



Harbours and Passing Tolls, &c. Act 1861

1861 CHAPTER 47

PART VII

MAINTENANCE OF RAMSGATE, DOVER, WHITBY, AND BRIDLINGTON HARBOURS

Whitby and Bridlington Harbours

54 Debts on Harbours to be paid out of Consolidated Fund.

The Principal and Interest of all Debts which have previously to the Fifteenth Day of *March* One thousand eight hundred and sixty-one been legally charged on the Tolls or Revenues of the Harbours of *Whitby* or *Bridlington*, shall be chargeable upon the Consolidated Fund of the United Kingdom, and shall be paid in such Manner as the Commissioners of Her Majesty's Treasury may direct; and the Debt payable to the Public Works Loan Commissioners charged upon the Tolls or Revenues of the Harbour of *Bridlington* shall cease from the First Day of *January* One thousand eight hundred and sixty-two.

55 Compensation to Servants of Whitby Trustees.

The Commissioners of Her Majesty's Treasury may allow out of Monies to be voted by Parliament such Compensation or Superannuation Allowance as they may think fit to any Person in the Employ of the Trustees of *Whitby* Harbour who by reason of the passing of this Act is deprived of any Salary or Emolument, so that no such Compensation or Superannuation Allowance exceeds the Proportion of Salary or Emoluments which might be granted under similar Circumstances to a Person in the Public Civil Service.

56 Trustees and Commissioners not to charge Passing Tolls with further Debts.

It shall not be lawful for the Trustees of *Whitby* Harbour or the Commissioners of *Bridlington* Harbour to charge the Passing Tolls levied by them with any new Debts; nor shall it be lawful for them, until the First Day of *January* One thousand eight

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

hundred and sixty-two, to undertake any new Works without the Consent of the Commissioners of Her Majesty's Treasury.

57 Power to Trustees of Whitby Harbour to levy Rates.

The Trustees of *Whitby* Harbour may, for the Purpose of maintaining and improving the Harbour, with the Consent of Her Majesty in Council, impose Rates on Vessels using the Harbour, and on Goods snipped or unshipped in the Harbour, not exceeding the Rates specified in Schedule A. annexed to " The Burgh Harbours (*Scotland*) Act, 1853," and may from Time to Time, with the like Consent, vary such Bates by reducing or raising the same, so that they do not exceed the Bates mentioned in the said Schedule ; and any Bates so imposed may be either in lieu of or in addition to any other Bates leviable by the said Trustees.

58 Power to Town Commissioners of Whitby to transfer Dues to Harbour.

The Commissioners acting under the Act of the Seventh Year of the Reign of King *William* the Fourth, intituled *An Act for letter paving, cleansing, lighting, watching and improving the Town of Whitby in the North Biding of the County of York*, may, if they shall think fit, at any Time hereafter, by Deed transfer to the said Trustees of *Whitby* Harbour, to be applied by them to the Purposes of the Harbour, all or any of the Powers, Bights, and Privileges which they may possess of levying Bates and Dues on Coal or other Articles imported, or of levying Bates and Dues on Ships or on Goods carried in Ships; and thereupon the said Trustees may exercise the Powers, Bights, and Privileges so transferred in as full a Manner as but for such Transfer the said Commissioners might have exercised the same.

59 Reservation of Rights of Creditors.

Any Creditor shall, in respect of any Advance made by him on the Security of the Bates and Dues hereby authorized to be transferred to the said Trustees of *Whitby* Harbour, have the same Claim against the said Bates and Dues when transferred, and against the said Trustees to the Extent of the Bates and Dues so transferred, as he would, if such Transfer had not been made, have had in respect of the same Debt against such Bates and Dues in the Hands of the said Commissioners, and against the said Commissioners in respect thereof.

60 Trustees and Commissioners may apportion Debt as between themselves.

The said Trustees and Commissioners may, on every such Transfer as last aforesaid, enter into such Arrangements as they may think fit for the apportioning as between themselves the Incidence of any Debt charged on the Bates and Dues so transferred, and for granting Indemnities to each other for the Purpose of carrying such Arrangements into effect.

61 Vessels using Whitby Harbour to pay Toll for support of Tide Lights.

On and after the First Day of *January* One thousand eight hundred and sixty-two, all Vessels exceeding Ten Tons entering or leaving the Harbour of *Whitby* shall pay to the Trustees of *Whitby* Harbour such Sum or Toll, not exceeding One Penny per Ton, as such Trustees may from Time to Time direct to be paid to them, for the Support, Maintenance, and Improvement of the existing or any future Tide Lights

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

at the Entrance of the Harbour: Provided always, that any Vessel which shall have paid such Toll on entering the Harbour may again leave the Harbour without further Payment of Toll.

62 Power to Commissioners of Bridlington Harbour to levy Rates.

The Commissioners of *Bridlington* Harbour may, for the Purpose of maintaining and improving the Harbour, with the Consent of Her Majesty in Council, impose Rates on Vessels using the Harbour, and on Goods shipped or unshipped in the Harbour, not exceeding the Rates specified in Schedule (A.) annexed to "The Burgh Harbours (*Scotland*) Act, 1853," and may from Time to Time, with the like Consent, vary such Rates by reducing or raising the same, so that they do not exceed the Rates mentioned in the said Schedule; and any Rates so imposed may be either in lieu of or in addition to any other Rates leviable by the said Commissioners.

63 Incorporation of Harbours, Docks, and Piers Clauses Act.

For the Purpose of the Rates to be taken at the Harbours of *Dover*, *Whitby*, and *Bridlington*, so much of " The Harbours, Docks, and Piers Clauses Act, 1847," as relates to the Collection and Recovery of Rates, shall be deemed to be incorporated with this Act, and for the Purposes of such Incorporation this Act shall be deemed to be " the Special Act; " the Rates and Monies hereby made leviable on account of the said Harbours shall be deemed to be " the Rates authorized to be levied by the Special Act;" and each of the Authorities hereby authorized to levy such Rates shall be deemed to be " the Undertakers."