

"And whereas the Town and Harbour of Whitehaven together with the said adjacent portion of the Parliamentary Borough of Whitehaven which it is proposed by the said Charter to include in the Municipal Borough so to be created as aforesaid are portion of and lie within the area of the Whitehaven Union in the county of Cumberland and the Guardians of such Union are or act as the Rural Sanitary Authority for (among divers other places or parishes) the said Harbour and for the said adjacent portion of the said Parliamentary Borough.

"And whereas under and by virtue of certain others of the Whitehaven Town and Harbour Acts and in particular under and by virtue of the Whitehaven Water Works Act 1849 (being the Statute 12 Vict. cap. xvii) and the Whitehaven Waterworks Act 1864 (being the Statute 27 and 28 Vict. cap. cxxi) the Trustees (now being such corporate body as aforesaid and as now being such Urban Sanitary Authority as aforesaid) were and are authorized to supply (and do supply) water within (among other parishes townships and places in the county of Cumberland) the township of Whitehaven and the said Harbour and to make and maintain (and they have made and maintained and do now maintain) waterworks and to take (and they have taken and do now take) water from (among other sources) the Ennerdale Lake in the said county and were and are required to keep (and they have kept and do keep) a separate and distinct account called "the Whitehaven Water Account" of all moneys received or paid under the provisions of those Waterworks Acts and the Trustees were and are under and by virtue of the said Acts authorized to borrow (and they have borrowed) capital money and to levy (and they have levied and do levy) water rates for and in connection with their said waterworks and water system:

"And whereas under and by virtue of certain others of the Whitehaven Town and Harbour Acts or under and by virtue of the Public Health Act 1875 the Trustees (now being such corporate body as aforesaid and as being such Urban Sanitary Authority as aforesaid) were authorized to contract (and they have contracted) divers debts (hereinafter referred to as the "Town debt" to distinguish it from the Harbour debt hereinafter mentioned) and the particulars of which said Town debt are set forth in the first and second parts of the Second Schedule hereto:

"And whereas under and by virtue of certain others of the Whitehaven Town and Harbour Acts and in particular under and by virtue of the Whitehaven Town and Harbour Act 1859 (being the Statute 22 Vict. cap. xiv.) the Whitehaven Dock and Railways Act 1871 (being the Statute 34 and 35 Vict. cap. xci.) the Whitehaven Harbour and Town (Improvement) Act 1876 before mentioned the Whitehaven Harbour and Dock Act 1882 (being the Statute 45 and 46 Vict. cap. cxxxiii.) the Whitehaven Town and Harbour (Incorporation) Act 1883 before mentioned and the Whitehaven Harbour and Dock Act 1887 (being the Statute 50 and 51 Vict. cap. cxiv.) the Trustees (now being such corporate body as aforesaid) were authorized to contract (and they have contracted) for harbour purposes divers considerable loans diversely secured upon the revenues of the said harbour or some of them by first mortgages bonds and otherwise such securities having *inter se* divers priorities and carrying divers rates of interest and which said loans are hereinafter referred to generally as the Harbour debt or as the debt on the said Harbour and the particulars

of which said debt are set forth in the third part of the said Second Schedule hereto:

"And whereas the Trustees (now being such corporate body as aforesaid) are entitled (as being such Urban Sanitary Authority as aforesaid) to (amongst others) the properties a particular whereof is set forth in the first part of the First Schedule hereto and also (as being such Harbour Trustees as aforesaid) to (amongst others) the properties a particular whereof is set forth in the second part of the said First Schedule:

"And whereas under the Whitehaven Town and Harbour Acts hereinbefore referred to and in particular by the Whitehaven Town and Harbour Act 1859 before mentioned the Trustees consist of the following persons and classes of persons respectively existing nominated and elected as follows that is to say the twenty-one persons following that is to say the Lord of the Manor of Saint Bees for the time being (and who is now represented by the Right Honourable James Lowther M.P. as Trustee of a settlement made by the late Earl of Lonsdale) five persons being nominees of the Lord for the time being of the said Manor and fifteen persons elected partly by certain of the inhabitant ratepayers of the Town and Harbour of Whitehaven and partly by shipmasters and shipowners resident in the said town and the Trustees so existing nominated and elected were the Harbour Trustees and also Trustees of the Town and Harbour and they are the corporate body aforesaid called 'the Trustees of the Town and Harbour of Whitehaven':

"And whereas under and by virtue of a certain Indenture (hereinafter called 'the Galemire Hospital Trust') dated the first day of January, one thousand eight hundred and eighty-three, and made between the Whitehaven Rural Sanitary Authority of the first part the Cleator Moor Local Board of the second part the Egremont Local Board of the third part and the Arlecdon and Frizington Local Board of the fourth part a certain hospital for infectious diseases (the acquisition of which was duly authorized by the Local Government Board) is owned and enjoyed in common by the several authorities parties to the Galemire Hospital Trust subject to a certain mortgage debt thereon hereinafter called 'the Galemire Hospital debt' and the same several authorities are also liable in defined but varying proportions for the Galemire Hospital debt and the interest thereon and also for the expenses of the maintenance of the said Hospital and the said Harbour and the said adjacent portion of the said Parliamentary Borough (in respect of their being within the jurisdiction for sanitary purposes of the Whitehaven Rural Sanitary Authority as aforesaid) are entitled to the use of the said Hospital and are liable for the said Galemire Hospital debt and the expenses of maintaining the said Hospital in common with and rateably with the other places constituting the residue of the district of the last-mentioned authority and other the parties to the Galemire Hospital Trust:

"And whereas the said Urban Sanitary Authority and the said Rural Sanitary Authority and other the parties to the Galemire Hospital Trust are local authorities within the meaning of Part XI of the Municipal Corporations Act 1882:

"And whereas this Scheme was before being settled by the Committee of Council referred for consideration to Her Majesty's Principal Secretary of State for the Home Department to the Local Government Board and to the Board of Trade: