

**CHAPTER xiv.**

An Act to revive and extend the period limited for the compulsory purchase of lands, and to extend the period limited for the construction and completion of the harbour and works authorised by the Hastings Harbour Act 1890 and the Hastings Harbour Act 1897 and for other purposes. A.D. 1905.
[30th June 1905.]

WHEREAS by the Hastings Harbour Act 1890 (hereinafter called "the Act of 1890") a body of Commissioners (in the said Act and hereinafter called "the Commissioners") was constituted for making and maintaining a harbour and works at Hastings in the eastern division of the county of Sussex and to borrow two hundred thousand pounds for the purpose:

And whereas by the Hastings Harbour Act 1897 (hereinafter called "the Act of 1897") certain works authorised by the Act of 1890 were abandoned and the positions of other works authorised by the same Act were altered and other powers conferred upon the Commissioners by the said Act of 1890 were varied and additional borrowing powers to the extent of one hundred thousand pounds were conferred upon them and the period limited by the said Act of 1890 for the completion of the harbour and works was extended:

And whereas by the Hastings Harbour Act 1899 (hereinafter called "the Act of 1899") the corporation of Hastings (hereinafter called "the corporation") obtained authority from Parliament to enter into the agreement with the Commissioners scheduled to and confirmed by that Act whereby the corporation were empowered to guarantee and pay interest at a rate not exceeding three per centum per annum upon the sum of one

A.D. 1905. hundred thousand pounds authorised to be borrowed by the Commissioners under the Act of 1897 upon the terms and conditions and for the period in that Act and the said agreement named:

And whereas the Commissioners have raised and expended the sum of one hundred and twenty-eight thousand four hundred pounds of the moneys which they were authorised to borrow under the Act of 1890 and have made considerable progress with the works authorised by that Act as varied by the Act of 1897 (including the western and eastern piers authorised by the said Act of 1890) but through unforeseen circumstances have been unable to raise the balance of the moneys authorised to be borrowed by them under the Acts of 1890 and 1897 and the Commissioners have consequently been unable to complete the harbour and the works have remained in abeyance for upwards of two years:

And whereas by the Hastings Harbour Act 1900 (hereinafter called "the Act of 1900") the Commissioners were authorised to borrow a further sum of fifty thousand pounds to meet the recommendations of the engineers called in at the instance of the corporation to report upon the state of the harbour works and by the same Act the periods limited by the Acts of 1890 and 1897 for the purchase of lands and for the completion of the works were further extended:

And whereas by the Hastings Harbour Act 1903 (hereinafter called "the Act of 1903") the periods limited by the Acts of 1890 and 1897 for the compulsory purchase of lands as extended by the Acts of 1899 and 1900 were revived and further extended to the fifteenth day of July one thousand nine hundred and four and the periods limited by the same Acts as extended by the Act of 1900 for the completion of the harbour and works were also further extended to the fifteenth day of July one thousand nine hundred and five but as the Commissioners are now in a position to raise the balance of the capital for the completion of the harbour and works it is expedient that the periods limited by the said Acts of 1890 and 1897 as extended by the said Acts of 1900 and 1903 for taking lands be revived and extended and that the period limited for the completion of the harbour and works should be further extended as provided by this Act:

And whereas the purposes of this Act cannot be effected without the 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 as follows:—

A.D. 1905.

1. This Act may be cited as the Hastings Harbour Act 1905. Short title.

2. In this Act the several words and expressions to which meanings are assigned by the Acts of 1890 1897 1899 1900 and 1903 or the Acts wholly or partially incorporated therewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpretation.

3. The provisions of the Acts hereinafter specified are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say):— Incorporation of Acts.

The Lands Clauses Acts;

The Harbours Docks and Piers Clauses Act 1847 except that the expression "the undertakers" in that Act means the Commissioners incorporated by the Act of 1890; and

The Commissioners Clauses Act 1847.

4. The powers of the Commissioners for the compulsory purchase and taking of lands for the purposes of the harbour and works authorised by the Acts of 1890 and 1897 as extended by the Acts of 1900 and 1903 (except the lands required for the works authorised to be abandoned by the Act of 1897) are by this Act revived and further extended and may be exercised for and during a period of two years from the passing of this Act. Renewing and extending time for purchase of lands under Acts of 1890 and 1897.

5. The time limited by the Acts of 1890 and 1897 as extended by the Acts of 1900 and 1903 for the completion of the works by those Acts respectively authorised (except such works as were abandoned by the Act of 1897) is hereby extended for a period of three years from the fifteenth day of July one thousand nine hundred and five. Extending time for completing works authorised by Acts of 1890 and 1897.

6. The Commissioners may enter into agreements with the Commissioners of Woods and Forests and with the Board of Trade on behalf of the Crown and also (subject to the provisions of the grant from the Crown to the corporation dated the eighth day of September one thousand eight hundred and ninety-three Agreements with corporation Office of Woods and Board of Trade.

A.D. 1905. referred to in section 21 of the Act of 1897) with the corporation of Hastings in regard to any foreshore or lands now belonging to the Crown or the corporation which may or will be required for the purposes of the harbour and works.

Saving rights
of Crown.

7. Nothing in this Act shall affect prejudicially any estate right power privilege or exemption of the King's most Excellent Majesty and in particular nothing herein contained shall authorise the Commissioners to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose which consent such Commissioners and such Board are hereby respectively authorised to give.

Extension of
10 & 11 Vict.
c. 27 (ss. 28,
99) as to
exemption of
Government
officers &c.

8. Sections 28 and 99 of the Harbours Docks and Piers Clauses Act 1847 as incorporated with this Act shall apply to and for the benefit of any Government department in the same manner as they apply to and for the benefit of any Government departments specially named in those sections.

Expenses of
Act.

9. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid and discharged out of the funds of the Commissioners.

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