



ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

Cap. xciii.

An Act to amend and explain an Act passed in the First Year of His present Majesty, for establishing and maintaining the Harbour of Port *Crommelin* in the Bay of *Cushendun* in the County of *Antrim*. [30th July 1834.]

WHEREAS an Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act for establishing and maintaining the Harbour of Port Crommelin in the Bay of Cushendun in the County of Antrim*: And whereas a considerable Sum of Money has been already expended in and towards the making of the said Harbour, and the Works connected therewith are at present in progress, and it is desirable, for the Advantage of the Trade and Commerce of that Part of the Country, and for the Advantage of the Public at large, that the same should be completed: And whereas the Time limited by the said Act for making and completing the said Harbour will expire on the Sixteenth Day of *July* One thousand eight hundred and forty, and it is expedient to extend the same: And whereas the Provisions contained in the said recited Act, enabling the Proprietor of the said Harbour to borrow Money for the Completion thereof and the Works connected therewith, are not conformable to the Rules and Regulations of the Commissioners appointed by the several Acts of Parliament authorizing the Advance of Money for the Execution of Public Works in *England* and *Ireland*; and Doubts have been entertained upon what Security, and under what Terms and Conditions, the said Commissioners can lawfully advance the same; and it is expedient that the

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said

said Provisions should be altered and amended, and also that the said last-mentioned Doubts should be removed, and that other Regulations should be made relating thereto, so as to enable the said Proprietor to obtain an Advance of Money to enable him to finish and complete the said Works : And whereas it is also expedient that some of the other Powers and Provisions of the said recited Act should be amended and enlarged : May it therefore please Your Majesty that it may be enacted ; and be it enacted and declared 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 the Period limited by the said recited Act for the Completion of the said Harbour and other Works authorized to be made under the said recited Act shall be and the same is hereby extended to the Sixteenth Day of *July* One thousand eight hundred and forty-five, and that all Powers, Authorities, Provisions, Penalties, Forfeitures, Matters, and Things in relation to the making and completing the said Harbour and other Works, contained in the said recited Act, and now in force, shall be, remain, and continue in full Force and Effect, for the Purpose of the said recited Act and of this Act, during such further Period as aforesaid, as fully and effectually in all respects, and to all Intents and Purposes, as if such extended Period had been given by the said recited Act, and as if such Powers, Authorities, Provisions, Penalties, Forfeitures, Matters, and Things had been specially and particularly re-enacted in and made Part of this Act ; and that all the other Powers, Exceptions, Penalties, Forfeitures, Payments, Rules, Remedies, Directions, Articles, Matters, and Things therein respectively contained shall (except so far as the same or any of them may be varied by or inconsistent with or repugnant to the Provisions of this Act, remain and continue in force, and be good, valid, applicable, and effectual for carrying this Act and the said recited Act into execution, to all Intents and Purposes.

The Period limited by the recited Act for the Completion of the Works extended to July 1845.

Proprietors of Harbour may apply to the Commissioners of Public Works for a Loan.

II. And be it further enacted, That it shall be lawful for the Proprietor or Proprietors of the said Harbour for the Time being, at any Time or Times, to apply to the Commissioners for issuing Exchequer Bills for Public Works, acting in execution of the said Act passed in the Fifty-seventh Year of the Reign of His late Majesty 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 on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in manner therein mentioned*, and of several subsequent Acts for amending and extending the same, for the Loan of so much of the Expence of making and constructing the said Harbour, and not exceeding the Sum of Twenty thousand Pounds, being the Sum limited in and by the said recited Act, as the said Commissioners are in and by the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, and the subsequent Acts referred to, enabled to lend and advance towards the Execution and Completion of any Work commenced or authorized to be commenced under the Authority of Parliament ; and the said Commissioners are hereby authorized and empowered (for and notwithstanding any thing in the said recited Acts contained to the contrary) and shall

Commissioners empowered to advance

advance the same, or so much thereof as the Proprietor or Proprietors of the said Harbour for the Time being shall think fit to borrow, for the Purposes of the said first-recited Act, upon the Credit or Security of the Tolls, Rates, and Duties to be levied, collected, and raised and to be payable by virtue of the said first-recited Act, and of the said Work or Undertaking itself, and all other Property belonging to the said Work or Undertaking, without requiring any personal Security for the same, and shall advance the same at such Rate of Interest as the Lord High Treasurer or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them, shall approve of, and also to advance such Sum although the said Undertaking shall be only in part completed at the Time of such Advance, and the Proprietor or Proprietors of the said Harbour shall not be in the Receipt of any Tolls, Rates, and Duties, or of any Tolls, Rates, and Duties of sufficient Amount for the Repayment of the Sum to be so advanced, by Instalments, and in the Manner mentioned in the said Acts under which the Commissioners act, and although the actual or expected Receipt or Produce of the said Works shall not be proved to the Satisfaction of the said Commissioners to be adequate to the Discharge of the Sum to be so advanced, by Instalments, within the Period of Twenty Years from the Date of the said Advance, together with the Interest reserved and made payable on such Advance.

Money upon
the Credit of
the Tolls, &c.

III. And whereas it is by the said herein-before first-recited Act provided, that the Sum or Sums to be charged by the Proprietor or Proprietors of the said Harbour for the Time being upon the said Harbour and Works, and the Rates and Duties to be collected under the said recited Act, shall not exceed the Amount of the Sums actually expended by him or them in constructing the said Harbour and Works; and that the said Harbour and Works, and Rates and Duties, shall not be liable under any Security to any greater Arrear of Interest than for Twelve Calendar Months preceding the Death of such Proprietor or Proprietors; be it enacted, That the said herein-before recited Provisions shall not be deemed or taken to extend to any Mortgage or Charge made or to be made by such Proprietor or Proprietors as aforesaid to the said Commissioners, in consideration of any Loan or Advance which they may make to him for the Purposes of the said Harbour.

Provisions in
recited Act
relating to
Loans not to
extend to any
Mortgage to
said Com-
missioners.

IV. And be it further enacted, That the Costs, Charges, and Expences of applying for and obtaining the said recited Act and this Act shall be paid and defrayed out of the first Monies to be raised or advanced by virtue of the said recited Act or this Act.

Expences of
Act.

V. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.