



ANNO QUADRAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 49.

An Act to authorize the Advancement of further Sums of Money out of the Consolidated Fund, for completing the Canal, and other Works, which by an Act, passed in the Thirty-ninth Year of His present Majesty's Reign, intituled, *An Act for rendering more commodious, and for better regulating the Port of London*, were directed to be made and done by the Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled.

[7th May 1802.]

[Loc. & Per.]

9 B

WHEREAS

39 G. 3. c. 69.

WHEREAS an Act was passed in the Thirty-ninth Year of the
 Reign of His present Majesty, intituled, *An Act for rendering
 more commodious, and for better regulating the Port of London;*
 whereby the Mayor, Aldermen, and Commons of the City of London, in
 Common Council assembled, were empowered to make and maintain a
 navigable Canal, with necessary Cuts, Flood Gates, and other Works
 adjoining or belonging thereto, to pass through the Tract of Land, called
The Isle of Dogs, in the Parish of *Stebonheath* otherwise *Stepney*, in the
 County of *Middlesex*, and to communicate with the River *Thames* at or
 near *Blackwall* in the said Parish, and also at or near a Place called *Lime-
 house Hole* in or near the Parish of *Saint Ann, Limehouse*, in the said County,
 so as to provide a safe and convenient navigable Passage for Ships across the
 said *Isle of Dogs*; and the said Mayor, Aldermen, and Commons, were em-
 powered, for the Purposes in the said Act mentioned, to purchase Houses,
 Lands, Tenements, and Hereditaments in the Parishes aforesaid, within certain
 prescribed Limits, but no Person or Corporation was thereby compellable
 to sell any Part less than the Whole of any House, Building, or Parcel of
 Land in the actual Occupation of One Person, or of several Persons jointly,
 although only Part thereof might be wanted for the Purposes of the said
 Act; and the Premises so to be purchased were to be conveyed to and
 vested in the Mayor and Commonalty, and Citizens of the City of London,
 and their Successors; and the said Mayor, Aldermen, and Commons,
 were thereby empowered to sell any such Hereditaments so to be purchased
 as might not be necessary to be made use of in executing the Purposes of
 that Act; and in Consideration of the great Charges to be occasioned by
 making the said Canal and other Works therein before authorized to be
 made by the said Mayor, Aldermen, and Commons, certain Rates or
 Duties of Tonnage were by the said Act made payable to His Majesty,
 His Heirs and Successors, for the Term of Fourteen Years next ensuing
 the passing of that Act, for Ships and other Vessels trading to or using
 the Port of London; and it was thereby enacted, that there should be
 advanced and paid from and out of all or any of the Duties, Revenues,
 and Incomes, composing the Fund called *The Consolidated Fund*, upon the
 Credit of the same Rates and Duties, any such Sum or Sums of Money,
 not exceeding in the Whole the Sum of Seventy-two thousand Pounds,
 as should be necessary and sufficient for the Purposes next therein after
 mentioned, to be applied by the said Mayor, Aldermen, and Commons,
 in the First Place in paying One Half of the Charges of obtaining the
 said Act, and afterwards in purchasing the Lands and Hereditaments
 which should be purchased by the said Mayor and Commonalty, and Ci-
 tizens, and their Successors as aforesaid, and in paying the Charges of
 making and completing the said Canal and other Works, which were to
 be made and done by the said Mayor, Aldermen, and Commons in pur-
 suance of that Act, and afterwards in discharging all the necessary Ex-
 pences of managing, repairing, and preserving the same Canal and other
 Works for Three Years after publick Notice of their being ready for Use,
 and also in paying, during the same Three Years, such Sums of Money as
 were therein before directed to be paid by the said Mayor and Com-
 monalty, and Citizens, and their Successors, for Losses and Deficiencies of
 Tythes, Taxes, Sewer Rates and other Rates, and Assessments; and it
 was

was thereby further enacted, that there should also be advanced and paid, from and out of the said Consolidated Fund, upon the Credit of the said Rates and Duties thereby made payable to His Majesty, His Heirs and Successors, such Sums of Money as should be sufficient for making certain Compensations therein particularly mentioned, and thereby entrusted to the Care and Management of certain Commissioners appointed and to be appointed, by virtue of the said Act; and it was thereby further enacted, that the Monies which should be produced by the Rates and Duties made payable to His Majesty, His Heirs and Successors, by that Act, should be applied in the Manner therein and in Part herein-after mentioned; (that is to say), in the First Place, so much thereof should be paid into the Chamber of the City of London as should be sufficient for defraying the necessary Charges of repairing, altering, and renewing the Mooring Chains in the River Thames, and of laying down new or other Mooring Chains therein, and for paying the Salaries of the Harbour Masters and their Assistants, pursuant to that Act, and subject thereto; the Residue of such Monies so to be produced should be applied, from Time to Time, in repaying and replacing to the said Consolidated Fund, all such Sums of Money as should be advanced and paid thereout in pursuance of that Act, with Interest for the same respectively, in the mean Time, at the Rate of Five Pounds *per Centum per Annum*; and that when all such Monies should be fully repaid with Interest, then and from thenceforth such Residue of the Monies to be produced by the said Rates and Duties should be disposed of as next therein-after is directed: And whereas the said Mayor, Aldermen, and Commons have made great Progress in excavating the said Canal, and performing the other Works by the said recited Act directed to be made and done by them: And whereas by Reason of a Clause in the said recited Act, compelling the Purchase of the Whole of any Building or Parcel of Land in the actual Occupation of One Person, or of several Persons jointly, although only Part thereof might be wanted for the Purposes of the said Act, and thereby causing more Buildings and much larger Quantities of Land to be necessarily purchased than were actually wanted for the Purposes aforesaid, and by Reason of Satisfaction being made to Parties interested in Premises purchased under the said Act, for Goodwill, Improvements, and Injury or Damage, as thereby directed, and of a great Advance in the Prices of Timber, Iron, and other Materials used in the said Works, the Charges and Expences of making and completing the said Canal, and other Works, are likely very far to exceed the Estimate originally made thereof; and the said Sum of Seventy-two thousand Pounds by the said recited Act authorized and directed to be advanced, paid, and applied as aforesaid, will therefore be insufficient for the Purposes to which the same is so made applicable: And whereas in consequence of the last mentioned Clause in the said recited Act, there have been purchased and conveyed, and agreed to be conveyed, to the said Mayor, and Commonalty, and Citizens, and their Successors, under the Powers given by the same Act in that Behalf, divers Houses, Buildings, and Parcels of Land, of very considerable Value, which not being wanted or necessary for any of the Purposes of the said Act must be sold, to the Intent that the Monies so to arise may be ready for Application: And whereas it is expedient that Power should be given to advance out of the
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the said Consolidated Fund, further Sums of Money for completing the said Canal and other Works, in Addition to the said Sum of Seventy-two thousand Pounds; and that the Monies to arise by Sale of the said Premises which have been so as aforesaid purchased, and are not wanted for the said Purposes, should be applied, as far as the same will extend, in replacing to the said Consolidated Fund the additional Monies so to be advanced thereout as last mentioned, and that such further Provision should be made as herein-after is expressed, for re-paying to the said Fund all Monies advanced and to be advanced thereout for the Purposes in the said recited Act, and this present Act, mentioned and directed; but in as much as the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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 there shall be advanced and paid from and out of all or any of the Duties, Revenues, and Incomes, composing the Fund, called *The Consolidated Fund*, upon the Credit of, and to be replaced to the said Fund by Monies to arise by Sale as aforesaid, and by the Rates and Duties by the said recited Act granted or made payable to His Majesty, His Heirs and Successors, any such further Sum or Sums of Money, not exceeding in the Whole the Sum of Fifty thousand Pounds of lawful Money of *Great Britain*, as, together with the said Sum of Seventy-two thousand Pounds so already advanced or to be advanced as aforesaid, shall be necessary and sufficient for the Purposes next herein-after mentioned, the same to be paid by the Lord High Treasurer, or the Commissioners of the Treasury for the Time being, into the Chamber of the City of *London*, from Time to Time, as and when wanted, and to be applied and disposed of by the said Mayor, Aldermen, and Commons of the said City of *London*, in Common Council assembled, for such and the same Purposes, and in such and the same Manner, in all Respects as are in and by the said recited Act mentioned and directed, of and concerning the said Sum of Seventy-two thousand Pounds, and as if such further Sum or Sums had been Part thereof.

Power to
advance
Monies.

How the
Monies to
arise by Sale
of Premises
are to be ap-
plied.

II. And be it further enacted, That all the net or clear Monies to arise and be received by the said Mayor and Commonalty, and Citizens of the City of *London*, and their Successors, by Sale of all or any Part or Parts of such Houses, Buildings, Lands, Tenements, and Hereditaments, purchased or to be purchased in pursuance and by virtue of the said recited Act, as shall not be necessary to be retained for or made use of in executing any of the Purposes of that Act shall, as and when such Monies shall be received, be applied from Time to Time, as far as the same will extend, in or towards repaying and replacing to the said Consolidated Fund, all or any such Sums of Money as shall be advanced and paid thereout in pursuance of this Act, with Interest for the same respectively, in the mean Time, at the Rate of Five Pounds *per Centum per Annum*; but the Receipt or Receipts, or other Discharge or Discharges of the said Mayor and Commonalty, and Citizens, or of their Successors,

Successors, for the Purchase Money for which any such Premises shall be sold by them as aforesaid, shall nevertheless be a sufficient Discharge or sufficient Discharges to the Purchaser or Purchasers thereof, for so much of such Purchase Money as in such Receipt or Receipts respectively shall be acknowledged to be received; and such Purchaser or Purchasers shall not afterwards be obliged to see to the Application thereof.

III. And, in order the more effectually to provide for the replacing of the Monies advanced and to be advanced out of the said Consolidated Fund, in Obedience to the said recited Act and this Act; be it also enacted, That the Rates and Duties by the said recited Act granted or made payable to His Majesty, His Heirs and Successors, as therein is expressed, for and upon Ships and other Vessels trading to, frequenting, or using the Port of *London*, shall be and are hereby charged with the Repayment to the said Consolidated Fund of the Monies to be advanced thereout in pursuance of this Act, and such Interest thereon as aforesaid, and shall be payable and applicable for and towards the replacing of such Monies to the said Fund, with Interest, in the same Order, or Course and Manner, in all Respects, as if such last mentioned Monies had been advanced thereout as Part of the said Sum of Seventy-two thousand Pounds, in pursuance of the said recited Act; and that all the same Rates and Duties shall continue payable, and be collected, received, and taken, and the Monies which shall, from Time to Time, be received and produced from and by Means of the same, shall be applied and disposed of, as in and by the said recited Act and this Act is mentioned and directed, until all such Sums of Money as are already advanced and paid, and which shall hereafter be advanced and paid from and out of the said Consolidated Fund, in pursuance of the said recited Act and of this Act, or either of them, shall be thereby and therewith or otherwise fully repaid and replaced to the said Fund, with Interest for the same Sums respectively, in the mean Time, at the Rate of Five Pounds *per Centum per Annum*; the said Limitation of Fourteen Years, or any other Matter or Thing in the said recited Act contained to the contrary in anywise notwithstanding.

How the Rates and Duties by the recited Act granted to His Majesty are to be applied.

IV. And be it also enacted, That the said Mayor, Aldermen, and Commons of the City of *London*, in Common Council assembled, shall pay and discharge all the Costs and Charges of obtaining and passing this Act, with and out of any of the Monies paid or to be paid into the Chamber of the City of *London*, from and out of the said Consolidated Fund, in pursuance of the said recited Act or of this Act as aforesaid.

Expences of this Act how to be paid.

V. And be it enacted, That all such or so much of the Powers, Authorities, Provisions, Regulations, Directions, Clauses, Matters, and Things whatsoever contained in the said recited Act as are applicable to the Purposes of this Act, and not hereby repealed, altered, or otherwise provided for or rendered unnecessary, shall extend and be construed to extend to this present Act, and shall operate and be in force in respect to this Act, and the Purposes thereof, according to its true Meaning, as fully and effectually, to all Intents and Purposes, as if the same Powers, Authorities,

Powers of the recited Act extended to this Act.

[*Loc. & Per.*]

9 C

Provisions;

Provisions, Regulations, Directions, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this Act.

Publick Act.

VI. And be it enacted, That this Act shall be deemed, and taken to be a Publick Act, and shall be taken Notice of as such by all Judges, Justices, and other Persons, without being specially pleaded.

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