



CHAP. xiv.

An Act to transfer the Harbour of Workington from the trustees thereof to the Right Honourable William Earl of Lonsdale ; to authorize the improvement and extension of that harbour ; and for other purposes. [13th May 1869.] A.D. 1869.

WHEREAS by an Act passed in the session of the third and fourth years of the reign of Her present Majesty, intituled " An Act for regulating and preserving the harbour of Workington in the county of Cumberland, and for other purposes relating thereto," (and in this Act referred to as the Act of 1840,) the lord of the manor of Workington for the time being, the lord of the manor of Seaton for the time being, and certain other persons in that Act named, and the survivors and survivor of them, were appointed the first trustees for carrying into execution the several purposes of that Act, and provision was made in that Act for the appointment at stated periods and from time to time of persons to act with the lord of the manor of Workington for the time being and the lord of the manor of Seaton for the time being, as the successors of such first trustees in the office of trustees for improving the harbour of Workington : 3 & 4 Vict. c. xliv.

And whereas by the same Act of 1840 the limits of the harbour of Workington were (by section 50) defined as being comprised within the bounds and limits in that Act mentioned, and which bounds and limits are also set forth in the plans deposited as in this Act mentioned ; that is to say, " Beginning at the south-eastern extremity of the old woodwork or piece of broken-down quay adjoining to the south-eastern extremity of the breast wall of the present south quay, and extending from thence in a south-western direction fifty feet or thereabouts to the north corner or angle of the wall of a certain yard or piece of inclosed ground belonging to Michael Falcon, esquire, and lately occupied as a timber and shipbuilding yard ; thence in a straight line downwards towards the sea to a point which is distant fifty feet from

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“ the said breast wall of the said present south quay, and at a
 “ distance of ninety-eight feet from the above-mentioned extremity
 “ of the wall of the aforesaid yard; thence a distance of nine
 “ hundred and sixty-five feet north-westwards in a line a little
 “ curved but parallel with the breastwork of the said quay, and at
 “ the uniform distance of fifty feet from the said breastwork;
 “ thence in a straight line to the eastern extremity of the wall
 “ which supports the hurries on the south side of the said harbour;
 “ thence along the said wall to the north-east corner of the harbour-
 “ house, being a distance of three hundred and eighty-nine feet,
 “ or thereabouts; thence along the north side of the harbour-house
 “ and custom-house to the north-west corner of the said custom-
 “ house, being a distance of one hundred feet and a half, or
 “ thereabouts; thence in a straight line to and along the wall
 “ which supports the hurry on the south side of the dock to a
 “ point directly opposite to the south-east corner of the ship-
 “ building yard of Messieurs Falcon and Alexander, being a
 “ distance of three hundred and fifty-six feet or thereabouts from
 “ the above-mentioned corner of the said custom-house; thence to
 “ the said south-east corner of the said shipbuilding yard, being a
 “ distance of twenty-one feet or thereabouts; thence in a curved
 “ line along the eastern boundary of the said shipbuilding yard
 “ to the point where the same adjoins the shipbuilding yard of
 “ Messieurs William Peile, Scott, and Company, being a distance
 “ of two hundred and thirty-three feet and a half, or thereabouts;
 “ thence along the south-east boundary fence of the said last-
 “ mentioned shipbuilding yard of Messieurs William Peile, Scott,
 “ and Company, one hundred and eight feet or thereabouts; thence
 “ in a straight line across the slip belonging to the last-mentioned
 “ yard in an oblique direction towards the east, sixty feet or there-
 “ abouts, to the south corner of the paling or fence of the said yard
 “ next adjoining to the said slip, on the north-east side thereof;
 “ thence in a straight line one hundred and twenty feet to a point
 “ on the north-west side of the jetty or quay forming the entrance
 “ to the dock; thence in a straight line three hundred and forty-
 “ four feet or thereabouts to a point on the eastern side of the
 “ south pier distant ninety-six feet from the north wall of the said
 “ last-mentioned building yard; thence along the eastern side
 “ of the said south pier to the southern extremity thereof, being a
 “ distance of sixty-nine feet or thereabouts; thence along the
 “ western side of the said pier, down towards the sea, one hundred
 “ and eight feet; thence westerly in a direction pointing to the
 “ principal capstan four hundred and sixty-eight feet; thence in a
 “ south-west direction to the south corner of a house or building
 “ called the ‘spile house,’ being a distance of one hundred and

“ fifty feet or thereabouts; thence along and to the north-west end
 “ of the south-western boundary wall of the said pile house and
 “ of the harbour cable house adjoining thereto; thence in a
 “ direction towards the north-east, and along the south-eastern
 “ end of a dwelling house adjoining to the said harbour cable
 “ house, and now occupied by Henry Carr, to the northern
 “ extremity of the said harbour cable house at the front thereof
 “ facing to the sea; thence in a straight line to the south-eastern
 “ extremity of a certain pier called John’s Pier on the south-west
 “ side thereof, being a distance of three hundred and forty-two
 “ feet or thereabouts; thence along the south-west side of and
 “ including the said pier to the north-western extremity thereof,
 “ being a distance of two hundred and seventy feet or thereabouts;
 “ thence to and along and including the south channel of the River
 “ Derwent down to the low-water mark; thence along the low-
 “ water mark, northwards, to the point where the north channel
 “ of the River Derwent enters the sea at low water; thence across
 “ and including the said north channel; thence upwards along the
 “ north side of the said north channel to the Low Perch; thence
 “ along the line of and including the perches on the said north side
 “ of the north channel to the western extremity of the wooden
 “ framework; thence along and including the said framework to
 “ the west end of the present quay on the north side of the said
 “ harbour, being a distance of three hundred and sixty-six feet or
 “ thereabouts; thence along and including the said quay to the
 “ south-eastern extremity thereof, being a distance of six hundred
 “ and seven feet or thereabouts, with all the ground on the north
 “ side of the said wooden framework and quay to the extent or
 “ distance of fifty feet in breadth from the said wooden framework,
 “ and from the wall or breastwork of the said quay next adjoining
 “ to the same respectively, and extending in a westerly direction
 “ from the said south-eastern extremity of the said quay, in a
 “ straight line across the River Derwent, to and along the north
 “ boundary fence of a certain plot or parcel of ground situate upon
 “ the Lower Cloffocks, and adjoining the south margin of the said
 “ river, which said plot or parcel of ground was lately demised by
 “ the said William Earl of Lonsdale to and is now in the occu-
 “ pation of Michael Falcon, David Fletcher, and others, and is
 “ partly inclosed and in part occupied as a yard and premises used
 “ for the repair of ships, to the north-western point or termination
 “ of the said plot or parcel of ground, being a distance of two
 “ hundred and ten feet or thereabouts; thence in a south and
 “ south-east direction along the southern boundary line of the said
 “ plot or parcel of ground and wall of the yard and premises

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“ in a straight line across the south gut, south-westwards, to the
“ breastwork of the said present south quay; and thence along
“ the said breastwork of the said south quay, nine hundred and
“ ninety feet to the south-eastern extremity of the said breast-
“ work; and thence along the said old woodwork or piece of
“ broken-down quay, sixty feet or thereabouts, to the south-eastern
“ extremity thereof, being the place from whence the said limits
“ began” (and the harbour of Workington, as so defined, is in
this Act referred to as “ the harbour”):

And whereas by the same Act (section 58) it was declared that the jurisdiction of the trustees by that Act appointed should comprehend the limits of the harbour; and by the same Act (section 59) it was further enacted, that the harbour, the harbour cable house, spile house, and harbour cables, and all the then present and future quays, piers, wharfs, docks, and other works of or belonging to the harbour (except the messuage or dwelling house and premises adjoining or near to the harbour on the south side thereof, commonly called by the name of the harbour house, then in the occupation of Edward Smith, the harbour-master, with the appurtenances, which was the private property of Henry Curwen), and that all the present and future public roads, highways, passages, and public places within the limits of the harbour, and all drains and sewers within the same limits, and all gasometers, pipes, apparatus, and machinery, lamps, lamp-irons, watch-boxes, posts, and other things then belonging to the harbour, or thereafter to be purchased or provided under the authority of that Act for the purpose of lighting and watching the harbour, and all other implements, apparatus, materials, articles, and things whatsoever purchased and provided under the authority of that Act, for any of the purposes of that Act, should severally and respectively be deemed to belong to and be the property of and the same were thereby vested in the trustees for the time being for executing that Act (in this Act referred to as the trustees):

And whereas by the same Act (sections 26–31) the trustees were empowered to receive tonnage rates on vessels using the harbour, and (sections 34, 5,) to collect anchorage dues for the lords of the manors of Workington and Seaton, and (sections 101–6) to raise money upon mortgage and otherwise; and by the same Act various additional powers and duties relating to the harbour were conferred and imposed upon the trustees:

And whereas in the session of the twenty-seventh and twenty-eighth years of the same reign another Act was passed, intituled “ An Act to amend the Act third Victoria, chapter forty-four, for

“ regulating and preserving the harbour of Workington in the
“ county of Cumberland, in relation to the securities to be granted
“ for borrowed money, and for other purposes ” (and such amending
Act is in this Act referred to as “ the Act of 1864 ”) :
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27 & 28 Vict.
c. cv.

And whereas by the Act of 1864 further powers were conferred on the trustees for the improvement of the harbour, and by that Act (section 5) it was provided that the whole sum borrowed and secured by the trustees at any one time under the authority of the Act of 1840 and that Act should not exceed fifty thousand pounds :

And whereas in the session of the twenty-fourth and twenty-fifth years of the same reign an Act was passed “ to enable the Right
“ Honourable William Earl of Lonsdale to make and maintain a
“ dock or tidal basin at Workington in the county of Cumber-
“ land, and a railway therefrom to join the Whitehaven Junction
“ Railway, and for other purposes,” (in this Act referred to as
“ the Act of 1861,”) but after the works authorized by that Act had been commenced and partly executed it was deemed expedient to vary the same at an increase of thirty thousand pounds beyond the estimated cost of the original undertaking :
24 & 25 Vict.
c. lxxxiii.

And whereas such variance of the original undertaking was authorized by an Act passed in the session of the twenty-sixth and twenty-seventh years of the same reign, intituled “ An Act to
“ enable the Right Honourable William Earl of Lonsdale to make
“ and maintain a wet dock at Workington in the county of
“ Cumberland, and a railway therefrom to join the Whitehaven
“ Junction Railway, in lieu of the dock or tidal basin and railway
“ authorized by ‘ The Workington Dock Act, 1861,’ and for other
“ purposes,” (in this Act referred to as “ the Act of 1863,”) and it was by the Act of 1863 enacted that all the powers and provisions of the Act of 1861 should, as far as the same or any of them were applicable, and except as altered by the Act of 1863, apply to the substituted dock and works by the Act of 1863 authorized :
26 & 27 Vict.
c. xvi.

And whereas the wet dock, railway, and works by the Act of 1863 authorized have been constructed and opened, and have been attended with advantages to shipping and to trade generally ; but the entrance to the harbour is much choked by shingle, and access to the harbour and dock is thereby greatly impeded :

And whereas the revenue of the trustees is insufficient for the effective removal of the said shingle, and for the general improvement and maintenance of the harbour :

And whereas the said William Earl of Lonsdale is willing, at his own expense, to undertake the improvement of the entrance channel to the harbour, and the duties and liabilities imposed upon the trustees by the Acts of 1840 and 1864 with respect to the

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maintenance and improvement of the harbour and the payment of the debts affecting the same, upon a transfer of the harbour, and of the powers of the trustees in relation thereto, being made to him :

And whereas a transfer to the Earl of the harbour, and of the powers of the trustees in relation thereto, in manner in this Act mentioned, would be of local and public advantage :

And whereas at a general meeting of the trustees held in conformity with the provisions of the Act of 1840 and of the Act of 1864 the agreement contained in the schedule to this Act was duly executed :

And whereas the monies from time to time borrowed and now owing by the trustees are set forth in the second schedule to that agreement :

And whereas the wet dock and entrance basin thereto by the Acts of 1861 and 1863 authorized, and the harbour, could be more conveniently held and managed if the same respectively were united into one undertaking, and it is therefore expedient that the said agreement should be confirmed, and that the enactments relating to the harbour and to the dock respectively should be in divers particulars amended :

And whereas it is expedient that the limits of the harbour should be extended so as to include the wet dock and entrance basin, and otherwise as in this Act mentioned :

And whereas it is expedient that the said William Earl of Lonsdale, for the preservation and improvement of the harbour, should be empowered to make and maintain the works by this Act authorized :

And whereas plans and sections of the intended works, showing the lines and levels thereof respectively, and the lands in or through which the same are intended to pass or be made, or which may be required for the purposes of this Act, together with a book of reference to those plans, have been deposited with the clerk of the peace for the county of Cumberland, and are herein referred to as the deposited plans and sections and book of reference :

And whereas the purposes of this Act cannot be accomplished 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 for all purposes be cited as "The Workington Harbour (Transfer) Act, 1869."

2. The several words and expressions to which by the Acts incorporated with this Act meanings are assigned have in this Act the same respective meanings, unless excluded by the subject or context: And in this Act—

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—
Interpreta-
tion of terms.

The expression "the Earl" means The Right Honourable William Earl of Lonsdale, his heirs and assigns:

The expression "the harbour" means the harbour of Workington, as defined by section 50 of the Act of 1840:

The expression "the Lonsdale Dock" means the wet dock constructed by the earl under the powers of the Act of 1861 and the Act of 1863:

The expression "the additional limits" means the additional lands incorporated with and to be comprised in the harbour limits as defined by the provisions of this Act:

The expression "the harbour limits" means and includes the harbour and the additional limits:

The expression "the trustees" means the trustees for the time being acting in the execution of the Act of 1840 and the Act of 1864:

The expression "the recited Acts" means the Acts of 1840 and 1864, and the Acts of 1861 and 1863:

The expression "superior courts," or court of "competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

3. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and the following sections of the Railways Clauses Act, 1863, (that is to say,) section 13, "Lights on works;" section 18, "Abatement of works abandoned or decayed;" and section 19, "Survey of works by Board of Trade;" and in interpreting those sections of the last-mentioned Act the words "work and railway" shall be taken to mean the works authorized by this Act and "The Harbours, Docks, and Piers Clauses Act, 1847," (except the section 25, "rates not to be taken until the works shall be completed," and section 26, "certificate of the magistrate to be evidence that harbour, &c. is completed," of the latter Act), are (except where expressly varied by this Act) respectively incorporated with this Act: Provided always, that the provisions of "The Harbours, Docks, and Piers Clauses Act, 1847," "with respect to life boats," and "with respect to keeping a tide and weather gauge," shall not be in force for the purposes of this Act, unless and except in so far only as the Board of Trade, by

8 & 9 Vict.
c. 18.,
10 & 11 Vict.
c. 27.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 92. incor-
porated.

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Confirma-
tion of
agreement
in schedule.

4. The agreement set forth in the schedule to this Act is hereby confirmed, and shall be carried into effect; and the seventh head of that agreement shall be read and have effect as if after the words "spending upon maintenance and repairs of the harbour in each year such a sum of money only as will bear the same proportion" the words "to the revenue of that year" were next therein inserted, such words having been omitted by accident from the said agreement as executed by the parties to the same respectively.

Harbour, &c.
to be vested
in the Earl.

5. From and after the passing of this Act, the harbour, and all the estates, property, monies, credits, assets, rights, powers, and privileges belonging to or vested in the trustees under and by virtue of the Act of 1840 and the Act of 1864, or either of them, or under any other Act or Acts, shall, subject to the provisions of this Act, and subject also to all mortgages, charges, debts, and liabilities affecting the same, become the property of and be vested in the earl, and the period at which such estates, property, monies, credits, assets, rights, powers, and privileges as aforesaid shall become and be vested in the earl is in this Act referred to as "the vesting."

Defining
limits of
harbour.

6. From and after the passing of this Act, the harbour limits shall include the harbour and the additional limits following; (that is to say,)

1. So much of the north side quay as formed part of the harbour before the passing of the Act of 1861 :
2. The water space of the Lonsdale Dock, and the entrance basin thereto, together with the quays of the same for a width of twelve feet from the coping edge, all around the dock and its timberslip, and round the north-east and south-east sides of the entrance basin, and for a width of fifty feet on each side of the entrance gates, and on the north-west side of the said basin; also the area occupied by the inclosure of the dock-master's house, and the garden and appurtenances attached thereto :
3. The whole of the low-water channel of the river Derwent for the time being situated westward of the light at the end of the pier described and entered on the deposited plans as "the south or wood pier."

Appoint-
ment of har-
bour-master
and other
officers.

7. The earl may from time to time appoint and remove such harbour-masters, dock-masters, pilots, weighers, meters, collectors, constables, officers, and servants as he may deem requisite for the execution of any of the purposes of this Act and the recited Acts,

and may determine their respective remuneration, duties, and regulations.

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8. Subject to the provisions of this Act and the Acts incorporated herewith, the Earl may, at his own expense, and by his deputies, contractors, agents, officers, workmen, and servants, make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described, with all proper works and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for that purpose.

Power to execute works.

9. The works to be executed under the authority of this Act are the following :

Defining works to be executed.

1. A groyne commencing on or near the seashore thirty-five yards or thereabouts above high-water mark of spring tides at a point about one hundred and thirty yards southward from the harbour light at the end of the John Pier, and terminating on the foreshore of the sea about one hundred and eighty yards westward from the said point of commencement :
2. Another groyne commencing on or near the seashore thirty-five yards or thereabouts above high-water mark of spring tides at a point about three hundred yards southward from the harbour light at the end of the John Pier, and terminating on the foreshore of the sea about one hundred and eighty yards westward from the said point of commencement :
3. Another groyne commencing on or near the seashore thirty-five yards or thereabouts above high-water mark of spring tides at a point about four hundred and fifty yards southward from the harbour light at the end of the John Pier, and terminating on the foreshore of the sea about one hundred and eighty yards westward from the said point of commencement :
4. Another groyne commencing on or near the seashore thirty-five yards or thereabouts above high-water mark of spring tides at a point about five hundred and fifty yards southward from the harbour light at the end of the John Pier, and terminating on the foreshore of the sea about one hundred and eighty yards westward from the said point of commencement :
5. Another groyne commencing on or near the seashore thirty-five yards or thereabouts above high-water mark of spring tides at a point about seven hundred yards southward from

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the harbour light at the end of the John Pier, and terminating on the foreshore of the sea about one hundred and eighty yards westward from the said point of commencement:

6. Another groyne commencing on or near the seashore thirty-five yards or thereabouts above high-water mark of spring tides at a point about eight hundred yards southward from the harbour light at the end of the John Pier, and terminating on the foreshore of the sea about one hundred and eighty yards westward from the said point of commencement:

All such groynes and lands being situate respectively in the township of Workington in the county of Cumberland, or on the shore of the sea in or adjoining that township.

The Earl not to acquire soil of glebe, but only easement over land.

10. Notwithstanding anything in this Act contained, the Earl shall not take or acquire compulsorily the soil of any lands respectively forming part of the glebe of the parish of Workington, but he shall only take or acquire a right of perpetual easement over so much of the said lands as are requisite for the purpose of making and maintaining the groynes by this Act authorized, and for securing a right of access to the said groynes.

Terms for easement over glebe lands.

11. The Earl shall pay at Lammas in each year to the rector of the parish of Workington for the time being in perpetuity an annual sum of one pound for each groyne to be erected on land forming part of the glebe of the said parish, as the rent or consideration for a perpetual easement over the land to be occupied by the site of the said groynes, and in case the said Earl shall upon the said glebe land erect any additional groyne or groynes than those shown on the said plans, and which it shall from time to time be lawful for him to do, he shall pay to the said rector for the time being a like annual sum of one pound for every additional groyne so erected, and he shall also pay a further annual sum of ten shillings at the said term to the said rector for the time being for a right of access over the glebe land to the said groynes for the purpose of maintaining the same; and in consideration of these payments the Earl shall have a perpetual easement over so much of the glebe land as is requisite for the purpose of making and maintaining the said groynes constructed or to be constructed on the glebe land; and he shall likewise have a right of access in perpetuity for himself, and his deputies, contractors, agents, officers, workmen, and servants over the said glebe land to the said groynes, for the purposes herein provided: Provided always, that nothing herein contained shall authorize the Earl to make any new road or way over the said glebe land for the purposes aforesaid or any of them.

12. The Earl may also erect and construct all proper approaches, dolphins, guide piles, buoys, lights, beacons, moorings, mooring posts, and other works, erections, and conveniences in connection with and for the better use and occupation of the harbour, the Lonsdale Dock, and relative works, within the harbour limits, upon both sides of the river channel and upon the foreshore adjacent thereto on the south side thereof, and may from time to time maintain, alter, remove, renew, and replace any such works and conveniences; and he may from time to time enter on and dredge, scour, and deepen the bed and soil of the sea and harbour within the harbour limits and adjacent thereto as aforesaid, for the purpose of facilitating and improving the access to the harbour and dock, and may provide and use dredge boats, barges, machinery, and apparatus for those purposes.

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To make approaches, &c.

13. In the execution of the works by this Act authorized, the Earl may deviate from the several lines and levels respectively shown on the deposited plans and sections laterally to any extent not exceeding the limits of deviation shown on those plans, and vertically to any extent not exceeding ten feet from the levels shown on those sections.

Deviation in execution of new works.

14. The works shown on the deposited plans shall be completed within seven years from the passing of this Act, and on the expiration of that period the powers by this Act granted to the Earl for making the same or otherwise in relation thereto shall cease to be exercised, except as to so much thereof as shall then have been completed.

Period for completion of works.

15. The powers hereby given for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Powers for compulsory purchases limited.

16. Subject to the provisions in this Act and in the agreement in the schedule hereto contained, the Earl shall be bound to maintain and keep in good and efficient repair the harbour and works, and all the quays, wharves, piers, and other erections belonging thereto, and the present entrance and approaches to the harbour, with such improvements therein as may from time to time be found necessary, and to maintain a depth of water in the said harbour not less than the existing depth at the date of the said agreement.

Harbour to be maintained.

17. The Earl may, within the harbour limits or adjacent thereto as aforesaid, from time to time remove any obstruction to the safe and convenient navigation of the harbour or the approaches thereto, and may remove all shingle, rocks, and shoals either above or below high-water mark within such limits, and may erect and maintain such works on either side of the entrance of the harbour, or on the

Impediments to navigation may be removed and facilities afforded.

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foreshore adjoining thereto, as may be necessary or expedient for the secure and convenient entrance of the harbour, and for the effectual protection of the same.

Power to acquire rights over lands by agreement.

18. The Earl from time to time, and in addition to other lands which he is by this Act authorized to purchase, may, by agreement with the owners of any lands or other hereditaments, corporeal or incorporeal, comprised within the harbour limits or adjacent thereto, purchase the user thereof, or any easement, power, or right in, over, or affecting the same, on such terms as are mutually agreed on.

Persons under disability may grant easements, &c.

19. The several persons by "The Lands Clauses Consolidation Act, 1845," enabled to sell and convey or release lands may make to the Earl grants of any easements, powers, and rights in, over, and affecting lands which he is by this Act authorized to purchase, and may consent to the execution by the Earl of any works which he is by this Act authorized to do on any lands not belonging to him.

Power to the Earl to borrow on mortgage.

20. The Earl may for the purposes of the works by this Act authorized, and for the general purposes of the harbour and the Lonsdale Dock, and in lieu of the sum which the trustees were immediately before the passing of this Act authorized to borrow on mortgage under the Acts of 1840 and 1864, and in lieu of the sum which he is authorized to borrow by the Acts of 1861 and 1863, borrow on mortgage of the harbour, the Lonsdale Dock, and all the property within the harbour limits (except the coal drops and railways round the Lonsdale Dock) vested in or accruing to the Earl under the recited Acts and this Act, and of the tolls, rates, and charges by the recited Acts and this Act respectively authorized to be levied, (all such harbour, dock property, tolls, rates, and charges being in this Act referred to as "the harbour estate,") any sum or sums not exceeding in the whole seventy thousand pounds.

Sections of Companies Clauses Act incorporated.

21. Sections 41 and 42 and sections 45 to 54 inclusive of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of money on mortgage, shall be incorporated with this Act; and the expressions "the directors," "the company," "the secretary," in those sections shall be read as if the same were the Earl.

Application of monies borrowed.

22. All monies borrowed by the Earl under the authority of this Act shall be applied to the purposes of the recited Acts and this Act, and to those purposes only.

Priority of existing mortgages not affected.

23. Nothing in this Act shall prejudice or affect the several priorities or preferences as between themselves (if any) of the several

mortgages granted by the trustees before the passing of this Act, and immediately before the passing of this Act in force; and the mortgages granted by the trustees and in force at the vesting shall remain the first charge upon the harbour and upon the rates authorized by the Act of 1840 and the Act of 1864; but all those mortgages respectively shall while in force be of like validity and effect in all respects as if this Act had not been passed.

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24. In addition to the security hitherto possessed by the holders of any mortgages granted by the trustees under the Acts of 1840 and 1864 and by this Act confirmed, it is hereby declared, that from and after the vesting, all such mortgages respectively created before the passing of this Act, and in force at the vesting, shall, together with the interest from time to time payable thereon, be further charged and secured upon the harbour estate; and all such mortgages respectively and the interest thereon shall, during the continuance of such mortgages, have priority over and to any monies to be borrowed by the Earl under the authority of this Act.

Further security for existing mortgages.

25. The mortgagees may enforce the payment of the arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; and in order to authorize the appointment of a receiver in respect of principal or principal and interest the amount owing to the mortgagees by whom application for a receiver is made shall not be less than five thousand pounds in the whole.

Arrears may be enforced by appointment of a receiver.

26. The Earl shall, if required by any mortgagee or other creditor of the trustees, whilst any portion of the debt of the trustees affecting the harbour set forth in the second schedule to the said agreement shall be subsisting, and upon six months notice to that effect, pay off the debt or claim of such mortgagee or creditor when and as the same shall respectively become payable, or sooner, at the option of the Earl, and with the consent in that case of every such mortgagee or creditor respectively: Provided always, that upon every such payment the Earl shall be entitled to call for and require a transfer to him of the mortgage or claim so paid off and satisfied, and shall thereupon rank as a creditor of the harbour estate in respect of any mortgage or debt he may so pay off, and shall have the same rights, remedies, and privileges with respect thereto as such mortgagee or creditor would have had if not so paid off by the Earl.

Earl to pay harbour debts, if required.

27. Upon the passing of this Act, the Earl may levy, demand, and recover within the harbour limits rates and charges not exceeding those by the recited Acts authorized to be taken by the trustees and by the Earl respectively; but the Earl shall make uniform charges,

Tonnage rates.

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whether in respect of tonnage rates or other rates and charges, upon and for vessels using the Lonsdale Dock, and upon and for vessels using the harbour, the rates and charges for tonnage and towage and other accommodation and services in respect of vessels using the harbour in no case exceeding the rates and charges levied at the time in respect of vessels of similar tonnage using the Lonsdale Dock; and nothing in this Act contained shall authorize the Earl to make or levy any other or higher rates or charges, whether in the Lonsdale Dock or in the harbour, than before the passing of this Act could be made or levied on such vessels under the recited Acts or any of them.

Towage.

28. The Earl may from time to time purchase, build, hire, maintain, use, and work steam tugs and other vessels to facilitate the navigation of the harbour and the water space included within the harbour limits, and to accommodate vessels frequenting the same, and in respect of towage services, or any services of a similar nature rendered to vessels, may levy rates and charges not exceeding the rates and charges which the trustees in respect of any such services were authorized to levy and receive.

Earl may provide water for vessels.

29. The Earl may supply water to vessels using the harbour or Lonsdale Dock, and may make such reasonable charges for or in respect of the supply of such water as he from time to time thinks fit.

Saving rights to anchorage dues.

30. Nothing in this Act contained shall prevent or hinder the dues known as anchorage dues within the harbour of Workington from being paid or payable by the master or person having the charge of every vessel now liable to pay the same to the lord or lords for the time being of the respective manors of Workington and Seaton, or to their assigns, as the same were paid before the passing of this Act.

Anchorage dues to be collected as before.

31. The anchorage dues aforesaid shall from time to time be collected and paid by the Earl in the same manner and upon the same terms in all respects as before the passing of this Act those anchorage dues were by the trustees collected and paid over to the lords respectively of the manors of Workington and Seaton.

Harbour and dock to be managed as one concern.

32. On the passing of this Act the Lonsdale Dock shall be united to the harbour, and the Lonsdale Dock and harbour and relative works shall be held and worked by the Earl as one concern.

All Acts done before the passing of this Act valid.

33. Notwithstanding the vesting, and except only as is by this Act or by the agreement contained in the schedule to this Act otherwise expressly provided, everything before the passing of this Act done, suffered, and confirmed respectively under or by virtue of

the Act of 1840 or the Act of 1864, or any other Act of Parliament relating to or affecting the trustees or the harbour, shall be as valid as if the vesting had not happened, and the vesting and this Act respectively shall accordingly be subject and without prejudice to everything so done, suffered, and confirmed respectively, and to all rights, liabilities, claims, and demands, both present and future, which if the vesting had not happened would be incident to or consequent on any and every thing so done, suffered, and confirmed respectively; and with respect to all such rights, liabilities, claims, and demands, the Earl shall to all intents represent the trustees: Provided always, that the generality of this enactment shall not be restricted by any other of the clauses and provisions of this Act.

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34. Notwithstanding the vesting, and except only as aforesaid, all purchases, sales, conveyances, deeds, agreements, securities, and contracts before the passing of this Act made under the Act of 1840 or the Act of 1864, or under any other Act relating to the trustees, or with respect to the harbour, shall be effectual to all intents for, against, and with respect to the Earl instead of the trustees, and may be proceeded on and enforced in like manner to all intents as if the Earl were party or privy thereto, or referred to therein instead of the trustees.

Contracts
&c. pre-
served.

35. Notwithstanding the vesting, and except only as aforesaid, any action, suit, prosecution, or other proceeding commenced either by or against the trustees before the passing of this Act in relation to the harbour shall not abate or be discontinued or prejudicially affected by this Act, but, on the contrary, shall continue and take effect both in favour of and against all persons interested, in like manner to all intents as if this Act were not passed, save only that the Earl shall be substituted therein for the trustees.

Actions not
to abate, &c.

36. Notwithstanding the vesting, and except only as aforesaid, all persons who immediately before the passing of this Act owed any money to the trustees, or to any person on their behalf, shall pay the same, with all interest, if any, due and payable or accruing for the same, to the Earl; and all monies which immediately before the passing of this Act were owing by or recoverable from the trustees, or for the payment of which they are or but for this Act would be liable, shall, with all interest (if any) due and payable or accruing for the same, be paid by or be recoverable from the Earl.

Debts to be
paid.

37. Notwithstanding the vesting, all documents, books, plans, and writings by the Act of 1840 or the Act of 1864 or any other Act relating to the harbour directed or authorized to be kept or made, and which, if this Act were not passed, would be receivable

Books, &c.
continued
evidence.

A.D. 1869. in evidence, shall be admitted as evidence in all courts of law and equity and elsewhere accordingly.

Continuation of liability of the harbour to local rates.

38. The harbours shall, notwithstanding the vesting, be liable to all municipal, parochial, and other rates and assessments to which the harbour now is or would have been liable if this Act had not passed, and such rates and assessments shall hereafter be assessed upon and recoverable from the Earl, but nothing in this Act contained shall create any liability or obligation on the part of the Earl to the payment of any rate or assessment in respect of the harbour, unless such liability or obligation would have existed in case the harbour had remained in the hands of the trustees.

Powers of trustees to cease.

39. Upon the passing of this Act, all powers of the trustees in relation to the harbour, and all elections or nominations of trustees under the provisions of the Act of 1840 in that behalf, or under the Act of 1864, or under any other Act or Acts relating to the harbour, shall wholly cease.

Provisions of other Acts continued.

40. Notwithstanding the vesting and cesser of the trustees, the provisions of any and every Act of Parliament relating to the harbour and the trustees and their officers and servants respectively, and at the passing of this Act in force, shall, as far as such provisions respectively are applicable, and subject in every case to the provisions of this Act, be of like force within the harbour limits as if the vesting had not happened, and may within the harbour limits be exercised, enforced, and enjoyed by and against the Earl, and his officers and servants respectively, in as full and beneficial a manner, to all intents and purposes, as the same respectively might be exercised, enforced, and enjoyed by and against the trustees and their officers and servants respectively if the vesting had not happened.

As to access of the London and North-western Railway Company to the Merchants Quay.

41. Nothing in this Act contained shall alter or interfere with the railways, tramways, wharves, land, or property of the London and North-western Railway Company, and their present access to the Merchants Quay at Workington, free of charge, shall remain undisturbed, but the Earl shall be entitled to demand and levy all such and the same tonnage and other rates and charges at the said quay as are now payable from vessels loading or discharging at the said quay.

Terms on which lines, &c. to be used by the London and North-western Railway.

42. The London and North-western Railway Company shall have a right to use in perpetuity, for the conveyance of coal, minerals, goods, and other merchandise, the lines and tramways belonging to the Earl leading from the London and North-western Railway (formerly the Whitehaven Junction and Cockermouth and Workington Railways) to the Lonsdale Dock, and also a right to use the staithes and other conveniences on and around the said dock, and in con-

sideration of such use the company shall pay to the Earl for five years from the first day of January one thousand eight hundred and sixty-nine an annual rent of five hundred pounds per annum, by equal half-yearly payments, for all coal, minerals, goods, and merchandise conveyed on the said lines and tramways, and at the end of such five years the said rent of five hundred pounds shall be revised, and shall be increased or decreased according to the then traffic, it being understood that the said yearly rent of five hundred pounds per annum represents a total of one hundred thousand tons of coal, minerals, goods, and merchandise, and a like revision shall take place at the end of every five years in perpetuity; and the Earl shall, for the purpose of such revisions, have reasonable access to the books and accounts of the company; and the lines, tramways, and staithes used by the said company shall, in addition to the payment of the said rent, be maintained in efficient repair and working order by them at their cost; but the said Earl, in respect of any other person or company using the said lines, tramways, and staithes, or any of them, shall contribute to the repair of such lines, tramways, and staithes as may be used for the traffic of such other person or company, according to the proportion which such traffic may bear to the traffic of the said London and North-western Railway Company upon the same lines, tramways, and staithes; provided that the London and North-western Railway Company shall have no exclusive right to the use of the said lines and tramways, wharves, staithes, and other conveniences, but only a right to use the same for their traffic in common with the Earl, his lessees, and other persons using the same; and the said company shall abide by all such rules and regulations as shall be from time to time mutually agreed upon by the Earl or his lessees and the said company for the due conduct of their traffic on the said lines and tramways and at the said dock belonging to the Earl; and in case any difference shall arise between the Earl or his lessees and the said company in reference to the rules and regulations so to be made as aforesaid, such difference shall be settled by the Board of Trade, or by an arbitrator to be appointed by them at the request of either party, and the cost of such arbitration shall be borne by the said parties in equal shares.

43. Nothing in this Act, except as by this Act is expressly provided, shall take away, lessen, prejudice, or alter any of the estates, rights, privileges, franchises, powers, or authorities of the respective lords for the time being of the manors of Workington and Seaton respectively.

Saving rights of the lords of the manors of Workington and Seaton respectively.

44. Nothing contained in this Act, or in any of the Acts herein referred to, shall authorize the Earl to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or any right

Saving rights of the Crown in the foreshore.

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in respect thereof, belonging to the Queen's most Excellent Majesty in right of her Crown, the management of which is vested in the Board of Trade, without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give), neither shall anything in the said Act or Acts contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exercisable by the Queen's Majesty, her heirs or successors.

Saving rights of the Crown.

45. Nothing contained in this Act, or to be done under the authority thereof, shall in any manner affect the title to any of the subjects, or any rights, powers, or authorities mentioned in or reserved by sections 21 and 22 of "The Crown Lands Act, 1866," or shall divest, alter, or affect any other estate, right, or interest belonging to the Queen's most Excellent Majesty, her heirs or successors.

Provisions as to general Acts, or the harbour limits.

46. Nothing in this Act shall be deemed or construed to exempt the harbour, or the harbour limits, from the provisions of the "Merchant Shipping Act, 1854," and of any Act amending that Act, or of any present or future general Act relating to harbours, or to dues on shipping or goods carried in ships, or to lights, buoys, and beacons, or from the rights, powers, and privileges of the general lighthouse authorities, or from the revision and alteration, under the authority of Parliament, of the rates authorized by this Act.

Expenses of Act.

47. The costs, charges, and expenses incidental to the preparing, applying for, obtaining, and passing of this Act shall be paid by the Earl.

The SCHEDULE herein-before referred to.

ARTICLES OF AGREEMENT made this thirteenth day of June in the year of our Lord one thousand eight hundred and sixty-eight, between Isaac Fletcher, of Tarn Bank in the county of Cumberland, esquire, Septimus Bourne, of Workington in the said county, ironmaster, James Smith, of the same place, ironmaster, William Irving, of the same place, coal owner, Richard Bowness, of the same place, shipowner, Richard Harrison, of the same place, gentleman, John Key, of Harrington in the said county, gentleman, and William Mulcaster, of Flimby in the said county, coal owner, certain of the trustees of the harbour of Workington, which trustees act under an Act of Parliament passed in the third year of the reign of Her present Majesty, intituled "An Act for regulating and preserving the harbour of Workington in the county of Cumberland, and for other purposes relating thereto," which Act has been amended by another Act of Parliament, passed in the twenty-seventh and twenty-eighth years of the same reign, on the one part, and the Right Honourable William Earl of Lonsdale of the other part. Whereas the trustees of the said harbour are of opinion that it will be highly advantageous to all those whose interests they represent or are bound to protect if the said harbour, with all the property, rights, and powers of every kind belonging to or vested in them as such trustees as aforesaid, were transferred to and absolutely vested in the said Earl, on the terms and conditions herein-after mentioned: And whereas the said Earl is desirous of accepting such transfer, and taking on himself the obligations and liabilities herein-after mentioned, but the intentions of the respective parties hereto respecting the premises cannot be carried fully into effect without the authority of Parliament: And whereas at a general meeting of the said trustees held in conformity with the said Acts at the Harbour Office in Workington aforesaid on the thirteenth day of June one thousand eight hundred and sixty-eight these presents were read and approved, and the parties hereto of the one part were duly authorized to execute the same for and on behalf of the said trustees generally, as appears from certain resolutions passed at such meeting, copies of which are contained in the first schedule hereto: Now these presents witness, that for the considerations aforesaid, and herein-after appearing, the parties hereto of the one part, for and on behalf of the said trustees, and as regards all acts and things to be by them done or undertaken, hereby contract, so far as they can or lawfully may as such trustees as aforesaid, with the said Earl, his heirs and assigns, and the said Earl, for himself, his heirs, executors, administrators, and assigns, and as regards all acts and things to be by him or them done or undertaken, hereby contracts with the parties hereto of the one part (so far as he lawfully can or may do), as respecting the said trustees generally, in manner following; (that is to say,)

First. The following words and expressions shall, in construing these presents, bear the respective meanings hereby assigned to them, unless there be something in the context repugnant to such construction; that is to say, the expression "the Earl" shall mean the said Earl of Lonsdale, his heirs and

A.D. 1869.

assigns; the expression "the harbour" shall mean the harbour of Workington aforesaid; and the expression "the trustees" shall mean the trustees for the time being acting in the execution of the said Acts of Parliament or either of them.

Second. Application shall be made by the Earl and trustees jointly, but at the expense of the Earl, in the next session of Parliament, for an Act confirming this agreement, and vesting in the Earl the harbour, and all the estates, property, monies, credits, assets, rights, powers, and privileges belonging to or vested in the said trustees under or by virtue of the said Acts or either of them, and imposing on the Earl the discharge of all the duties and obligations of the trustees under the same Acts respectively, including the payment of all their debts and liabilities (the existing debts being set forth in the second schedule hereto), and the Earl and the trustees shall, to the best of their ability, promote the passing of the said Act, and the trustees shall also support the same by petition or otherwise, as the Earl may require, but all the expenses of the Act shall be borne by the Earl.

Third. The Earl shall be at liberty to apply in the said Act for such borrowing powers as he may think fit, and also for full powers enabling him to unite the wet dock called The Lonsdale Dock, which he now possesses, with the said harbour, so that they may be held and worked as one concern, and so that the debt on the dock shall be added to the debt on the harbour, and that the joint revenue of the dock and harbour shall be made absolutely answerable for the debts of both, and any balance in the gross receipts of any year from the dock and harbour together which may remain after payment thereof of all expenses for working, maintenance, and interest on debts, shall belong to the Earl absolutely, in consideration of the capital invested by him in the said dock.

Fourth. The Earl will not, without the consent of the trustees, seek for any other powers or privileges than those which he may be advised are essential or important for the purpose of absolutely vesting in him all such estates, property, powers, and privileges as aforesaid, and of carrying out this agreement according to the true intent hereof, which intent is that the said Earl shall, by the proposed Act, be placed as nearly as possible in the same position with respect to the harbour as the trustees now hold, with such additional powers and rights as aforesaid, or as may be granted by the said Act.

Fifth. That the Earl shall expend in such manner and at such times such a sum of money in the harbour as he may be advised by his engineer on the improvement of its piers, quays, docks, works, and approaches, and more especially in the deepening of the harbour and its entrance.

Sixth. The Earl shall be bound to make uniform charges for vessels using the dock and harbour, the trustees expressly stipulating that the rates for tonnage, towage, and other purposes charged for vessels using the harbour shall not exceed the same respective charges made for vessels using the dock.

Seventh. The Earl shall be bound to maintain and keep in good and efficient repair the said harbour and works, and all the quays, wharves, piers, and other erections belonging thereto, and to maintain a depth of water in the said harbour not less than the existing depth; but the liability of the Earl shall be limited to spending upon maintenance and repairs of the harbour in each year such a sum of money only as will bear the same proportion as the average

yearly expenditure for maintenance and repairs of the harbour bears to the revenue of the harbour received during the seven years ending on the thirty-first day of March one thousand eight hundred and sixty-eight. A.D. 1869.

Eighth. The Earl shall collect the anchorage dues for the respective lords of the manors of Workington and Seaton for the time being, and pay the same to such lords respectively, upon the same terms as the anchorage dues are now collected by the said trustees for such lords.

Ninth. It being important that the harbour should be improved, especially in regard to its channel from the sea, the Earl may immediately (and before the passing of the proposed Act, if he thinks proper,) commence and carry out such works for the improvement of the said channel and of the harbour generally, its piers, quays, works, appliances, and road approaches, as he may from time to time be advised by his engineer are necessary; and the trustees are to give to the Earl all such legal authority and such assent and support and to do all such acts as may be reasonably required from them pending the passing of the said Act for facilitating such works and the carrying out of this agreement, and in the event of such Act not being passed in the ensuing session of Parliament the sums of money to be spent by the Earl in or about such works for the improvement of the harbour as aforesaid shall be considered as having been borrowed by the trustees from the Earl, and shall bear interest at the rate of four per centum per annum from the time of such expenditure of the same respectively, and shall, at the option of the trustees, either be repaid wholly or in part by them forthwith, or be secured wholly or in part by bonds or mortgages on the harbour, such securities to be legally issued, and to be at half-yearly interest at the rate aforesaid, but so always that all principal monies to be thereby secured shall be made repayable within the space of five years from the termination of the ensuing session of Parliament.

Tenth. Pending the passing of the proposed Act, the trustees shall undertake no more works in or about the harbour, and incur no new debts respecting the same, (other than such debts as may be incurred in the ordinary management of the said harbour, or otherwise in the course of their ordinary business,) without the assent in writing of the Earl.

Eleventh. After the passing of the proposed Act, the Earl shall, if required by any mortgagee or other creditor of the trustees, pay off all or any of the present or future debts of the trustees, whether on bond, mortgage, or simple contract, (save and except any future debt incurred contrary to the provisions of the tenth article,) when and as the same shall respectively become payable, or sooner, at the option of the Earl, and with the consent of the respective creditors, but on every such payment he shall be entitled to stand as a creditor in respect of any debt or debts he may so pay off, and shall have the same rights, remedies, and privileges with respect thereto as the person or persons receiving his money would have had if he, she, or they had not been so paid off, and he shall be entitled to call for a transfer of every claim so to be paid by him.

Twelfth. The Earl shall indemnify the trustees and every of them, whether the proposed Act be passed or not, from any personal liability which they or any of them may incur in consequence of signing, sanctioning, or acting under this agreement.

Thirteenth. Should the proposed Act not be passed in the ensuing session of Parliament, this agreement, and every article, matter, and thing herein

A.D. 1869. — contained, shall be void and of no effect, except as regards any sums expended by the Earl in the improvement of the harbour as aforesaid, and except as regards the indemnity referred to in the twelfth paragraph of these presents.

Fourteenth. If any doubt, question, difference, or dispute shall at any time or times before the passing of the proposed Act arise or happen between the trustees and the Earl touching the construction of these presents, or any clause, matter, or thing herein contained, or in anywise relating to or concerning the works to be done by virtue of these presents, or concerning the monies expended by the Earl in the improvement of the harbour, then and so often as the same shall happen, such doubt, question, difference, or dispute shall, upon the option of either of them, the trustees or the Earl, be forthwith referred to the arbitration and final award of such person or persons as one of the judges of any of Her Majesty's superior courts at Westminster shall from time to time appoint in writing under his hand, and each such award shall be binding on the trustees and Earl respectively, and may be made a rule of any of the superior courts at Westminster, at the instance of either of them, the trustees or Earl; and each of them, the trustees [and Earl respectively, shall from time to time produce to the arbitrator so to be appointed all deeds and evidences relating to any matter referred to him, and in their or his possession or power, and generally furnish such information and proofs, and do such acts and things in their or his power, as the said arbitrator may reasonably require for his assistance in making his award; and for the purposes of every such reference the said arbitrator may receive parol evidence, and may examine the parties hereto and any other persons on oath; and the solicitor to the person or persons making such reference shall, on or before a day to be named by the arbitrator, deliver to him and to the party to the reference, or his or their solicitors, a statement in writing of all the matters intended by his client or clients to be referred to the said arbitrator; and matters not included in any such statement shall not be taken into consideration by the said arbitrator; and the costs and expenses of and incident to every such reference shall be paid as the said arbitrator shall direct; and no action or suit shall be brought against any of the parties to the reference or the arbitrator, or their or his representatives, in relation to the premises. In witness whereof the said parties to these presents have hereunto signed their names, the day and year first above written.

Signed by the said Isaac Fletcher,
Septimus Bourne, James Smith,
William Irving, Richard Bowness,
Richard Harrison, John Key, and
William Mulcaster, in the presence of
GEORGE ARMSTRONG,
Solicitor, Workington.
TOM MILBURN,
Solicitor, Workington.

(Signed) ISAAC FLETCHER.
SEPTIMUS BOURNE.
JAMES SMITH.
WILLIAM IRVING.
RICHARD BOWNESS.
RICHARD HARRISON.
JOHN KEY.
WILLIAM MULCASTER.

Signed by the said William Earl of
Lonsdale in the presence of
ROBT. ALLEYNE ROBINSON, M.A.,
Jesus College, Cambridge.

(Signed) LONSDALE.

The FIRST SCHEDULE referred to in and by the foregoing agreement.

A.D. 1869.

1. That Mr. Armstrong, the solicitor for the trustees of the harbour of Workington, be directed to read the agreement reported by him to have been settled on behalf of the trustees and the Earl of Lonsdale, relative to the proposed transfer of the harbour to the Earl.

2. The agreement having accordingly been read, resolved that the trustees here present be authorized, directed, and requested to sign and execute the same for and on behalf of the trustees.

The SECOND SCHEDULE referred to in and by the foregoing agreement.

Names of mortgagees.	Amount of debt.	Rate per cent.	Dates of mortgages.	Date (if any) fixed for repayment.
George Fisher and Jane Little	£ 100 0 0	4½	1st November 1852 -	No date fixed.
Mary Cain	200 0 0	"	"	"
Do.	200 0 0	"	13th May 1865 -	At the end of 7 years.
Sarah and Mary Carter	200 0 0	"	12th May 1868 - (in exchange for old bond).	" 3 "
Ann Falcon	500 0 0	"	1st November 1852 -	No date fixed.
Tamar Bethwaite	200 0 0	"	"	"
Isaac and John Gibson Howe	360 0 0	"	13th September 1864	At the end of 5 years.
Ann Carter	300 0 0	"	"	" 7 "
Richard Potts	700 0 0	"	"	" 5 "
Grace Mordy	200 0 0	"	"	" 5 "
James Jacques	1,000 0 0	"	"	" 5 "
John Pickthall	100 0 0	"	"	" 6 "
Lydia Donald	200 0 0	"	"	" 6 "
Edward Metcalf and wife	300 0 0	"	"	" 6 "
John Askew	100 0 0	"	"	" 6 "
Jonathan Stoddart	3,000 0 0	"	"	" 7 "
Margaret Todd	600 0 0	"	8th November 1864	" 5 "
J. Jackson, T. Bell, and T. Westray.	900 0 0	"	"	" 5 "
Thos. Westray and Wm. Thompson.	700 0 0	"	"	" 5 "
John Sumpton	800 0 0	"	"	" 7 "
Jane and Mary Brown	500 0 0	"	"	" 7 "
Margaret Falcon	500 0 0	"	"	" 7 "
John Barnes	200 0 0	"	"	" 6 "
Eleanor Tolson	100 0 0	"	"	" 6 "
Mary Ann Hudson	100 0 0	"	"	" 5 "
Robert Irving and T. Bell	700 0 0	"	"	" 5 "
Robert Irving	400 0 0	"	8th November 1846	" 5 "
Elizabeth Peile	500 0 0	"	13th December 1864	" 5 "
John Peile	1,000 0 0	"	"	" 5 "
William Wilson	500 0 0	5	11th December 1866	" 3 "
Mary Fleming	100 0 0	"	"	" 5 "
Joseph Alcock	200 0 0	"	"	" 3 "
James Jacques	500 0 0	"	"	" 3 "
John Hudson Brocklebank	500 0 0	"	"	" 5 "
James Graham	200 0 0	"	"	" 5 "
Ann Jane Key	200 0 0	"	"	" 5 "
Mary Hobley Huddart	200 0 0	"	"	" 5 "
Mary Jones	200 0 0	"	"	" 3 "
Hannah Sadler	100 0 0	"	"	" 3 "
Richard Hall	300 0 0	"	"	" 7 "
Jane Priestman	100 0 0	"	"	" 7 "
Mary Sadler	100 0 0	"	"	" 3 "
Mary Bragg	200 0 0	"	"	" 5 "
Isaac Wilson	200 0 0	4½	10th September 1867	" 3 "
Robert Irving	400 0 0	"	"	" 3 "
Henry Jackson	200 0 0	"	8th October 1867 -	" 5 "
William King	1,700 0 0	"	"	" 3 "
Isaac Martin	700 0 0	"	12th November 1867	" 5 "

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Names of mortgagees.	Amount of debt.	Rate per cent.	Dates of mortgages.	Date (if any) fixed for repayment.
	£ s. d.			
Thomas Longcake - -	200 0 0	4½	21st January 1868 -	At the end of 3 years.
William Martindale - -	200 0 0	"	"	" 5 "
Hannah Jackson - -	350 0 0	"	"	" 5 "
William Sherwen - -	100 0 0	"	"	" 3 "
Anne White - -	200 0 0	"	"	" 3 "
John Wild - -	100 0 0	"	11th February 1868 -	" 3 "
John Maddison - -	200 0 0	"	"	" 3 "
Richard Bowness - -	500 0 0	"	"	" 3 "
James Hoyles - -	200 0 0	"	"	" 5 "
Isaac Dixon - -	250 0 0	"	10th March 1868 -	" 3 "
Mary Gillbanks - -	500 0 0	"	"	" 3 "
John Robinson - -	100 0 0	"	"	" 7 "
Isaac Key - -	100 0 0	"	"	" 7 "
	£ 24,260 0 0			

Witness to the signatures of the said
 Isaac Fletcher, Septimus Bourne,
 James Smith, William Irving,
 Richard Bowness, Richard Harrison,
 John Key, and William Mulcaster.
 GEORGE ARMSTRONG.
 TOM MILBURN.

(Signed) ISAAC FLETCHER.
 SEPTIMUS BOURNE.
 JAMES SMITH.
 WILLIAM IRVING.
 RICHARD BOWNESS.
 RICHARD HARRISON.
 JOHN KEY.
 WILLIAM MULCASTER.

Witness to the signing hereof by the
 said William Earl of Lonsdale.
 R. ALLEYNE ROBINSON, M.A.,
 Jesus College, Cambridge.

(Signed) LONSDALE.