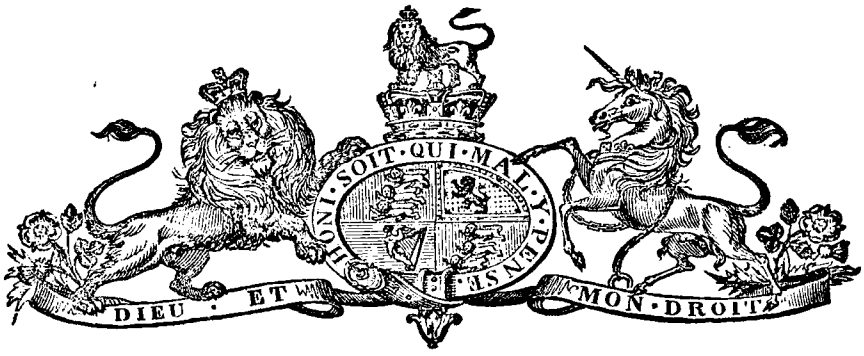


ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

****

CAP. LXXX.

An Act to authorize Advances of Money out of the Consolidated Fund for carrying on Public Works and Fisheries for Employment of the Poor, and for facilitating the Construction and Improvement of Harbours; and for other Purposes. [6th *August* 1861.]

WHEREAS the following Acts have been passed; *viz.*, an Act of the Fifty-seventh Year of King *George* the Third, Chapter Thirty-four; an Act of the same Session of Parliament, Chapter One hundred and twenty-four; an Act of the First Year of King *George* the Fourth, Chapter Sixty; an Act of the First and Second Years of King *George* the Fourth, Chapter One hundred and eleven; an Act of the Third Year of King *George* the Fourth, Chapter Eighty-six; an Act of the Fourth Year of King *George* the Fourth, Chapter Sixty-three; an Act of the Fifth Year of King *George* the Fourth, Chapter Thirty-six; an Act of the same Session of Parliament, Chapter Seventy-seven; an Act of the Sixth Year of King *George* the Fourth, Chapter Thirty-five; an Act of the Seventh Year of King *George* the Fourth, Chapter Thirty; an Act of the Seventh and Eighth Years of King *George* the Fourth, Chapter Twelve; an Act of the same Session of Parliament, Chapter Forty-seven; 57 G. 3. c. 34. 57 G. 3. c. 124. 1 G. 4. c. 60. 1 & 2 G. 4. c. 111. 3 G. 4. c. 86. 4 G. 4. c. 63. 5 G. 4. c. 36. 5 G. 4. c. 77. 6 G. 4. c. 35. 7 G. 4. c. 30. 7 & 8 G. 4. c. 12. 7 & 8 G. 4. c. 47.

1 & 2 W. 4. c. 24. 3 & 4 W. 4. c. 32. 4 & 5 W. 4. c. 72. 1 Vict. c. 51. 1 & 2 Vict. c. 88. 3 Vict. c. 10. 5 Vict. Sess. 2. c. 9. 9 & 10 Vict. c. 80. 14 & 15 Vict. c. 23. 16 & 17 Vict. c. 40. 19 Vict. c. 17.

Forty-seven; an Act of the First and Second Years of King *William* the Fourth, Chapter Twenty-four; an Act of the Third and Fourth Years of King *William* the Fourth, Chapter Thirty-two; an Act of the Fourth and Fifth Years of King *William* the Fourth, Chapter Seventy-two; an Act of the First Year of Her present Majesty Queen *Victoria*, Chapter Fifty-one; an Act of the First and Second Years of Her present Majesty, Chapter Eighty-eight; an Act of the Third Year of Her present Majesty, Chapter Ten; an Act of the Fifth Year of Her present Majesty, Chapter Nine; an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Eighty; an Act of the Fourteenth and Fifteenth Years of Her present Majesty, Chapter Twenty-three; an Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter Forty; and an Act of the Nineteenth Year of Her present Majesty, Chapter Seventeen: And whereas sundry Advances or Loans have been made by the Commissioners of the said Acts for the Purposes in the same Acts specified, and great Benefits have been derived therefrom: And whereas further Advances or Loans are required for the like Objects, and Advances or Loans are also required for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861," and it is deemed expedient to make Advances of Money out of the Consolidated Fund for the Purposes of such Loans: Be it therefore 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:

Power to charge 360,000*l.* per Annum upon the Consolidated Fund by Issues not exceeding 90,000*l.* per Quarter.

1. For the Purposes of such Advances or Loans as aforesaid (exclusively of Advances or Loans for the Purposes of "The Harbours and Passing Tolls, &c. Act, 1861,") the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are hereby empowered by Warrant under the Hands of any Two or more of them, to cause to be issued out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding Three hundred and sixty thousand Pounds *per Annum* during the Five Years next ensuing the Fourth Day of *April* One thousand eight hundred and sixty-two, by quarterly Instalments or Issues not exceeding Ninety thousand Pounds *per* Quarter, the First Instalment thereof to become due and payable in the Quarter ending the Thirtieth Day of *June* One thousand eight hundred and sixty-two.

Power to charge 350,000*l.*

2. For the Purpose of Advances or Loans under "The Harbours and Passing Tolls, &c. Act, 1861," the Commissioners of Her Majesty's Treasury

Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being are hereby empowered, by Warrant under the Hands of any Two or more of them, to cause to be issued out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, or out of the growing Produce thereof, to the Account of the Commissioners for the Time being for the Reduction of the National Debt, a Sum or Sums of Money not exceeding Three hundred and fifty thousand Pounds *per Annum* during the Five Years next ensuing the passing of this Act, by quarterly Instalments or Issues not exceeding Eighty-seven thousand five hundred Pounds *per* Quarter, the First Instalment thereof to become payable in the Quarter ending the Thirtieth Day of *September* One thousand eight hundred and sixty-one, such Monies to be applied exclusively under the said Harbours and Passing Tolls Act.

per Annum upon the Consolidated Fund by Issues not exceeding 87,500*l.* per Quarter for Harbours, &c.

3. The Commissioners for the Time being for the Reduction of the National Debt shall be and they are hereby appointed Trustees on the Part of the Public for holding the said Monies to be issued and paid out of the Consolidated Fund as aforesaid, and they shall continue or cause to be continued the separate Account already opened at the Bank of *England* with them under the Title of "The Commissioners "for the Reduction of the National Debt on account of the Public "Works Loan Fund," and which Account the Governor and Company of the Bank of *England* shall and they are hereby required to continue in their Books accordingly, and to which Account shall be carried all such Monies as shall be issued and paid out of the Consolidated Fund for the Purposes aforesaid, and the said Commissioners for the Reduction of the National Debt shall continue and keep or cause to be continued and kept in their Office a Book or Books in which all the Monies transferred to their Account by virtue of this Act and the said recited Acts shall be entered and kept separate and apart from all other Monies, and such Monies shall be by them held subject to the Disposal, Orders, and Directions of the Commissioners of the said recited Acts and of this Act for the Purposes of such Loans and Advances and otherwise, as by the same Acts or the Acts relating thereto or this Act are directed or authorized to be made.

Commissioners for Reduction of National Debt to be Trustees of Public Works Loan Fund, and to cause a separate Account to be continued at the Bank of England for the Purpose.

4. The Governor and Company of the Bank of *England* shall and they are hereby required to continue the Account already opened in their Books with the Commissioners for the Execution of this Act and of the said recited Acts under the Title of "The Commissioners for the Issue of Loans for Public Works and Fisheries, &c.," to the Credit of which Account shall be carried all Principal and Interest Monies which shall from Time to Time become payable in respect of Loans

Bank to continue the Account already opened with the Commissioners for executing this Act.

Loans made or to be made under the said recited Acts or this Act, and which shall be paid to the Cashiers of the said Bank of *England* upon such or the like Certificates, under the Hands of the said Commissioners of the said recited Acts and of this Act, as have been heretofore used for such Purpose in regard to Exchequer Bill or other Loans as directed by the said recited Acts or some or One of them, in such or the like Manner in all respects as if the Clauses and Provisoes in the said recited Acts or any of them with respect to such Payments and Certificates had been repeated and re-enacted in the Body of this Act, or as near thereto as the Difference of the Circumstances will admit.

Money paid into the Bank to the Account of Commissioners for executing this Act to be carried to and be made Part of the Consolidated Fund.

5. All and every Sums and Sum of Money which shall be paid into the Bank of *England* to the Account of the Commissioners for executing this Act under and by virtue of this Act shall from Time to Time, at such Periods as the Commissioners of Her Majesty's Treasury shall direct, be transferred by the Governor and Company of the Bank of *England* to the Account kept by the said Bank of *England* with Her Majesty's Exchequer, and when so transferred shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Commissioners for executing recited Acts to be Commissioners together with others for executing this Act.

6. The several Persons who in and by or under the said recited Acts or any of them are named or constituted Commissioners for the Execution of the said Acts, or so many of them as shall be living at the Time of the passing of this Act, together with *Paul Butler* Esquire, *George Grenfell Glyn* Esquire, *Thomson Hankey* Esquire, *Thomas Newman Hunt* Esquire, and *Henry Hussey Vivian* Esquire, (who have been appointed Commissioners for the Execution of the said recited Acts, under the Authority of the same, or some or One of them,) shall be and they and all future Parties so constituted are hereby constituted Commissioners for the Execution of the said recited Acts and this Act; and all Acts authorized by the said recited Acts and this Act to be done and executed by the said Commissioners may be done and executed by any Three or more of them.

Commissioners to sign the following Declaration before acting.

7. The said Commissioners named in and by or under the said recited Acts or any of them, or this Act, shall, before they enter upon the Execution of this Act, sign a Declaration to the following Effect:

'I *A.B.* do declare, That according to the best of my Judgment I 'will faithfully and impartially execute the several Duties, Powers, 'and Trusts vested in me by an Act intituled [*insert Title of 'this Act*], according to the Tenor and Purport of the said Act,

'and

'and the Acts therein recited, and other Acts having reference 'thereto.'

And such Declaration shall be kept and entered with the other Proceedings of the said Commissioners.

Amount of Monies to be advanced under this Act to be certified to the Commissioners for the Reduction of the National Debt.

8. When and so soon as the said Commissioners for the Execution of the said recited Acts and this Act shall have determined upon any Amount of Money to be advanced and lent or paid under the Provisions of this Act, the said Commissioners, or any Three or more of them, shall forthwith certify such Amount to the Commissioners for the Reduction of the National Debt for the Time being, and at the Foot of every such Certificate the Secretary of the said Commissioners for the Execution of the said recited Acts and this Act shall state the Name or Names of the Person or Persons by whom every such Certificate is to be presented to the said Commissioners for the Reduction of the National Debt, and upon every such Certificate being produced to the Officer of the said Commissioners for the Reduction of the National Debt the Comptroller General, or Assistant Comptroller, or Chief Clerk acting under the said last-mentioned Commissioners, shall upon the Back of every such Certificate endorse and sign an Order for the Payment of the Sum mentioned in every such Certificate to the Person or Persons named at the Foot of every such Certificate, or to One of such Persons, and which Order of such Officer previously to the issuing thereof shall be entered by the Clerk or other proper Officer, and shall be countersigned by the Actuary or other Check Officer acting under the said last-mentioned Commissioners, and shall be addressed to the Cashiers of the Governor and Company of the Bank of *England;* and such Cashiers, or One of them, shall upon the Production of every such Order pay the Sum mentioned therein to the Person or Persons mentioned in every such Order, and the Signature of such Person or Persons jointly or severally shall be a sufficient Discharge to the said Commissioners for the Reduction of the National Debt and to the said Governor and Company respectively, provided the total Amount directed to be paid by such Certificate or Certificates respectively shall not at any Time exceed the Amount for the Time being standing to the Credit of the said Account of the said Commissioners for the Reduction of the National Debt under the Provisions of this Act or of the said recited Acts.

Commissioners for executing recited Acts and this Act to lay annual Accounts before Parliament.

9. The said Commissioners for the Execution of the said recited Acts and this Act shall cause to be made up an annual Account to the Thirty-first Day of *March* in each Year of the Amounts placed at their Disposal under the said recited Acts and this Act, the Amounts advanced, and the Amounts remaining unissued, also an Account of the

the Amount of the Loans advanced by the said Commissioners under the said recited Acts and this Act, the Monies received on account thereof and paid into the Exchequer, and the Balance of Principal and Interest outstanding, distinguishing each Class of Loans, and also showing the Amounts advanced and repaid in respect of each such Class during the Year ending the Thirty-first Day of *March* immediately preceding the Date of such Account, and the said Commissioners shall in each Year cause such Accounts to be laid before both Houses of Parliament on or before the Thirtieth Day of *June*, if Parliament be sitting, or if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament.

Commissioners for Reduction of the National Debt to furnish annual Account of the Fund for Audit.

10. The Commissioners for the Reduction of the National Debt shall cause to be made up for Examination and Audit an annual Account to the Thirty-first Day of *December* in each Year of the Receipts, Payments, and Balances in the said Account so directed to be kept by them in respect of the said Public Works Loan Fund as aforesaid, and shall deliver the same to the Commissioners for auditing the Public Accounts at *Somerset Place*.

Powers, &c. of recited Acts to have the same Force as if re-enacted in this Act.

11. None of the several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in the said recited Acts or any of them shall be affected nor be deemed to have been affected by anything in this Act, or in any other Act or Acts of Parliament already passed or to be passed, except so far as the same is by this Act, or may by any such Act passed or to be passed, be altered, varied, or repealed by express Reference to the said recited Acts or this Act; and all and every the same several Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act and to everything to be done in pursuance of this Act, and as if such Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures were herein repeated and set forth.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1861.