Anno primo

Georgii III. Regis.

An Act for continuing ſo much of an Act paſſed in the Thirteenth Year of King *George* the Second, intituled, *An Act for making more effectual Two Acts of Parliament, paſſed in the Seventh and Tenth Years of Her late Majeſty Queen* Anne, *for preſerving and enlarging the Harbour of* Whitehaven, *in the County of* Cumberland; *and for repairing and amending the High Roads leading to the ſaid Harbour and Town of* Whitehaven; as relates to the preſerving and enlarging of the ſaid Harbour.



WHEREAS by an Act of Parliament, made and paſſed in the Seventh Year of the Reign of Her late Majeſty Queen Anne, intituled, An Act for preſerving and enlarging the Harbour of *Whitehaven*, in the County of *Cumberland*, certain Rates and Duties upon Coals, and other Goods and Merchandizes, and upon Shipping, in the ſaid Act particularly mentioned, were charged and granted, and to commence and take Effect from and after the Twenty fifth Day of March, One thouſand ſeven hundred and nine, and to continue for the Term of Fourteen Years then next enſuing, and directed to be applied for making certain

Preamble, reciting Acts 7 *Annæ*,

Moles and other Works for preserving and enlarging the said Harbour, and for deepening the same, and for other Purposes in the said Act mentioned; and it was thereby enacted, That from and after the Expiration of the aforesaid Term of Fourteen Years, One Third Part of the Rates and Duties thereby charged upon the Tonage of Ships and Vessels, and no more, should for ever continue and be paid for the perpetual repairing, cleansing, and
10 Anne. maintaining the said Harbour: And whereas by another Act of Parliament made and passed in the Tenth Year of the Reign of Her said late Majesty Queen Anne, all the Rates and Duties granted by the said former Act for the said Term of Fourteen Years, from the Twenty fifth Day of March, One thousand seven hundred and nine, were continued for the further Term of Fourteen Years, from the Expiration of the said former Term; and the Trustees in the said former Act named were, by the said Act of the Tenth Year of the Reign of Her late Majesty Queen Anne, authorized and impowered to borrow Money to finish and complete the Works necessary for the Preservation and Improvement of the said Harbour, and which Money, and the Interest thereof, were thereby directed to be paid off and discharged, in Order and Course, out of the temporary Duties granted and continued by the said Acts; And it was by the said last-mentioned Act enacted and declared, That from and after such Time as the Principal and Interest should be paid off and discharged, and that the Justices of the Peace at the General Quarter Sessions for the said County of Cumberland, should adjudge that the Works of the said Harbour were sufficiently repaired and secured, the temporary Duties thereby granted should cease and determine, and such Duties only should be paid from thenceforth as were granted in Per-
13 Geo. II. petuity by the said former Act: And whereas by an Act passed in the Thirteenth Year of His late Majesty King George the Second, intituled, An Act for making more effectual Two several Acts of Parliament, passed in the Seventh and Tenth Years of Her late Majesty Queen *Anne*, for preserving and enlarging the Harbour of *Whitehaven*, in the County of *Cumberland*; and for repairing and amending the High Roads leading to the said Harbour and Town of *Whitehaven*; which recites the said Two Acts of the Seventh and Tenth Years of Her late Majesty Queen Anne, and further recites, that in pursuance and by virtue of the said Two former Acts, the said Harbour of Whitehaven had been considerably deepened and improved, and several strong and substantial Moles and Bulwarks had, at a great Expence, been made and erected, whereby

Ships

Ships in the said Harbour (which formerly lay exposed, and liable to be driven out and cast away upon the Rocks and Shoals of that Coast) could then lie in Safety, and be secure from the Violence of the Sea, whereby the Shipping, Trade, and Navigation, within the Port and Town of Whitehaven, had been considerably increased and improved; and that the Sum of Two hundred and twenty Pounds, borrowed and taken up in pursuance and upon the Credit of the said former Acts, and also the Sum of Seven hundred and eighteen Pounds, Seventeen Shillings, and Seven Pence Three Farthings, for Work done and performed in and about the said Harbour, did then remain due and unsatisfied, notwithstanding the Duties raised by the said Acts had been strictly applied to the Uses of the said Harbour, and to pay off the Debts incurred for the Service thereof; and further sets forth, That in case the Moles, Bulwarks, and Works of the said Harbour, were enlarged and extended to Low-water Mark, such Depth of Water might be obtained, that the largest Ships of the said Port of Whitehaven might sail in and out of the said Harbour at Neap Tides, and that other Ships frequenting those Seas might sail in at Half Flood, which might tend not only to the Preservation of the Lives of many of his Majesty's Subjects, but also to the Improvement and Increase of the Trade and Navigation of the said Town and Port of Whitehaven: But that it had been found, by Experience, that the perpetual Duties granted and continued by the Two former Acts, and which took Place at Lady-day, One thousand seven hundred and thirty-seven (when the temporary Duties granted by those Acts determined) were not sufficient to keep the said Harbour of a proper Depth, and the Moles and Bulwarks belonging to the same in necessary Repair, and to discharge the said Debts due as aforesaid; so that a Design so useful and beneficial to the said Town and Port of Whitehaven, and to the Trade and Navigation of the Kingdom, could not be effected and carried into Execution, unless the temporary Duties granted and continued by the said former Acts, and which were then determined, were revived for a competent Term of Years, and other Provisions made for the Purposes aforesaid: And therefore by the said Act it is enacted, That the Duties granted by the said Two Acts of the Seventh and Tenth Years of the Reign of her late Majesty Queen Anne, which determined on the Twenty fifth Day of March, One thousand seven hundred and thirty seven, and all the Powers, Clauses, and Penalties thereby enacted to be levied and executed, relating to the said Harbour and Port of Whitehaven,

except such of them as were by the said Act altered, enlarged, or otherwise explained, should be revived and further continued, from and after the Tenth Day of April, One thousand seven hundred and sixty one for and during the Term of Twenty one Years; which said Term is near expiring: And it was thereby enacted, That from and after the Expiration of the aforesaid Term of Twenty one Years, One full Moiety of the Rates and Duties upon Tonage of Ships and Vessels, by the said former Acts granted and continued, should continue and be paid, and should be applied for the repairing, cleansing, and maintaining, the said Harbour of Whitehaven for ever: And whereas the Trustees appointed to put the said Acts in Execution, have made very considerable Improvement in the said Harbour, by enlarging and adding to the old Works of the Harbour, and by erecting several new, large, and extensive Moles, for the Protection of the Ships and Vessels within the said Harbour, and, in order to perform the said Works have been obliged to borrow the Sum of Five thousand nine hundred and eighty five Pounds, whereof Two thousand nine hundred and seventy Pounds remain still unpaid, and it will not be possible to pay off the said Debts, and complete the said Work, during the subsisting Term of the said Act: May it therefore please Your most Excellent 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, That all and singular the Rates and Duties upon Coals and other Goods and Merchandizes, and upon Shipping, by the said Three former Acts granted and continued respectively, and which will determine upon the Tenth Day of April, One thousand seven hundred and sixty one, and all the Powers, Authorities, Clauses, Penalties, and Forfeitures, thereby enacted to be levied and executed, and therein inserted and contained, relating to the said Harbour, Port, and Town of Whitehaven, shall be, and are hereby revived, and shall be further continued, and be in full Force and Effect, from and after the said Tenth Day of April, One thousand seven hundred and sixty one, for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament, and shall, during the said Term, be levied, collected, executed, managed, and disposed of, by such Persons, and by such Ways and Means, and under such Penalties and Provisoes, and with such Powers and Authorities, and for such Intents and

The Duties granted upon Coals, Merchandizes, and Shipping, by the Three recited former Acts, and all Powers, &c. therein relating to the Harbour, &c. further continued for 21 Years, from 10 *April*, 1761.

and Purposes, as in and by the said former Acts are provided, and in as full, large, ample, and beneficial Manner, to all Intents and Purposes, as if the same had been expressly inserted and re-enacted in the Body of this present Act;

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be a Publick Act; and be judicially taken Notice of as such in all Courts, and by all Persons whomsoever, without specially pleading the same.