



# Public Works and Fisheries Acts Amendment Act 1863

## 1863 CHAPTER 81

### **2 Such Priority not to give Validity to any Security which could not have been given if this Act had not passed.**

Such Grant of Priority shall not give any Force or Validity to any Security which could not have been legally given if this Act had not been passed: Provided nevertheless, that where any Harbour Authority has, independently of " The Harbours and Passing Tolls, &c. Act, 1861," the Power to borrow and secure Money to a limited Amount only, it shall be lawful for the Commissioners, if they think proper, to cause to be inserted in any Deed or other Instrument made or executed to secure an Advance by them to such Harbour Authority a Declaration that such Advance shall not be taken as Part of such limited Amount; and thereupon, and notwithstanding such Advance, Money to the full Extent of such limited Amount may be borrowed and secured in addition to the Sum secured by the Deed or Instrument containing the Declaration aforesaid, and the Fact of the Secretary for the Time being of the Commissioners being a Party to such Deed or Instrument, and being the Person to whom the Security is made, shall be conclusive Evidence that any such Declaration as aforesaid was inserted therein by the Authority of the Commissioners.