may be*], such Interest to be paid by equal half-yearly Payments on the Day of and the Day of in every Year in the meantime. Given under our Common Seal, the Day of in the Year of our Lord One thousand eight hundred and .'

III. And be it enacted, That every Person to whom any such Mortgage, Assignment, or Conveyance shall have been made shall and may and he is hereby empowered, from Time to Time, by any Writing under his Hand and Seal to be indorsed on his Security, or by any other Writing under his Hand and Seal, to assign or transfer such Security, or any Share thereof or Interest therein, and all or any Part of the Monies due or to become due thereon, to any Person whomsoever; and every such Assignment or Transfer shall be produced or notified to the Town Clerk of the said Borough for the Time being, who shall cause a Memorial thereof, specifying the Date thereof, and the Names, Additions, and Places of Abode of the Parties thereto, and the Sum therein mentioned to be transferred, and the Names of the Parties executing the same, to be entered in the said Book to be kept for entering the said original Mortgages, Assignments, or Conveyances as aforesaid, for the Entry of which said Memorial the said Town Clerk shall be paid the Sum of Five Shillings and no more by the Person producing or notifying such Assignment or Transfer; and after Entry made of such Memorial, and not otherwise, every such Assignment or Transfer shall entitle the Assignee therein named, and his Executors, Administrators, and Assigns, to the Benefit thereof, and of the original Mortgage, Assignment, or Conveyance, or Interest therein, Securities to be assignable.

therein, which shall have been thereby assigned or transferred; and that every such Assignee shall and may in like Manner assign and transfer such Security from Time to Time, *toties quoties*.

Mortgagees to be Creditors in an equal Degree.

IV. And be it enacted, That the several Persons to whom such Securities as aforesaid shall have been made or granted for the said Sum of Fifteen thousand Pounds or any Part thereof, and the Executors, Administrators, and Assigns of such Persons respectively, shall be Mortgagees and Creditors of and upon the said Duties thereby respectively mortgaged, assigned, or conveyed as aforesaid in an equal Degree one with another, according to the Amount of the several Principal Sums of Money by the said several Securities respectively secured, or intended so to be, and any One or more of such Persons, or his or their Executors, Administrators, or Assigns, shall not have any Preference over any of the others of them, or his or their Executors, Administrators, or Assigns, by reason of any Priority in the Date of such respective Securities or any of them, or in the Time of advancing the Monies for which the same shall have been respectively given.

Collector of Duties to to pay Interest.

V. And be it enacted, That the Collector of the said Mayor, Aldermen, and Burgesses appointed or employed to collect and receive the said Duties shall and he is hereby required, with and out of the said Duties, to pay and discharge the Interest of every such Mortgage or Security from Time to Time when and as such Interest shall become due and payable.

In default of Payment, Duties to vest in Mortgagees.

VI. And be it enacted, That if the Interest Money due and payable upon or by virtue of any such Mortgage or Security shall not be paid by the Collector of the said Duties when and as the same Interest shall become due and payable, or within Two Months afterwards, then the said Duties comprised in such Mortgage or Security shall vest in the Mortgagee or Mortgagees thereof for the Time being, or in some other Person or Persons to be nominated by him or them, or by the major Part of the Mortgagees in trust for all of them (if more than One), according to the respective Amounts of the several Principal Sums of Money which shall be due upon their respective Securities, until the said Principal Sums, together with all Interest due thereon, shall be fully paid and satisfied; and that such Mortgagee or Mortgagees, or other Person or Persons, and his and their Executors, Administrators, or Assigns, shall have all such and the same Powers, Rights, Remedies, and Privileges for the recovering and receiving of the said Duties as the said Mayor, Aldermen, and Burgesses would have had in case such Mortgages or Securities had been regularly and fully paid and satisfied, or had not been made or granted.

In case of Duties vesting in Mortgagees, Collector to pay same to them.

VII. And be it enacted, That in case by reason of any Default by or on the Part of the said Mayor, Aldermen, and Burgesses in Payment of the Interest of the said Sum of Fifteen thousand Pounds or any Part thereof to any Mortgagee or Mortgagees the said Duties or any of them shall have become vested in such Mortgagee or Mortgagees or other Person or Persons as aforesaid, by virtue of the Provision herein-before contained, then and in such Case the Collector of

of the said Duties from Time to Time appointed or employed by the said Mayor, Aldermen, and Burgesses shall from Time to Time, upon and after Notice in Writing given to him by or on the Part of such Mortgagee or Mortgagees or other Person or Persons aforesaid, collect and receive the said Duties for the Use and on the Account of the Mortgagee or Mortgagees in or for whom the said Duties shall then have become vested as aforesaid, and shall give to the Mortgagee or Mortgagees such Security as he or they shall reasonably require for the due and faithful collecting, receiving, accounting for, and paying over of the said Duties from Time to Time to the Mortgagee or Mortgagees, and that such Collector shall thenceforth from Time to Time account for and pay over the said Duties, when and as the same shall be collected and received by him, (after deducting the reasonable Charges attending the Collection and Receipt thereof,) unto the Mortgagee or several Mortgagees, according to their respective Interests in the same Duties, or unto such other Person or Persons as the Mortgagee or Mortgagees shall appoint or authorize to receive the same; and that in case such Collector shall at any Time, after any such Default and Notice as aforesaid, refuse or neglect to give such Security as aforesaid, or to render to the Mortgagee or Mortgagees, as the Case may be, a full and true Account of the said Duties, or to pay over the same (after deducting the reasonable Charges attending the Collection and Receipt thereof) unto the said Mortgagee or Mortgagees, or to such Person or Persons as the Mortgagee or Mortgagees shall appoint or authorize to receive the same, then and in such Case it shall be lawful for the Mortgagee or Mortgagees at any Time thereafter, and either with or without giving Notice of his or their Intention so to do, to remove and displace such Collector, and to appoint another, from Time to Time when and as the said Mortgagee or Mortgagees shall see Occasion, so long as the said Sum of Fifteen thousand Pounds or any Part thereof, or any Interest for the same, or any Costs or Charges incurred or sustained by the Mortgagee or Mortgagees by reason of the Nonpayment thereof, shall remain due or unsatisfied, and the said Collector to be so from Time to Time appointed by the said Mortgagee or Mortgagees shall thenceforth have full Power and Authority to collect and receive the said Duties, and shall pay and apply the same in and towards the Satisfaction and Discharge of the said Sum of Fifteen thousand Pounds, or the Part thereof to be borrowed as aforesaid, and Interest, and the said Costs and Charges, until the same shall be fully paid and satisfied.

A yearly Sum to be appropriated for Sinking Fund for paying off Monies borrowed on Mortgage, &c.

VIII. And be it enacted, That the said Mayor, Aldermen, and Burgesses shall and they are required, with and out of the said Duties, to appropriate the Sum of Three hundred Pounds at the least as a Sinking Fund in every Year, by equal half-yearly Payments, until the whole of such Principal Sum to be borrowed as aforesaid shall be paid off and discharged, such Sinking Fund to be from Time to Time applied in and towards the Discharge of any Principal Sum or Sums of Money which shall from Time to Time be due or owing on any such Mortgage or Mortgages as aforesaid, or otherwise, at the Option of the Mortgagee or Mortgagees for the Time being, to be invested in the Names of the Trustees to be appointed in the Manner

and for the Purposes herein-after mentioned, the first of such half-yearly Payments or Investments to be made on the First Day of *January* which will be in the Year One thousand eight hundred and forty-eight, or within Six Months afterwards if the said Sum of Fifteen thousand Pounds or any Part thereof shall then have been borrowed upon any such Mortgage as aforesaid, but if no Part of the same Sum shall have been then so borrowed, then the first of such half-yearly Payments or Investments to be made at the End of Six Months next after the Date of the first Mortgage which shall be made under the Authority of this Act, and which several Payments and Investments are to be made and applied in the Manner herein-after expressed.

Appointment of Trustees of Sinking Fund.

IX. And be it enacted, That within Six Months next after the first Mortgage shall have been made by the said Mayor, Aldermen, and Burgesses the said Mayor, Aldermen, and Burgesses shall and do elect, and by Writing under their Common Seal appoint, Two fit and proper Persons to be Trustees on behalf of the said Mayor, Aldermen, and Burgesses of the said annual Sum of Three hundred Pounds, or other the annual Sum to be so appropriated as aforesaid; and that the Mortgagee in whom any such Mortgage which shall have been made as aforesaid shall be then vested, or the major Part in Value of such Mortgagees (if more than One) for the Time being, shall within the said Six Months elect, and by Writing under his or their Hand and Seal or Hands and Seals, or under their Common Seal, appoint, Two other fit and proper Persons to be Trustees of such annual Sum on the Behalf of such Mortgagee or Mortgagees; and that from Time to Time when and so often as either of the said Trustees to be appointed on the Behalf of the said Mayor, Aldermen, and Burgesses, or any succeeding Trustee to be appointed on behalf of the said Mayor, Aldermen, and Burgesses, as herein mentioned, shall die, or desire to be discharged from his Trust, or refuse, neglect, or become incapable or unfit to act as such Trustee, it shall be lawful for the said Mayor, Aldermen, and Burgesses, in the Manner herein-before mentioned in respect to the original Appointment of Trustees by them, or as near thereto as may be, to elect and appoint some other fit and proper Person to act as a Trustee in the Place or Stead of every such Trustee so dying, desiring to be discharged, or refusing, neglecting, or becoming incapable or unfit to act as aforesaid; and that from Time to Time when and as often as either of the said Trustees to be appointed on behalf of such Mortgagee or Mortgagees as aforesaid, or any succeeding Trustee to be appointed on behalf of such Mortgagee or Mortgagees as herein mentioned, shall die, or desire to be discharged from his Trust, or refuse or neglect or become incapable or unfit to act as such Trustee, it shall be lawful for such Mortgagee or the major Part in Value of such Mortgagees (if more than One) for the Time being to elect, and by Writing as aforesaid to appoint, some other fit and proper Person to act as a Trustee in the Place or Stead of such Trustee so dying, desiring to be discharged, or refusing, neglecting, or becoming incapable or unfit to act as last aforesaid.

Sinking Fund to be invested.

X. And be it further enacted, That the said yearly Sum of Three hundred Pounds Sterling, or such other annual Sum to be appropriated

as aforesaid, herein-before directed, at the Option of such Mortgagee or Mortgagees, to be invested in the Names of the Trustees for the Time being acting under the Provisions of this Act, shall, from Time to Time when and as the same shall become payable, (unless such Mortgagee or Mortgagees shall by Writing under his or their Hand or Hands, or their Common Seal, declare his or their Option to have the same paid to him or them in or towards the Discharge of the Principal Sum or Sums which shall be due and owing to him or them as aforesaid,) be invested as and by way of a Sinking Fund, in the Names of such Trustees for the Time being, in the Purchase of Stock in the Three Pounds *per Centum* Consolidated or Reduced Bank Annuities, or in such other Public Stocks, Funds, or Securities as may from Time to Time be agreed upon between the said Mayor, Aldermen, and Burgesses and such Mortgagee or the major Part in Value of such Mortgagees (if more than One) for the Time being as aforesaid; and it shall be lawful for such Trustees for the Time being, from Time to Time, with the Consent in Writing of the said Mayor, Aldermen, and Burgesses and of such Mortgagee or the major Part in Value of such Mortgagees (if more than One) for the Time being, to alter, vary, and transpose all or any of the Stocks, Funds, or Securities which shall from Time to Time be standing or effected in the Names of such Trustees pursuant to the Provisions of this Act, for or into such other Public Stocks, Funds, or Securities as may be agreed upon by the said Mayor, Aldermen, and Burgesses and such Mortgagee as aforesaid or the major Part in Value of such Mortgagees (if more than One) for the Time being, which said last-mentioned Stocks, Funds, or Securities shall be held upon the same Trusts as are herein declared of and concerning the Stocks, Funds, or Securities in lieu of which the same shall be substituted, and shall be applied accordingly.

Declaration of Trusts of Sinking Fund.

XI. And be it enacted, That the Trustees for the Time being acting under the Provisions of this Act with reference to the Investments herein-before directed to be from Time to Time made as and by way of a Sinking Fund as aforesaid shall and do stand and be possessed of and interested in the said Investments, and the Stocks, Funds, or Securities in or upon which the same shall from Time to Time be invested, and the Interest, Dividends, and annual Produce thereof, upon trust to accumulate such Investments, Stocks, Funds, or Securities, by investing, from Time to Time as the same shall become due, the annual Income arising therefrom, and the Stocks, Funds, or Securities in or upon which such annual Income shall be invested as aforesaid, and from the several Accumulations thereof from Time to Time, in or upon other Stocks, Funds, or Securities of the same or the like Nature, in the Name or Names of such Trustees for the Time being, and to be from Time to Time altered, varied, and transposed in manner aforesaid, and upon further Trust that the said Trustees for the Time being shall and do (but without prejudice to any Stipulation which may be contained in any Mortgage), from Time to Time when and as often as the Fund so to be accumulated as aforesaid shall amount in Value to the Sum of One thousand Pounds Sterling, apply the same or the Produce thereof in or towards the Payment of all such Monies as shall for the Time being be owing upon any Mortgage

or

or Mortgages as aforesaid, rateably in proportion to the Amount of the several Principal Monies due on such respective Mortgages (if more than One).

Power to apply Sinking Fund in discharge of Mortgages.

XII. Provided always, and be it enacted, That it shall be lawful for such Trustees for the Time being as aforesaid, at any Time or Times, by the Direction of the said Mayor, Aldermen, and Burgesses, (but without prejudice as aforesaid,) to apply the whole or a competent Part of the said accumulated Stocks, Funds, or Securities which shall then be invested, whether the same shall or shall not amount in Value to the Sum of One thousand Pounds Sterling, in or towards the Payment or Discharge of the whole or any Part of the Monies for the Time being owing upon any Mortgage or any One or more of the Mortgages to be made as aforesaid towards the Payment or Discharge of which the said accumulated Stocks, Funds, or Securities would if the same amounted to the said Sum of One thousand Pounds be for the Time being immediately applicable, yet so nevertheless that no Mortgage to be either wholly or in part paid off or discharged as aforesaid shall be so paid off or discharged to an Amount either more or less than the Sum of One thousand Pounds Principal Money, without the Consent in Writing as well of the Mortgagee entitled to the same as also of the other Mortgagees (if any) for the Time being.

Power to raise further Sums to Extent of Repayments by Sinking Fund.

XIII. And be it enacted, That in case the said Mayor, Aldermen, and Burgesses shall at any Time or Times think it expedient to raise any further Sum of Money over and above the said Sum of Fifteen thousand Pounds hereby limited and authorized to be raised, then and in such Case it shall be lawful for the said Mayor, Aldermen, and Burgesses and they are hereby empowered to provide and raise by Mortgage of the said Duties any such further Sum (not exceeding from Time to Time the Amount of the Principal Monies) which by means of the said Sinking Fund to be so formed and invested as aforesaid shall for the Time being have been actually paid off and discharged, but so nevertheless that no further or greater Sum than Fifteen thousand Pounds Principal Money shall at any One Time be due or owing by way of Mortgage upon the said Duties.

First Offer of new Loan to original Mortgagees.

XIV. Provided always, and be it enacted, That no such further Sum of Money to be raised as last mentioned shall be borrowed of any other Person or Persons until the same shall have been first offered to be borrowed of and refused to be advanced by the then subsisting Mortgagee or any One or more of the then subsisting Mortgagees (if more than One) of the said original Sum of Fifteen thousand Pounds hereby authorized to be raised as aforesaid, or of such Part thereof as shall have been raised by and shall be then due and owing upon any such Mortgage as aforesaid.

Sinking Fund first available for original Mortgagees.

XV. And be it enacted, That the said Sinking Fund to be so formed and invested as aforesaid, or any Part thereof, shall not at any Time be available or applicable to the Repayment of any such further Sum of Money to be so borrowed as last aforesaid until after Payment and Discharge of the said original Sum of Fifteen thousand Pounds, or

or such Part thereof as shall have been raised by any such Mortgage as aforesaid, nor shall the said Duties be at any Time available or applicable for the Repayment of any such further Sum of Money as last aforesaid, or of any Interest for the same, without the Consent of the other Mortgagee or Mortgagees for the Time being, until after full Payment and Discharge of the yearly Interest of so much of the said original Sum of Fifteen thousand Pounds as shall for the Time being remain due or owing on any such Mortgage as aforesaid, and the Appropriation and Payment or Investment of the said yearly Sum of Three hundred Pounds Sinking Fund, or of such other annual Sum as aforesaid.

Indemnity to Trustees.

XVI. And be it enacted, That the Trustees for the Time being of the aforesaid Sinking Fund and Investments shall be chargeable only for so much Money as they shall respectively actually receive by virtue of this Act, notwithstanding their joining for Conformity in Receipts, or in Powers of Attorney for receiving Dividends, or selling, transferring, or disposing of any Stocks, Funds, or Securities comprised within their Trusts, and that they shall be respectively answerable for their own respective Acts, Receipts, Neglects, and Defaults only, and that they shall not be answerable for any Misfortune, Loss, or Damage which may happen in the Execution of any of the aforesaid Trusts or in relation thereto, unless the same shall happen by or through their wilful Neglect or Default respectively; and also that the said Trustees respectively shall and may, by and out of the Monies which shall come to their Hands under the Trusts or Powers aforesaid, retain to and reimburse themselves respectively, and allow to their Co-trustees, all such Costs, Damages, and Expences as they shall respectively suffer, sustain, or be put unto on account or in consequence of the Trusts hereby in them reposed, or in the Execution thereof, or otherwise howsoever relating thereto.

Vessels in Her Majesty's Service exempted from Payment of Duties.

XVII. And be it enacted, That every Vessel and Boat belonging to or employed in the Service of, or seized or detained on behalf of Her Majesty, Her Heirs and Successors, and every Vessel in the Service of the Customs or Excise or Post Office, and all Officers or Persons employed therein respectively, or in the Service or Employ of the Admiralty or Ordnance, shall have free Use of the said Port and Harbour, Wharfs and other Works, without any Charge, Rate, or Duties whatsoever being made for the same, and without any Toll or Rate being payable for any Stores belonging to or purchased for Her Majesty's Service, or for any Baggage belonging to such Officers or Persons aforesaid; and nothing in this Act or in the recited Acts or either of them contained shall confer any Power or Control over any of the said Vessels or Boats, their Officers or Crews: Provided always, that if any Person shall claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Works below High-water Mark not to be executed without the

XVIII. And be it enacted, That it shall not be lawful for the said Mayor, Aldermen, and Burgesses, with and out of the Monies to be borrowed under the Powers of this Act, to construct any Work below High-water Mark at ordinary Spring Tides, without the previous Consent

Consent of the Admiralty.

Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral may appove of, such Approval being signified as last aforesaid; and where any such Work shall have been constructed it shall not be lawful for the said Mayor, Aldermen, and Burgesses at any Time to alter or extend the same, without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Work shall be commenced or completed contrary to the Provisions of this Act it shall be lawful for the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral to abate and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the said Mayor, Aldermen, and Burgesses, and the Amount thereof shall be a Debt due to the Crown, and be recoverable accordingly.

No additional Works authorized to be executed under this Act.

XIX. Provided always, and be it enacted, That nothing in this Act contained shall authorize the said Mayor, Aldermen, and Burgesses to execute any Works within the Port and Harbour of *Wisbech* which the said Mayor, Aldermen, and Burgesses are not already authorized to execute by or under the Powers of the said recited Acts.

Saving the Rights of the Bedford Level Corporation.

XX. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, lessen, alter, or affect any of the Jurisdictions, Powers, Rights, or Privileges belonging to or vested in the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, but all Jurisdictions, Powers, Rights, and Privileges shall remain and continue as fully and amply to all Intents and Purposes as if this Act had not been passed.

Saving the Rights of the Nene Outfall Commissioners.

XXI. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, lessen, take away, or prejudicially affect any of the Rights, Powers, Privileges, or Authorities vested in the Commissioners of the *Nene Outfall*, but all such Rights, Powers, Privileges, and Authorities shall remain and continue as fully and amply to all Intents and Purposes as if this Act had not been passed.

Saving other existing Rights.

XXII. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, invalidate, alter, lessen, or affect any of the Jurisdictions, Powers, Rights, Privileges, or Revenues given, granted, appertaining, or belonging to the Commissioners of Sewers for the Hundred of *Wisbech* and Parts adjacent, or to any Commissioners or Trustees acting under any Act of Parliament for the Drainage of the Fens or any of them, or of any District or Lands in the *Isle of Ely*, or in the Counties of *Cambridge* and *Norfolk*, or any of them.

XXIII. And

Expences of Act.

XXIII. And be it enacted, That the Costs and Charges of obtaining and passing this Act, and all other Costs, Charges, and Expences incidental to or concerning this Act, shall be paid by the said Mayor, Aldermen, and Burgesses with and out of the first Monies that shall come to their Hands or to the Hands of their Treasurer from the said Duties after the passing of this Act.

Recited Act and this Act to be construed together.

XXIV. And be it enacted, That the said first-recited Act and this Act shall be construed together, and the said recited Act shall remain in force and continue to receive Effect in all respects, excepting in so far as the same is altered by this Act.

Interpretation of Act.

XXV. And be it enacted, That in the Construction of this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender only shall extend to Females as well as Males:

The Word "Month" shall mean Calendar Month:

The Word "Duties" shall mean the Duties authorized to be received for the Use of the Burgesses of the Town of *Wisbech* in their Corporate Capacity under the Powers of the said first-recited Act.

Public Act.

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

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1847.