Anno quinto

# Georgii III. Regis.

An Act to enlarge certain Powers granted by an Act passed in the Twenty second Year of the Reign of King *George* the Second, intituled, *An Act for enlarging and maintaining the Harbour of* Ramsgate, *and for cleansing, amending, and preserving the Haven of* Sandwich.

WHEREAS by an Act passed in the Twenty second Year of the Reign of His late Majesty King George the Second, intituled, An Act for enlarging and maintaining the Harbour of *Ramsgate*, and for cleansing, amending, and preserving the Haven of *Sandwich*, certain Trustees were constituted and appointed for enlarging, building, finishing, and maintaining, the Harbour at Ramsgate, in the Manner therein mentioned, and for putting in Execution all and every other the Powers in and by the said Act granted; and Power is thereby given to the said Trustees, or any Fifteen or more of them, to settle or impose several Rates and Duties in the said Act mentioned, and thereby directed to be paid by the Master or Owner of every Ship or Vessel in the said Act described, towards the enlarging, building, finishing, and maintaining, the said Harbour: And to the End, a sufficient Sum of Money might speedily be raised for the Purposes aforesaid, and for the better securing the Repayment of the same, Preamble.

the said Trustees, or any Fifteen or more of them, were thereby empowered in the Manner in the said Act mentioned, to subject the said Rates and Duties to the Repayment of any Sum or Sums of Money by them to be borrowed, not exceeding the Sum of Seventy thousand Pounds, with Interest for the same, not exceeding Five Pounds per Centum per Annum: And after reciting in the said Act, that it might be thought expedient by the said Trustees to borrow Money upon the Credit of the said Rates or Duties, towards raising the before mentioned Sum of Seventy thousand Pounds, by granting Annuities for Lives; it was thereby further declared and enacted, That it should be lawful for any Persons to contribute and pay into the Hands of the said Trustees, or any Fifteen or more of them, or such Person or Persons as they, or any Fifteen or more of them, should, in Manner therein mentioned, authorize to receive the same, any Sums of Money, not exceeding the said Sum of Seventy thousand Pounds in the Whole, for the absolute Purchase of Annuities, to be paid and payable for the natural Life or Lives of such Contributors respectively, or the natural Life or Lives of such other Person or Persons as should be nominated by or on Behalf of such respective Contributors, at the Time of Payment of their respective Contribution-money, so as the said Annuities did not exceed the Sum of Eight Pounds Ten Shillings per Annum, for each One hundred Pounds, and so in Proportion for any greater or lesser Sum to be advanced and paid as aforesaid; all which said Annuities are directed by the said Act to be payable and paid by the said Trustees to the Purchasers of the same, their Executors, Administrators, or Assigns, in Manner in the said Act mentioned: But nevertheless, it was by the said Act provided and declared, That the said Trustees, or any of them, should not have Power to subject the said Rates and Duties to the Payment of the Interest of any greater Sum than Fifty thousand Pounds at any One Time, upon Annuities for Lives; all which said Annuities so to be granted, are by the said Act charged upon, and payable out of the Monies arising by the said Rates and Duties; and in case of Default in Payment of such Annuities, within the Time in the said Act mentioned, the said Rates and Duties are by the said Act declared to vest in the said Annuitants until the same should be satisfied, together with Interest and Costs, and Charges, occasioned by the Non-payment of the same; and all the Money so to be raised by Sale of Annuities, is by the said Act

directed to be applied, in the first Place, in discharging any Money so to be borrowed by the said Trustees at Interest as aforesaid, and afterwards for the paying, satisfying, and discharging, the Expences incurred for and on account of enlarging, building, and maintaining, the said intended Harbour, and to or for no other Use or Purpose whatsoever: And whereas the said Trustees have, in pursuance of the said Act, settled and imposed several Rates and Duties on Shipping, and have caused Works to be begun and carried on for making a large and commodious Harbour at Ramsgate, and have necessarily expended a large Sum of Money in and about the same: And whereas the several Sums of Money raised by the said Trustees, by Sale of Annuities (in respect whereof Annuities are now charged upon the said Rates and Duties) amount to the Sum of Forty six thousand nine hundred and ninety nine Pounds, Five Shillings, and Four Pence; but the Money so raised, together with the Surplus of the said Duties, after keeping down the said Annuities, will not be adequate or sufficient to compleat and finish the said Harbour; and the said Trustees cannot, without the Aid of Parliament, borrow at Interest, or raise by Sale of Annuities, a competent Sum for that Purpose: For Remedy whereof, May it 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 it shall and may be lawful to and for the said Trustees, or any Fifteen or more of them, to raise by Sale of Annuities any further Sum or Sums of Money they shall think fit, not exceeding, together with the said Sum of Forty six thousand nine hundred and ninety nine Pounds, Five Shillings, and Four Pence, the Sum of Seventy thousand Pounds in the Whole, so as that the Rate of Interest on the Annuities to be made payable, in respect of the Money hereby authorized to be raised as aforesaid, do not exceed the Rate of Interest on Annuities prescribed by the said recited Act. Further Sum to be raised;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Fifteen or more of them, to subject or make liable, the Rates and Duties granted and authorized to be imposed by the said recited Act, to the Payment of Annuities for Lives in respect of the said further Sum of Money hereby authorized to be raised; the Former Rates liable in Payment thereof.

said in Part recited Act, or any thing therein contained to the contrary thereof in any wise notwithstanding.

Rates impos'd by virtue of former Act, to be a Security for Annuities on this;

And be it further enacted by the Authority aforesaid, That the said Annuities for Lives, to be granted by virtue of this Act, shall be charged upon, and secured to be paid out of the several Rates and Duties granted and authorized to be imposed by the said recited Act, by such and the same Ways, Means, and Methods, as are prescribed by the said recited Act, with respect to the Annuities thereby authorized to be granted; and the said Rates and Duties shall, upon every Default of Payment thereof, within the Space of Forty Days next after any of the Times when the same Annuities shall be made payable, vest in the Annuitants, until the same Annuities shall be fully paid and satisfied, together with Interest and Costs, and Charges occasioned by the Non-payment of the same; and that the Annuitants shall, in case of such Default in Payment, have such and same Powers, Authorities, Rights and Privileges as the Annuitants have, or are by Law intitled to, in respect of the Annuities already granted by virtue of the said recited Act; and the said Annuities hereby authorized to be granted, shall be payable and paid at such and the same Place or Places, and by such and the same Person or Persons, as the Annuities already granted by virtue of the said recited Act, are payable and paid:

but former Annuities to be first paid.

Nevertheless the Annuities already granted and charged upon the said Rates and Duties shall have Priority, and be first paid out of the said Rates and Duties.

Like Books and Accounts to be kept, as are directed by former Act;

And be it further enacted by the Authority aforesaid, That the said Trustees shall keep such Books, and observe and pursue such and the like Methods and Forms, with respect to the granting and paying Annuities under the Authority of this Act, and to the Annuitants entitled thereto, and other Persons; and also, as to keeping the Accounts of Money which shall be paid for the Purchase of such Annuities, as are by the said recited Act directed to be observed and pursued, with respect to the Annuities thereby authorized to be granted, and the Money to be paid for the Purchase thereof, and also with respect to the Annuitants entitled thereto.

with like Application of Monies.

And be it further enacted by the Authority aforesaid, That all Sums of Money to be raised by Sale of Annuities, by virtue of this Act, shall be respectively applied in like Manner as the several Sums of Money, authorized by the said recited Act to be borrowed and raised by Sale of Annuities, are, by the same Act, re-

ſpectively directed to be applied (the Charges of paſſing this Act of Parliament being firſt paid.)

Limitation of Actions.

And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons for any thing done or to be done in purſuance of this Act, or in relation to the Premiſſes, that in every ſuch Caſe, ſuch Action or Suit ſhall be commenced within Six Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the County or Place where the Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſo to be brought, ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear ſo to have been done, or that ſuch Action or Actions ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place, that then the Jury ſhall find a Verdict for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared, or if, upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

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 ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

FINIS.