



## CHAPTER clxxxix.

An Act to enable the Trustees for the District and Harbour of Maryport to raise a further sum of money for the improvement of the Harbour of Maryport and for other purposes. A.D. 1884.  
[28th July 1884.]

**W**HEREAS by the Maryport Improvement and Harbour Act 1866 (in this Act called "the Act of 1866") and the Maryport District and Harbour Act 1868 (in this Act called "the Act of 1868") powers were conferred upon the Trustees acting in execution of those Acts (in this Act called "the Trustees") to improve and regulate the district and harbour of Maryport and to make a dock and other works and the Trustees were empowered to borrow money and to levy tolls and rates for (amongst other objects) dock and harbour purposes in accordance with the provisions of the said Acts :

And whereas by the Maryport Improvement (Harbour) Act 1879 (in this Act called "the Act of 1879") the limits of the then existing harbour of Maryport were extended and the Trustees were authorised to construct an embankment dock basin railways piers and other works therein particularly described with all proper stations gates approaches sidings wharves warehouses drops staithes hurries cranes weighing machines platforms works and conveniences connected therewith (herein-after referred to as "the harbour works") for the improvement of the harbour of Maryport and by the same Act the Trustees amongst other things were authorised and empowered to levy additional rates and to borrow on mortgage in addition to any existing mortgage debt and in addition to the sum of thirty-two thousand pounds which they were authorised to borrow under the provisions of the Act of 1866 the sum of one hundred and ten thousand pounds for the construction of the harbour works :

And whereas by the Maryport Improvement (Harbour) Act 1882 (in this Act called "the Act of 1882") the Trustees were authorised

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A.D. 1884. — to raise a further sum of money not exceeding seventy thousand pounds for the purposes of the harbour works :

And whereas the Trustees have raised the said sum of one hundred and ten thousand pounds authorised to be raised by the Act of 1879 and the said sum of seventy thousand pounds authorised to be raised by the Act of 1882 and have expended the whole of the said sums on the harbour works :

And whereas the harbour works are still incomplete and it is estimated that eighty thousand pounds will be required to complete the same and to provide the conveniences connected therewith herein-before set forth and to enable the Trustees to make other provisions necessary and proper to accommodate the trade of the harbour of Maryport :

And whereas it is expedient that the Trustees should be authorised to raise a further sum of money not exceeding eighty thousand pounds for those purposes in manner herein-after provided :

And whereas it is expedient that the London and North-western Railway Company and the Maryport and Carlisle Railway Company respectively be empowered to subscribe sums of money on the security of mortgages of the harbour fund :

And whereas in the month of May one thousand eight hundred and eighty-three an Italian barque named the Luigi was wrecked on the cill of the Elizabeth dock of the harbour of Maryport and the Trustees are liable for the loss of the said barque and part of her cargo :

And whereas it is estimated that the damages costs charges and expenses of and incident to the loss of the said barque and part of her cargo will amount to five thousand pounds and it is expedient that the Trustees should be authorised to raise a sum not exceeding five thousand pounds to pay such damages costs charges and expenses in manner herein-after provided :

And whereas by reason of the non-completion of the harbour works the income derived from the harbour tolls dues rates and charges is not sufficient to meet the interest on the sums borrowed under the powers of the recited Acts and to be borrowed under the powers of this Act and it is expedient that the Trustees be authorised to raise and pay for a period of four years from the first day of January one thousand eight hundred and eighty-three such sums not exceeding in the whole fifteen thousand pounds as may be necessary annually during the said period to make up with the net income of the harbour tolls dues rates and charges the interest on the sums borrowed and to be borrowed as aforesaid :

And whereas the funds authorised to be raised by the Trustees for dock and harbour purposes have been applied solely towards

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the same and have been and are kept separate and distinct from the other funds managed by them relating to the district of Maryport: A.D. 1884.

And whereas it is expedient that the Trustees should be authorised to levy and receive the dues or charges set forth in the Schedule to this Act on vessels using any gridiron or gridirons provided or to be provided by them and other works connected therewith in addition to the rates or dues authorised to be demanded by them by the Acts of 1866 and 1879 and to make regulations with respect to the use by vessels of the said gridirons and works:

And whereas an absolute majority of the whole number of the Trustees at a meeting held on the fourteenth day of November one thousand eight hundred and eighty-three after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the *Maryport Advertiser* a newspaper circulating in the said district (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the harbour fund and harbour dues and rates:

And whereas such resolution was published twice in the *Maryport Advertiser* a newspaper circulating in the said district and has received the approval of the Local Government Board and of one of Her Majesty's Principal Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Trustees at a further special meeting held in pursuance of a similar notice on the ninth day of January one thousand eight hundred and eighty-four being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the district and harbour of Maryport as defined in the Act of 1868 by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 have consented to the promotion of the Bill for 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 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:—

1. This Act may be cited as the *Maryport Improvement (Harbour) Act 1884.* Short title.

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Power to borrow additional money.

2. In addition to any existing mortgage debt and to the respective sums of thirty-two thousand pounds and one hundred and ten thousand pounds and seventy thousand pounds making together two hundred and twelve thousand pounds which the Trustees are authorised to borrow under the provisions of the Act of 1866 the Act of 1879 and the Act of 1882 the Trustees may borrow in the manner prescribed by the Act of 1879 with reference to the moneys thereby authorised to be borrowed on the security of the harbour fund as defined by section 170 of the Act of 1866 and on all tolls rates dues and revenues to be carried to that fund under and by virtue of the recited Acts and this Act any sum of money not exceeding the sum of one hundred thousand pounds Provided that only so much of the said sum of one hundred thousand pounds shall be raised as shall be necessary for the aforesaid purposes.

Power to London and North-western and Maryport and Carlisle Railway Companies to subscribe to undertaking.

3. The London and North-western Railway Company and the Maryport and Carlisle Railway Company may respectively with the authority of three-fourths of the votes of their respective shareholders present in person or by proxy at general meetings specially convened for the purpose from time to time each lend to the Trustees on the security of mortgages of the harbour fund any sum which they think fit not exceeding in the case of each of the said companies ten thousand pounds and may for that purpose apply any moneys which the said companies are respectively already authorised to raise and which may not be required by them respectively for the purposes of their respective undertakings Provided that nothing herein contained shall enable the Trustees to raise on mortgage any larger sum than they are by the Act of 1866 the Act of 1879 the Act of 1882 and by this Act authorised to raise upon mortgage.

Application of money.

4. The money authorised to be raised under this Act shall be applied by the Trustees as follows namely:—

	£
1st. For completing the harbour works authorised by the Act of 1879 and the conveniences in connexion therewith and in making all necessary and proper provisions within the limits of the harbour for the protection and accommodation of the trade and shipping resorting thereto properly chargeable against capital	80,000
2nd. For the payment of damages costs charges and expenses of and incident to the loss of the Italian barque named the Luigi and part of her cargo	5,000

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<p>3rd. For the payment of interest on the sums already borrowed by the Trustees under the powers of the recited Acts and to be borrowed under this Act for a period of four years from the first day of January one thousand eight hundred and eighty-three</p>	<p>£ 15,000</p>	<p>A.D. 1884.</p>
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5. Any person or company lending money to the Trustees shall not be bound to inquire as to the observance by them of any provision of this Act or be bound to see to the application or be answerable for any loss or non-application of such money or of any part thereof. Protection of lenders from inquiry.

6. If the Trustees shall prior to the passing of this Act have paid off or shall hereafter pay off any money borrowed or to be borrowed by them for harbour purposes otherwise than by means of a sinking fund or by appropriations instalments or annual repayments they may re-borrow the same and so from time to time Provided that all moneys so re-borrowed shall be repaid within the time prescribed for the repayment of moneys in lieu of which such re-borrowing has been made and that the moneys originally borrowed and any amounts from time to time re-borrowed shall for the purpose of repayment be deemed to form the same loan and the obligations of the Trustees with respect to the sinking fund to be set aside in respect of such moneys shall not be in any way affected by reason of such re-borrowing. Power to re-borrow.

7. The provisions of sections 19 to 24 inclusive of the Act of 1879 shall be applicable to the moneys authorised to be borrowed by the Trustees under this Act in the same way as if the said sections had mutatis mutandis been re-enacted herein Provided that with respect to the said sums of eighty thousand pounds and fifteen thousand pounds making together ninety-five thousand pounds borrowed under the provisions of this Act section 21 of the Act of 1879 shall be read and construed as if the period of sixty years had been inserted therein instead of the period of seventy years Provided also that the Trustees shall at the expiration of four years from the passing of this Act out of the harbour fund make provision for the payment off or extinction of the said sum of five thousand pounds to be borrowed for the purposes aforesaid either by appropriations instalments or annual repayments or by means of a sinking fund appropriated and invested and with the accumulations thereof (if any) from time to time applied for that purpose so as in any case to extinguish or pay off or be in a position to extinguish or pay off the whole of the said sum of five thousand pounds within Sections of Act of 1879 made applicable to moneys borrowed under this Act.  
Sinking fund for 5,000%.

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Power to  
take rates  
or dues in  
Schedule.

8. In addition to the rates or dues authorised by the Act of 1879 the Trustees may from time to time demand and take for the use of any gridiron or gridirons provided or to be provided by them and works connected therewith at the harbour of Maryport from the masters and owners of vessels using the same or any of them or contracting for the use thereof rates or charges not exceeding the rates or charges specified in the Schedule to this Act and shall carry all moneys received by them in respect of such rates and charges to the harbour fund and the Trustees may from time to time make and enforce such byelaws or regulations as shall be sanctioned by the Board of Trade for the user of the said gridirons and works.

Costs of  
Act.

9. The costs charges and expenses of and incidental to the preparing for obtaining and passing this Act or otherwise in relation thereto shall be paid by the Trustees out of their harbour fund or out of moneys borrowed under the powers of this Act.

The SCHEDULE referred to in the foregoing Act.

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DUES or CHARGES for VESSELS using any GRIDIRON.

Vessels without Cargo or in Ballast.	On Entry.			For every Tide above Four Tides.		
	£	s.	d.	£	s.	d.
Vessels not exceeding 50 tons per register - -	-	5	-	-	1	-
Above 50 and not exceeding 100 tons per register	-	7	6	-	2	6
" 100                   "           150           "           -	-	10	-	-	3	4
" 150                   "           200           "           -	-	15	-	-	5	-
" 200                   "           250           "           -	1	-	-	-	6	8
" 250                   "           300           "           -	1	5	-	-	8	4
" 300                   "           350           "           -	1	10	-	-	10	-
" 350                   "           400           "           -	1	15	-	-	11	8
" 400 tons per register - - -	2	-	-	-	13	4

Vessels with part or full cargo on board will be charged the rates above specified, and one-half or fifty per cent. in addition thereto.

The payment on entry will cover four tides, reckoning the tide going on and the tide coming off as one tide.

