



ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

Cap. cxxvi.

An Act to alter and amend several Acts for the Improvement of the Harbour of *Swansea* in the County of *Glamorgan*, and for further improving the said Harbour. [28th July 1836.]

WHEREAS an Act was passed in the Thirty-first Year of the Reign of His Majesty King *George* the Third, intituled *An Act for repairing, enlarging, and preserving the Harbour of Swansey in the County of Glamorgan*: And whereas another Act was passed in the Thirty-sixth Year of His said Majesty's Reign, intituled *An Act to amend and render more effectual an Act made in the Thirty-first Year of His present Majesty, for repairing, enlarging, and preserving the Harbour of Swansea in the County of Glamorgan, and for making Improvements in the Lights at the Mumbles*: And whereas another Act was passed in the Forty-fourth Year of His said Majesty's Reign, intituled *An Act for amending and enlarging the Powers of Two Acts passed for preserving the Harbour of Swansea in the County of Glamorgan, and for further improving the same*: And whereas since the passing of the said Acts the Trade of the Port of *Swansea* has greatly increased, and it is expedient that greater Accommodation should be afforded to Ships and Vessels resorting to and using the said Port, and that the Improvements, Alterations, and Enlargements herein-after mentioned should be made in the Harbour of *Swansea* and the River *Tawe* communicating therewith: And whereas the carrying into effect all the new Works and Improvements by this Act authorized to be made and executed would,

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31G.3. c. 83.
36G.3. c. 93.
44G.3. c. 56.

if undertaken or executed at the same Time, impose too great a Burden upon the Commerce of the said Port, and it is therefore expedient that this Act should be divided into Three Parts; that is to say, that the Trustees acting in execution of the said Acts should in the first place be authorized to make a navigable Cut or Canal, or Cut for the Waste Water, from *Fabian's Bay*, to communicate with the River *Tawe* at or near *Pentreguinea*; to erect a Gate or Lock across the present Bed of the River *Tawe* at or near the Pottery, so as to divert the Water of the said River from its present Course through the said Cut or Canal, and to place a Bridge over such Gate or Lock; to erect a Gate, Weir, or Lock, or both, or either of them, across such Cut or Canal, at or near the Mouth of such Cut in *Fabian's Bay*, and to erect and construct a Bridge over such Gate, Weir, or Lock, or over such Cut or Canal, above or to the Northward of such Gate, Weir, or Lock; and also to deepen the Bed of the said River *Tawe* from the Outside of the Pier Head to the Forest Works, and also to widen and deepen the present Channel from the Pier Head to the Line of the Slag Bank at *Port Tennant* in the said Harbour of *Swansea*; and to place a Swing Bridge or Draw Bridge across the said River *Tawe* from the Corporation public Quay in the Town of *Swansea* to the opposite Bank of the said River in the Hamlet of *Saint Thomas* (such Bridge to be erected subject to the Consent herein-after mentioned); and in the event of the Erection of such Bridges or either of them, to purchase the present Ferry over the said River *Tawe* and also to erect and construct a Bridge over the said Cut or Canal at or near the Point where it communicates with the said River *Tawe* at or near *Pentreguinea* (such Bridge to be erected subject to the Consent herein-after mentioned), and for these Purposes to borrow the Sum of Eighty thousand Pounds, and to levy and collect the Tolls herein-after mentioned: In the second place, to erect a Gate or Lock from the Corporation public Quay across the Bed of the said River *Tawe*, so as to form the Space between that Point and the Pottery into a Wet Dock, and to erect and construct a Bridge over the said Gate or Lock from the said Corporation public Quay; to erect a Gate or Gates, or Lock or Locks, across the Bed of the said River *Tawe* at or near to the *Cambrian Hotel*, so as to form a Half-tide Basin to communicate with the said Wet Dock and the intended new Cut or Canal from *Fabian's Bay* to *Pentreguinea* aforesaid, and for that Purpose to borrow the Sum of Forty thousand Pounds, in addition to the Sum of Eighty thousand Pounds herein authorized to be raised, and to raise, levy, and collect the additional Tolls herein-after mentioned: In the third place, to further deepen and improve the Bed of the said River *Tawe*, and to make it navigable for Ships or Vessels as high as the Forest Works near *Morrison* in the Parish of *Llangevelach*, upon the Application and under the Provisions and Restrictions herein-after contained: And whereas it is expedient that other and larger Powers than those contained in the said recited Acts should be granted, and that the Tolls and Duties thereby imposed should be altered, varied, and increased, and other Tolls granted and imposed: May it therefore please Your 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,

Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained in the said recited Acts, (except such as are hereby varied, altered, or otherwise provided for,) shall extend and be construed to extend to this Act, and to the several Works and Things hereby authorized or required to be made and done, and shall operate and be in force in respect to the Objects and Purposes of this Act and of the said recited Acts, as fully and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things were repeated and re-enacted in this Act.

Provisions of former Acts extended to this Act.

II. And be it further enacted, That where in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, the same shall be understood to include several Matters as well as one Matter, several Persons as well as one Person, and Females as well as Males; and where the Word "Lands" shall be used, the same shall be understood to include Tenements and Hereditaments; and where the Word "Corporation" shall be used, the same shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the Word "Vessel" shall be used, the same shall be understood to mean any Ship, Lighter, Keel, Barge, Boat, or Craft, and any other Kind of Vessel whatsoever; and where the Word "Master" (in relation to any Vessel) shall be used, the same shall be understood to mean any Person, whether the Owner or Master or other Person lawfully or wrongfully having or taking the Command, Charge, or Management of the Vessel at the Time; and where the Word "Owner" (in relation to any Goods or Articles on board any Vessel) shall be used, the same shall be understood to include any Consignee or Shipper of such Goods or Articles (as well as the Owner thereof); unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Rules for the Interpretation of certain Terms in this Act.

III. And whereas, from the Increase of the Trade of the said Port, and the Extent of the Improvements hereby contemplated, it is expedient that the Number of proprietary or representative Trustees acting under and by virtue of the Powers of the said recited Acts should be increased to Twenty-four; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for the Persons acting under and by virtue of the said recited Acts, as proprietary or representative Trustees, and they are hereby directed, as soon as conveniently may be, to elect and appoint in the Manner directed by the said recited Acts Six other Persons to act as such proprietary or representative Trustees, so that in future the full Number of such proprietary or representative Trustees shall be of the Number of Twenty-four: Provided always, that no Person shall be eligible to be elected as such additional Trustee, nor shall any Person hereafter in the Event of any future Vacancy be eligible to be elected as proprietary or representative Trustee as aforesaid, unless he shall be

Appointment of Six additional Trustees.

be possessed of one or other of such Qualifications as are required by the said recited Acts, or be possessed of a Wharf or Warehouse on the Banks of the River *Tawe*, or of an Interest in any Canal or Railroad terminating at or communicating with the River *Tawe*, of the full Value of Two thousand Pounds at the least.

Repeal of Provision in former Acts that Trustees shall prove their Qualification on Oath.

IV. And be it further enacted, That so much of the said recited Acts of the Thirty-first and Forty-fourth Years of the Reign of His said late Majesty King *George* the Third as enacts that no Person elected to fill up Vacancies occasioned among the said Trustees should be qualified to act until he should have taken and subscribed the Oaths therein mentioned shall be repealed, and that in lieu of taking and subscribing the Oath by the said Acts required every Person who shall be elected a Trustee shall, before he shall be qualified to act in the Execution of the said recited Acts and this Act, made and subscribe a Declaration in lieu of such Oaths, in the Form and according to the Manner prescribed by an Act of the last Session of Parliament for the more effectual Abolition of Oaths, and to substitute Declarations in lieu thereof; and every such Declaration shall be made before the same Persons and be of the same Force and Effect as if the Person so elected had taken and subscribed the Oath by the said recited Acts directed and required; and all Pains and Penalties by the said recited Acts imposed upon Persons falsely taking and subscribing the said Oaths shall extend to all Persons who shall falsely make and subscribe any Declaration under the Provisions of this Act.

Power to make new Works.

V. And be it enacted, That it shall and may be lawful for the Trustees acting in execution of the said recited Acts and this Act, and they are hereby empowered, to purchase or take, subject to the Restrictions and Provisions herein-after contained, so much of the Land (as is specified in the Plan and Book of Reference herein-after mentioned) to the Westward of the Road leading from the Village of *Pentreguinea* aforesaid to the Ford across the said River *Tawe*, below the *Cambrian* Hotel, and lying between the said Road and the said River *Tawe*, as may be necessary for executing the Works and for the Purposes herein-after mentioned; and after the Purchase or taking of such Land to make a navigable Cut or Canal, or Cut for the Waste Water, to commence at *Fabin's Bay* aforesaid, and to communicate with the said River *Tawe* at or near *Pentreguinea* aforesaid in the said County of *Glamorgan*; and to erect a Gate or Lock across the present Bed of the River *Tawe* at or near the Pottery, and to make, construct, and maintain a Bridge, with proper Avenues and Approaches thereto, over such Gate or Lock, or near thereto; and also to erect, construct, and maintain a Weir and Gate or Lock, or both or either of them, across the Entrance to the said navigable Cut or Canal, or Cut for the Waste Water, in *Fabian's Bay* aforesaid, and to make and erect a Bridge over such Weir, Gate, or Lock, or near thereto; and also to deepen, straighten, and improve the Bed of the River *Tawe* aforesaid, from the Outside of the Pier Head to where the said new Cut or Canal will communicate with *Fabian's Bay*; and also to widen, deepen, and maintain the Channel from the Pier Head to the Line of the Slag Bank at *Port Tennant* in the said Harbour of *Swansea*, so as to make
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and maintain the same of such Width and Depth as herein-after mentioned; and also to deepen, straighten, and improve the Bed of the said River from the Entrance of such new Cut or Canal in *Fabian's Bay* to the Forest Works aforesaid, and for that Purpose to remove such Banks of Mud, Shallows, and other Obstructions as may be by the said Trustees deemed necessary; and to make, construct, and maintain a Swing Bridge or Draw Bridge across the said River *Tawe* at or near the Corporation public Quay aforesaid, and also another Swing Bridge or Draw Bridge over the said intended new Cut or Canal at or near *Pentreguinea* in the Hamlet of *Saint Thomas* aforesaid.

VI. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby required to make and ever afterwards maintain the said Channel from the Pier Head to the Line of the said Slag Bank at *Port Tennant* aforesaid of such Width as that the same shall not at the Bottom of such Channel, and in the narrowest Part thereof, be less than One hundred Feet wide, and of such Depth as that the Channel from the Pier Head for a like Distance up the Bed of the said River *Tawe* shall not be deeper than such first-mentioned Channel: Provided always, that the said Trustees shall not be required to expend more than the Sum of Two hundred Pounds in any One Year in so making and maintaining as aforesaid the said Channel to the Line of the said Slag Bank at *Port Tennant* aforesaid.

Trustees to make and maintain a Channel to Port Tennant.

VII. And be it further enacted, That it shall and may be lawful for the said Trustees and they are hereby empowered (by and with the Consent in Writing of the Owner thereof, to be testified in Writing under his Hand and Seal,) to make such Use as they in their Judgment and Discretion shall think fit of any Reservoir, Sluice, or other Device for the Purpose of discharging any tidal or other Water, and thereby scouring out or cleansing the said Harbour or any Part thereof.

Trustees to make use of Sluices for scouring the Harbour, with Consent of Owners of such Sluices.

VIII. And be it further enacted, That it shall and may be lawful for the said Trustees and they are hereby required, by the Means aforesaid, and by maintaining the Surface of the Water in the said River immediately above the Gate or Lock and Dam hereby authorized to be made across the Bed of the said River at or near the Pottery at a Level within the Float so to be produced not less than Two Feet above the average Level of the lowest Tide in each Neap throughout the Year, and by excavating the Bottom or Bed of the said River, and by the Removal of Shoals, with a regular and gradual Descent in the Bed of the said River between the respective Points or Places herein-after mentioned, and by the Execution of the Works hereby authorized to be made to obtain and maintain, as far as practicable, a Depth of Water in the said Float opposite the Forest Copper Works of not less than Four Feet Six Inches, opposite *Landore* Quay of not less than Nine Feet Three Inches, opposite the middle Bank and *Hafod* Copper Works of not less than Eleven Feet Three Inches, opposite Mr. *Smith's* Shipping Stages at *Foxhole* of not less than Fourteen Feet Three Inches, and opposite the Wharfs abreast the Town of *Swansea* below the Gate or Lock aforesaid of

Regulating the first deepening of the River.

not less than Fifteen Feet Three Inches: Provided always, that nothing in this Act contained shall extend or be construed to extend to authorize the Erection, Maintenance, and Use of any Work which shall have the Effect of damming back the Tail Water of the lower Forest Mills in such Manner as to obstruct the working of the said Mills.

Trustees to proceed with the several Works at the same Time;

to deepen the River within Four Years.

IX. Provided always, and it is hereby further enacted, That the said Trustees shall and may and they are hereby required to proceed in the Execution of the several Works aforesaid as near as may be practicable at the same Period of Time, and shall expend as near as may be practicable the same Amount of Money in deepening, straightening, and improving the Bed or Level of the said River in the Manner aforesaid, in proportion to the relative estimated Costs thereof, as they shall expend in executing the other Works by this Act directed to be first executed, and shall complete the deepening, straightening, and improving the Bed or Level of the said River in the Manner and to the Extent included in the first Class of Works by this Act authorized to be made as herein-before stated as near as may be practicable within Four Years from and after the Commencement of any of the Works hereby authorized to be made.

Trustees not to erect Bridges herein described without Consent.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to erect the said Bridge across the River *Tawe* at or near the Corporation public Quay aforesaid without the Consent of Three Fourths of the Trustees of the said Harbour first had and obtained at a special Meeting convened for that Purpose, and of which Meeting Twenty-one Days Notice shall be given by Advertisement in the *Cambrian* or some other Newspaper published in the County of *Glamorgan*, nor to erect the said intended Bridge across the said new Cut or Canal at or near *Pentreguinea* aforesaid without the Consent of Three Fourths of the Trustees of the Harbour of *Swansea* first had and obtained at a special Meeting convened as aforesaid: Provided always, that the Trustees present at such Meeting, and consenting as aforesaid, shall in no Case be a less Number than shall be equal to One Half of the whole Body of Trustees acting in execution of the said recited Acts and this Act: Provided also, that it shall not be lawful for the said Trustees to erect the said Bridge over the said River *Tawe* from the Corporation public Quay aforesaid until they shall have purchased and paid for the present Ferry over the said River *Tawe*, as herein mentioned.

Part of the Bridge over the River *Tawe* to be a Draw Bridge.

XI. Provided always, and be it further enacted, That the said Trustees shall not erect, build, or construct any Bridge over the said River *Tawe* on the said intended Site at or near the Corporation public Quay, or over the said Cut or Canal at the said intended Site at or near *Pentreguinea* aforesaid, without providing in some convenient Part of such Bridge a Swing Bridge or Draw Bridge for the Accommodation of the Vessels navigating the said River or Cut or Canal, such Swing Bridge or Draw Bridge having an Opening of at least Fifty Feet in Width when erected over the River *Tawe*, and of Thirty-six Feet in Width when erected over the said Cut or Canal; and the said Trustees shall superintend and regulate the same, and make

make such Bye Laws, Rules, and Orders respecting such Bridges as may seem to them expedient and necessary, in order to protect the Traffic over the same, and also the Navigation of the said River and Cut or Canal, and the said Trustees are hereby empowered, by Writing under their Hands, from Time to Time to appoint a Bridge Keeper to raise and open the said Swing Bridges or Draw Bridges for the Passage of Vessels through the same.

XII. And be it further enacted, That it shall and may be lawful for the said Trustees and they are hereby empowered to purchase a sufficient Quantity of Land, Part of the Estate of *Thomas Starling Benson* Esquire, known by the Name of the *Tyrllandwr* Estate, for the Purpose of making the navigable Cut or Canal, or Cut for Waste Water, and also for the making and constructing the Mouth, Bridges, and Gates, and the Works appertaining to such Bridges and Gates; and also, and in addition thereunto, a Piece of Ground on the Western Side of the said Cut or Canal, next adjoining to the lower Bridge herein mentioned, and to the North of the said Bridge, not exceeding Four hundred Feet of Frontage along the Bank of the said Cut or Canal, and Two hundred and forty-six Feet in Depth from the said Bank, inclusive of the Road and Towing Path hereinafter mentioned; and also another Piece of Ground on the opposite or Eastern Side of the said Cut or Canal next adjoining to and to the Northward of the said Lower Bridge, not exceeding Three hundred Feet of Frontage along the Banks of the said Cut or Canal, and Two hundred and sixteen Feet in Depth from the said Banks, inclusive of the Towing Path hereinafter mentioned; and which said Lands, Roads, and Works are delineated and described on the Plan and Book of Reference deposited in the Office of the Clerk of Parliament; and such Quantity of Land not to exceed in the whole Twelve and a Half Acres.

As to Land belonging to T. S. Benson Esquire.

XIII. And whereas it is expedient to deposit the Earth, Stones, Rubbish, and other Materials excavated in making the several Works herein-before mentioned, or some Part thereof, upon the Beach in *Fabian's Bay* aforesaid; be it therefore enacted, That the said Trustees shall and they are hereby required to carry and deposit so much of the Earth, Stones, Rubbish, and other Materials excavated in the making the said intended Works on such Part of the Beach in *Fabian's Bay* aforesaid, between High and Low Water Mark, as is delineated on the Plan thereof deposited in the Office of the Clerk of Parliament as will cover an Area equal in Extent to the Land of his Grace *Henry Duke of Beaufort*, required for the making the said navigable Cut or Canal, or Cut for Waste Water, and also for the making the said Gates or Locks, Weirs and Bridges, together with the Roads and Approaches thereto, and other Works hereby authorized to be made, and also that the said Trustees shall be authorized and empowered to deposit thereon so much more of the said Earth, Stones, Rubbish, and other Materials as the said Trustees may think fit or expedient; and the said Trustees shall and they are hereby required to lay, deposit, and make a sufficient Facing of Copper Slag or other Materials on the Outside or Seaward Side of such Earth, Stones, Rubbish, or other Materials, so as to prevent the same being washed

Trustees to deposit a certain Portion of the Earth, &c. on the Land of the Duke of Beaufort.

washed away by the Tides, such Facing to be carried up at least Three Feet above High-water Mark at Spring Tides, and on the Completion of the aforesaid Works the said Trustees are hereby required to level the said Earth, Stones, Rubbish, and other Materials in a sufficient and proper Manner.

Trustees to have a Right of Way the whole Length of the Canal.

XIV. Provided always, and be it further enacted, That the said Trustees shall nevertheless enjoy and be entitled to a full and free Passage on each Side of the said Cut or Canal the whole Length of such Cut or Canal, without Let or Hindrance from the Proprietor or Proprietors of the Soil along the same, and that such Passage, to the Breadth of Sixteen Feet from the Brink of the said Cut or Canal on each Side thereof, shall be and be considered to be an open and public Towing Path, and as such to be placed under the Control of the said Trustees, in like Manner as any other Part of the said Harbour; and further, that on and along the Western Side of the said Cut or Canal, and up to the Bridge across the Lock or Locks to be erected near the Pottery, the said Trustees shall enjoy and be entitled to a full and free Passage of the Breadth of Thirty Feet, such last-mentioned Passage to be in addition to and besides the Towing Path above mentioned, and immediately adjoining thereunto, and to be used and considered as an open and public Road or Carriageway, and that the said Road, together with the above-mentioned Towing Paths, shall be placed under the Control, Regulation, and Management of the said Trustees, in like Manner as any other Part of the said Harbour: Provided nevertheless, that the Proprietor or Occupier of the Lands adjoining the said Road and Towing Path on each Side of the said Cut or Canal shall have full Right, Power, and Authority of crossing and using such Road and Towing Paths for the Purpose of loading and unloading Goods, Wares, and Merchandize into and out of Ships, Barges, and Lighters, in the said Canal, and for any other the like Purposes, subject to the Control and Regulation of the Harbour Master of the Port or Harbour of *Swansea* for the Time being, in like Manner as in any other Part of the said Harbour.

Proprietors of adjoining Lands may erect Bridges over Waste Water Cut.

XV. Provided always, and be it further enacted, That if the Owner or Occupier of the Land through which such Waste Water Cut shall be made shall at any Time apprehend that the Bridge to be made over such Waste Water Cut, under the Authority of this Act, will not be sufficient for the commodious Use and Occupation of the Land and Ground on both Sides or on either Side thereof, then and in such Case it shall be lawful for such Owner or Occupier to make, fix, and erect, at his own Cost and Charges, such other Bridge or Bridges over the said Waste Water Cut or Canal, and in such Place as shall be deemed by him most necessary and convenient for the better Use or Occupation of such Lands, and to repair and support the same at his own Cost and Charges as Occasion shall require: Provided always, that such Bridge or Bridges shall have in some convenient Part thereof a Swing Bridge or Draw Bridge having an Opening of at least Thirty Feet between the Piers thereof, and shall be erected and constructed in such Manner that the Sides of the said Cut or Canal shall not be injured, nor shall any greater Reduction of
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the Waterway be occasioned by the Piers of any such Bridge than to the Extent of Seven Feet in Breadth in the whole fronting the Southern End of the said Waste Water Cut.

XVI. Provided always, and be it further enacted, That the Power and Authority to erect such Bridge or Bridges, or to maintain the same, shall cease in the event of such Waste Water Cut being made a navigable Cut for Shipping into the outer Channel of *Fabian's Bay*, in which last-mentioned Case the said Trustees are hereby authorized, at the Expenditure of the Proprietor of such Bridge, to pull down and remove the same, if not removed by such Proprietor within Twenty-one Days after Notice in Writing to that Effect.

Bridges to be removed if Waste Water Cut is converted into a navigable Cut.

XVII. And be it further enacted, That when and so soon as the said Trustees shall have made the said navigable Cut or Canal, or Cut for the Waste Water, they are hereby required and directed to cause the Sides thereof to be effectually secured by a sufficient Fencing of Slag, Stones, or other Materials, and to keep the same in repair, so as to prevent any Injury to the adjacent Lands by the wasting or wearing away of the Sides thereof.

Banks of the Canal to be fenced.

XVIII. And be it further enacted and declared, That if a Waste Water Cut shall in the first instance be made under the Powers of this Act, it shall be lawful for the said Trustees, and they are hereby empowered, at any Time hereafter, to convert the same into a navigable Cut or Canal, and to use and apply all the Powers, Provisoes, Clauses, and Conditions herein contained for that Purpose.

Trustees empowered to make a navigable Cut.

XIX. And be it further enacted, That when and so soon as it shall have been determined to erect a Bridge over the River *Tawe* at or near the Corporation public Quay aforesaid, or at or near the Pottery aforesaid, or when and so soon as it shall have been determined to convert the Bed of the River *Tawe* between the said Corporation public Quay and the Pottery aforesaid into a Wet Dock, it shall and may be lawful for the said Trustees to treat, contract, and agree with the Proprietor of the existing Ferry over the said River *Tawe* for the Purchase of the same, and after the Payment of the Money agreed upon between the said Trustees and the Proprietor of such Ferry, and the Completion of such Bridge, such Ferry shall be discontinued.

Trustees empowered to purchase the Ferry.

XX. And be it further enacted, That after the said Bridge over the said River *Tawe* at or near the said Corporation public Quay shall have been open for public Use, no Persons (except the said Trustees acting in the Execution of this Act, or such Person or Persons as they shall appoint for that Purpose during such Time as the said Bridge may be rebuilding or repairing) shall use or employ any Boat, Barge, or other Craft in ferrying or conveying across the said River *Tawe*, within the Distance of One Mile from the said Bridge, any Persons, Cattle, or Carriages, for Hire or Gain; nor shall any Person or Persons (except Foot Passengers for themselves only) make or use any Ford through the said River within the Distance of One Mile from the said Bridge; and if any Person (except as afore-

Penalty on conveying Persons across the River *Tawe* within One Mile of the Bridge.

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said) shall so use or employ any Boat, Barge, or other Vessel, or any such Ford, the Person or Persons employing or using the same shall forfeit and pay the Sum of Five Pounds for every Person, Horse, Mule, Ass, Beast, Sheep, Swine, Calf, Lamb, and every Coach, Waggon, Cart, or other Carriage whatsoever, which shall be so ferried or conveyed, conducted or driven across the said River.

Trustees empowered to make Railroads to communicate with the Harbour.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Trustees and they are hereby authorized and empowered to make and construct on the Bridges by this Act authorized or directed to be erected and constructed across the said River *Tawe*, and also across and along the Avenues and Approaches to such Bridges, such and so many Railways or Tramroads as they the said Trustees shall from Time to Time deem necessary or expedient; Provided always, that nothing herein-before contained shall authorize the said Trustees to make such Railways or Tramroads, except upon the Lands which they are authorized to purchase by virtue of this Act; provided also, that in making the said Railways or Tramroads over such Bridges or the Approaches thereto the said Trustees shall not contract the Roadway of such Bridges and Avenues to a less Width than Sixteen Feet for the Bridges and Thirty Feet for the Approaches thereto; and when and so soon as the said Trustees shall have laid down and completed a Railway or Tramroad over the said Bridges it shall and may be lawful for them to levy and receive any Sum not exceeding Sixpence *per* Ton for all Coal or Culm or other heavy Goods conveyed across any of such Bridges by means of such Railway.

Power to make Quays, Wharfs, and Warehouses.

XXII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, by themselves, their Agents, Officers, Workmen, Servants, and others, to make, construct, erect, build, and maintain on the Lands and Grounds to be purchased under the Provisions of this Act, adjoining the said new Cut hereby authorized to be made and constructed, such Quays, Wharfs, Warehouses, and other Works, Buildings, Matters, and Things as they shall deem necessary and expedient for rendering the said Cut and Docks fit for the Reception, Accommodation, and Security of Ships, Barges, Boats, and Vessels, and for the more convenient loading and unloading of such Ships, Barges, Boats, and Vessels; and also to erect and make, or cause to be erected and made, such Buildings and Warehouses for receiving of Goods and Merchandize, and such Dwelling Houses, and other Buildings, Accommodations, Matters, and Things as they the said Trustees shall deem necessary and expedient.

Power for the Trustees to lease Warehouses, &c.

XXIII. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time, by Deed, to lease or demise to such Persons as may be willing to take the same all or any of the Warehouses, Wharfs, Cranes, Engines, or other Erections or Buildings which shall be erected, constructed, or set up by the said Trustees as aforesaid, or to lease or demise all or any Part of the said Land or Ground to any Persons or Corporations who may be willing to erect, contract, or set up thereon or any Part thereof, at their own

own Expence, such Warehouses, Wharfs, Cranes, Engines, or other Erections or Buildings; and it shall also be lawful for the said Trustees to levy and receive, in respect of such Warehouses, Wharfs, Cranes, Engines, or other Erections and Buildings, or in respect of any Land or Ground to be demised or leased for the Erection thereof as aforesaid, such Rents or other Sums of Money as shall be fixed and agreed upon between the said Trustees and such Persons as aforesaid, and to make such Regulations regarding the Use of the same Warehouses, Wharfs, Cranes, Engines, or other Erections or Buildings as the said Trustees shall deem expedient; and every such Lease or Demise shall be good, valid, and effectual to all Intents and Purposes whatsoever.

XXIV. And whereas Maps or Plans of the Cut or Canal, Dock, and other Works by this Act proposed to be made and executed, with a Book of Reference thereto, have been made and deposited with the Clerk of the Peace for the County of *Glamorgan*: And whereas since depositing the said Maps or Plans certain Alterations have been agreed upon, with the Consent of the Parties interested in the Lands to be taken for the Purposes of this Act; be it therefore enacted, That a Map or Plan and Book of Reference, setting forth the whole of the Works by this Act authorized to be made, and the Extent of Land to be taken for such Purpose, shall be deposited with the Clerk of the Parliament; and a Copy of such Map or Plan, with a Book of Reference annexed thereto, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited with the Clerk of the Peace for the County of *Glamorgan*; to which Maps or Plans and Books of Reference all Persons shall have Liberty to resort, and to examine and make Extracts from or Copies of the same as Occasion shall require, paying to the said Clerk of the Parliament or Clerk of the Peace for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Books of Reference after the Rate of Sixpence for every One hundred Words; and the said Maps and Plans and Books of Reference, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Plan and Book of Reference to remain with Clerk of the Peace.

XXV. And be it further enacted, That the said Trustees, in making the said Cut or Canal from *Pentreguinea* to *Fabian's Bay*, and other Works by this Act authorized to be made, shall not deviate more than One hundred Yards from the Course or Direction delineated in the said Map or Plan.

Not to deviate more than One hundred Yards.

XXVI. And be it further enacted, That the said Trustees may make the said Cut or Canal, and the other Works by this Act authorized to be made, into, through, across, or over the Lands or Grounds of any Person whomsoever, or Bodies Politic, Corporate, or Collegiate, whose Names shall appear to the Satisfaction of any Two or more Justices of the Peace for the County of *Glamorgan*, and be by them certified under their Hands to be by Mistake omitted or inaccurately described in the said Book of Reference.

Omissions in Book of Reference not to obstruct making the Canal, &c.

XXVII. And be it further enacted, That if the said Trustees shall not within the Space of Three Years, to be computed from the First Day

If Land not contracted for within

Three Years,
Power to
cease.

Day of *January* One thousand eight hundred and thirty-seven, agree for or cause to be valued and paid for, as herein-after is mentioned, the Lands and Premises which they are by this Act empowered to take or use for the Purpose of making the said Cut or Canal and other Works connected therewith, herein authorized to be made, then and from thenceforth the Powers for that Purpose hereby granted shall cease, determine, and be void, save and except as to so much of the said Lands and Premises as shall have been so purchased, and except also with the Consent in Writing of the Owners and Occupiers of such Lands and Premises.

If Works not
completed
in Seven
Years, the
Powers of
the Act to
cease, ex-
cept as to
Parts com-
pleted.

XXVIII. And be it further enacted, That in case the Works and Improvements by this Act authorized to be made and executed shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Seven Years, to be computed from the First Day of *January* One thousand eight hundred and thirty-seven, then from and after the Expiration of the said Term of Seven Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said Works as shall be declared and certified to have been completed within the said Term by the Justices of the Peace for the said County of *Glamorgan*, assembled at any General or Quarter Sessions of the Peace to be held in and for the said County at any Time before the Expiration of the said Term of Seven Years, or within Six Months next after the Expiration thereof, upon the Evidence of Two or more Witnesses upon Oath, or in the Case of Quakers Affirmation, to be produced before such Justices for that Purpose.

Trustees em-
powered to
treat with
Parties for
Purchase of
Lands.

XXIX. And be it further enacted, That it shall be lawful for the said Trustees to treat, contract, and agree with any Bodies Politic, Corporate, or Collegiate, Spiritual or Lay respectively, Corporations, Aggregate or Sole, Tenants for Life or in Tail, Husbands, Feoffees, Committees, Executors, Administrators, Guardians, or other Trustees whatsoever, or with any other Persons whomsoever, as shall be or be deemed to be the Owners or Proprietors of or interested in any Lands, Grounds, Messuages, Buildings, Tenements, or Hereditaments, or other Property which may be necessary for the Purposes of this Act, or of the Ferry across the River *Tawe* at the Ferry House on the Burrows in the said Parish of *Swansea*, for the Purchase thereof respectively, or for any Loss or Damage such Owners or Proprietors, or any of them, or any other Persons, shall or may sustain by reason of the Execution of any of the Purposes of this Act.

Bodies Po-
litic, &c. em-
powered to
sell and con-
vey Lands.

XXX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Lords of Manors, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, Administrators, and all other Tenants and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Persons, and to and for all Femmes
Covert

Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to any Interest therein, and to and for every other Person whomsoever who is or shall be seised, possessed of, or interested in any Lands or Grounds required for the Purposes of this Act or any of them, or of or in the said Ferries over the River *Tawe* at the Ferry aforesaid, to contract for, sell, and convey the same, and every or any Part thereof, unto the said Trustees; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding, and all Bodies Politic, Corporate, or Collegiate, and all other Persons, so conveying as aforesaid, are hereby indemnified for what they shall respectively do by virtue hereof; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Trustees, and may be made in the Form or to the Effect following, or as near thereto as the Number of Parties and the Circumstances of each Case will admit; that is to say,

‘ I *A. B.* of _____ in consideration of the Sum of _____
 ‘ to me paid by “ The *Swansea* Harbour Trustees,” do hereby, by _____
 ‘ virtue of the Powers contained in an Act passed in the _____
 ‘ Year of the Reign of King *William* the Fourth, intituled [*here set*
 ‘ forth the Title of this Act], grant and release [*or assign, as the Case*
 ‘ may require,] to the said Trustees all [*describing the Premises to*
 ‘ be conveyed], with the Appurtenances, and all my Right, Title, and
 ‘ Interest in and to the same and every Part thereof, to hold to the
 ‘ said Trustees and their Successors for ever by virtue and according
 ‘ to the true Intrent and Meaning of the said Act. In witness
 ‘ whereof I have hereunto set my Hand and Seal the _____ Day
 ‘ of _____ in the Year of our Lord _____’

Form of
Conveyance.

And all such Conveyances and Assignments respectively shall be kept by the said Trustees, and the Clerk to the said Trustees shall from Time to Time, when requested, deliver attested Copies thereof to any Person requiring the same, and shall have and receive the Sum of Sixpence for every One hundred Words contained therein.

XXXI. And be it further enacted, That in all Cases where there shall be Occasion to cut through, take, or use Part of any Commons or Waste Ground, for the Purposes of this Act, a Conveyance thereof by the Lord of the Manor wherein the same shall be situate shall be a good and sufficient Conveyance to the said Trustees, for the Purpose of vesting in them the Fee Simple and Inheritance thereof, as fully and effectually as if every Person having Right of Common upon such Commons or Waste Grounds had joined in and executed such Conveyance.

Conveyance
of Waste
Ground.

XXXII. And be it further enacted, That all Bodies Politic, Corporate, or Collegiate, Trustees, and other Persons herein-before enabled to sell or convey Lands, Tenements, or Hereditaments, and any other Owner, and the Occupier of any Lands through, in, or upon which the said Cut or Canal from *Fabian's Bay* to *Pentreguinea*, and the other Works hereby authorized, shall be made, may accept
 [Local.] _____ 64 A _____ and

Satisfaction
to be made
for Lands
taken.

and receive Satisfaction for the Value of such Lands, and also Compensation for the Damages to be sustained by making or completing the said Cut or Canal and other Works herein directed to be made, such Satisfaction and Compensation respectively to be made and given in gross Sums; and in case the said Trustees and the Parties interested in such Lands cannot agree as to the Amount or Value of such Satisfaction and Compensation, the same shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after directed.

Differences respecting the Price of Land or Damages to be settled by a Jury.

XXXIII. And be it further enacted, That in case of any Difference or Dispute between the said Trustees or their Agents, and any Body Politic, Corporate, or Collegiate, Trustees, or other Person interested in or entitled to any Lands to be taken or used for the Purposes of this Act, relative to the Price or Value, Damages or Recompence, to be given for the same, and in case such Price or Value, Damages or Recompence, cannot be settled, adjusted, or agreed for by and between the said Trustees and such Proprietors of or Persons interested in the said Lands, or if any such Body Politic, Corporate, or Collegiate, Trustees, or any other Person interested or entitled as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase Money or Recompence as shall be offered to be paid by the said Trustees, or shall for the Space of Twenty-one Days next after Notice in Writing given to the principal Officer of any such Body Politic, Corporate, or Collegiate, or to such Trustees or Persons respectively, or left at the last usual Place of their Abode, or with the Tenant or Occupier of any Lands required for the Purposes of this Act, neglect or refuse to treat, or if any Person shall, by Absence or otherwise, be prevented from treating, and shall not within the before-mentioned Space of Twenty-one Days produce and fully disclose the State of the Title to the Premises which he is or shall be in Possession of, and to the Interest which he claims therein, then and in every such Case the said Trustees shall and they are hereby empowered and required to issue a Warrant under their Common Seal to the Sheriff of the County of *Glamorgan*, or in case such Sheriff or his Under Sheriff shall be One of the said Trustees, or enjoy any Office of Trust or Profit under them, or shall be in anywise interested in the Matter in question, then to some One of the Coroners of the said County who shall not be so interested as aforesaid, commanding such Sheriff or Coroner to impanel, summon, and return a Jury, and the said Sheriff or Coroner is hereby required accordingly to impanel, summon, and return a Jury of at least Twelve sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the Justices of the Peace for the said County at some Court of General or Quarter Sessions of the Peace to be holden for the said County, or at some Adjournment thereof, as in such Warrant shall be appointed; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff or Coroner shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have

have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff or Coroner is hereby empowered and required to summon or call before the said Justices every Person who shall be thought necessary to be examined as a Witness touching the Matter in question, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Matter in controversy; and such Jury upon their Oaths (which Oaths, as well as the Oaths to such Persons as shall be called upon as Witnesses to give Evidence, the said Justices are hereby empowered to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands, or the Recompence to be made for the Damage which shall or may be sustained as aforesaid; and the said Justices shall accordingly give Judgment for such Purchase Money or Recompence so to be assessed by such Jury; which said Verdict, and the Judgment thereupon, shall be binding and conclusive to all Intents and Purposes against all Bodies Politic, Corporate, or Collegiate, Trustees, and all other Persons whomsoever: Provided always, that in all such Proceedings before any Jury the Person claiming Compensation shall be deemed Plaintiff, and shall be entitled to all the Rights, Privileges, and Advantages to which Plaintiffs are entitled.

XXXIV. And be it further enacted, That if such Sheriff or his Deputy, or other Person so directed to summon and return a Jury as aforesaid, shall make default in the Premises, he shall for every such Offence forfeit the Sum of Fifty Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear without sufficient Excuse, or appearing shall refuse to be sworn or give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act, or if any Person so to be summoned to give Evidence shall not appear without sufficient Excuse, after having been paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, examined, or give Evidence, or being a Quaker shall refuse to make his solemn Affirmation, or to be examined or give Evidence, then and in every such Case every Person so offending shall forfeit and pay for the Benefit of the Party for whom or on whose Account such Jury or Witnesses shall be summoned any Sum not exceeding Five Pounds, to be levied, by virtue of a Warrant under the Hand and Seal of any One of the said Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him the Overplus, after such Penalty, and the Charges and Expences of such Distress and Sale, shall be deducted.

Penalty on Sheriff, Jurors, or Witnesses for Default.

XXXV. And be it further enacted, That every such Jury and Jurymen as aforesaid shall also be liable and subject to the same Regulations, Pains, and Penalties as if such Jury and Jurymen had been returned for the Trial of any Issue joined in any of His Majesty's Courts of Record at *Westminster*; and every Person who in any Examination to be taken by virtue of this Act upon Oath or Affirmation shall wilfully and corruptly give false Evidence before any Justice of the Peace, acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and

Jurors to be under the same Regulations as in the Superior Courts.

and liable to the same Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

By whom
Expences of
Jury, &c. are
to be paid.

XXXVI. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for the same or more Money than shall have been previously offered by or on behalf of the said Trustees as a Recompence or Satisfaction for any such Lands as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person as aforesaid, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and of the Bond required to be given as after mentioned, shall be borne by the said Trustees out of the Monies to be raised by virtue of the said recited Acts or this Act; and in case such Costs, Charges, and Expences shall not be paid to the Person entitled to receive the same within Twenty Days after Demand made thereof from the said Trustees, then the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees, or of any Goods and Chattels of the Treasurer of the said Trustees, (unless such Treasurer shall pay such Costs and Charges out of any Monies received by him by virtue of the said recited Acts and this Act, which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County, which Warrant any such Justice of the Peace is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Person entitled to receive such Costs, Charges, and Expences; and in every Case where a Verdict shall be given by any such Jury for less Money than shall have been previously offered by or on behalf of the said Trustees as such Recompence or Satisfaction as aforesaid, then the said Costs, Charges, and Expences shall be borne in equal Proportions by the Person refusing or neglecting to treat or agree as before mentioned, and by the said Trustees; but in Cases where any Person shall have been prevented by Absence from treating with the said Trustees the Costs and Charges so incurred shall be borne by the said Trustees, touching the Amount of the Costs, Charges, and Expences, the same shall be settled and ascertained by any Justice of the Peace for the said County not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where any Costs shall be payable by the Person having had any such Disagreement or Dispute with the said Trustees as aforesaid, the Amount thereof, having been first paid by the said Trustees, may be deducted by them out of the Monies awarded to be paid to such Person as so much Money advanced for his Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and Purposes whatsoever to be a Payment or Tender of the whole Money awarded and adjudged to such Person; or otherwise, if such Costs, Charges, and Expences be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Trustees from the Person liable to the Payment thereof by Action of
Debt

Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

XXXVII. And be it further enacted, That every Person with whom the said Trustees shall have any such Difference or Dispute as aforesaid shall, before the said Trustees shall be obliged to issue out their Warrant for the summoning such Jury, first enter into a Bond, with sufficient Sureties, to the 'Treasurer of' the said Trustees, in a Penalty of One hundred Pounds, to prosecute his Complaint, and to bear and pay his Proportion of the Costs and Expences of summoning and returning such Jury and taking such Inquest, and of the Attendance of Witnesses, in case such Costs and Expences shall fall upon him, to be paid according to the true Intent and Meaning of this Act.

Persons requesting Juries to enter into Bonds to prosecute.

XXXVIII. And be it further enacted, That every Jury shall and is hereby empowered to settle what Shares and Proportions of the Purchase Money and Compensation for Damages which shall be agreed, determined, or assessed in manner aforesaid, shall be allowed to any Tenant or other Person having a particular Estate, Term, or Interest in the Premises, for such his Interest therein.

Compensation Money to be apportioned by Jury.

XXXIX. And be it further enacted, That all the said Verdicts and Judgments shall be kept by the Clerk of the Peace for the said County among the Records of the Quarter Sessions for such County and shall be deemed Records to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling and no more, and also to take and make Copies thereof, paying for each Copy after the Rate of Sixpence for every One hundred Words.

Verdicts to be recorded.

XL. And be it further enacted, That in case any Difference shall arise between the said Trustees and any of the Owners or Occupiers of the Property to be taken, used, or injured for the Purposes of this Act, as to the Amount or Value of the Damages done by the said Trustees, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Damages claimed does not exceed Twenty Pounds, be ascertained and determined by Two or more Justices of the Peace for the County of *Glamorgan*, who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and determine and settle the Amount of Compensation which shall be payable by the said Trustees.

Settling Disputes as to Damages to a small Amount.

XLI. And be it further enacted, That if any Person shall sustain any Damage in his Lands by reason of the Execution of any of the Powers given by the said recited Acts or this Act, and through or by means not herein provided for, then and in every such Case such Damages shall be settled by the said Trustees, or by a Jury, as hereinbefore mentioned, and the Amount of such Damages may be recovered

For settling Damages not provided for.

vered and applied in manner herein directed with regard to other Damages, and in every such Case the said Trustees are hereby empowered and required to issue a Warrant to the Sheriff of the said County, or such other Person as aforesaid, commanding him to summon a Jury in manner herein-before mentioned.

Notice of Injury to be given to Trustees before Complaint made.

XLII. And be it further enacted, That the said Trustees shall not nor shall any of them be obliged or compelled by virtue of the said recited Acts or this Act to receive or take notice of any Complaint to be made by any Person whomsoever for any Injury or Damage by him sustained or supposed to be sustained by virtue or in consequence of the Execution of any of the Powers of the said recited Acts or this Act, unless such Complaint shall be made to the said Trustees within the Space of Three Calendar Months after the Time such supposed Injury or Damage shall have been sustained or the doing or committing thereof shall have ceased.

Power to enter and take Possession of Lands, &c. on Payment or Tender of Purchase Money.

XLIII. And be it further enacted, That upon Payment or legal Tender of such Sum of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in manner aforesaid, for the Purchase of any such Lands, or as a Compensation for Damages, or of the Balance of such Purchase Money or Compensation which shall remain after the Deduction of any such Proportion of Costs and Charges which shall be payable by such Party, and shall have been so ascertained as aforesaid, to the Proprietor of such Lands, or to such other Person as shall be interested therein, or entitled or enabled as aforesaid to receive such Money or Compensation respectively at any Time within Three Calendar Months after the same shall have been so agreed for, determined, or awarded, or in case of Refusal to accept the same then upon Payment of the said Sum of Money into the Bank of *England*, as herein-after directed and required, for the Use of the Person entitled thereto, it shall and may be lawful to and for the said Trustees, and their Agents, Workmen, and Servants, immediately to enter upon such Lands respectively, and then and thereupon such Lands, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person therein, shall thenceforth be vested in and become the sole Property of the said Trustees, to and for the Purposes of this Act, for ever; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife and every such Person, and all Estates Tail and other Estates in Reversion or Remainder of his Issue, and of every other Person whomsoever, therein: Provided nevertheless, that before such Payment as aforesaid it shall not be lawful for the said Trustees, or any Person acting under their Authority, to dig, cut, take, or use the Lands of the Person entitled to such Payment for the Purposes of the said recited Acts or this Act, without the Consent in Writing of such Person, or of the Person herein-before enabled to receive the same respectively.

Tenants at Will or for

XLIV. And be it further enacted, That every Tenant at Will or Lessee for a Year, Tenant from Year to Year, or any other Person in Possession

Possession of any Lands or any Part thereof which shall be required by the said Trustees to be taken or used for the Purposes of the said recited Acts or this Act, and who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Trustees, or to such Person as they shall appoint to take Possession of the same, upon having Three Calendar Months Notice to quit such Possession from the said Trustees, or from the Person so authorized by them; and such Person in Possession shall, at the End of the said Three Calendar Months, whether such Notice be given with reference to the Time of such Tenants holding or not, or so soon after as he shall be required, peaceably and quietly deliver up the Possession of the Premises to the said Trustees, or to the Person authorized by them to take Possession thereof; and in case any such Person so in Possession as aforesaid shall refuse to give such Possession as aforesaid, it shall be lawful for the said Trustees to issue their Precept to the Sheriff of the said County to deliver Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue by or on account of the issuing and Execution of such Precept on the Person so refusing to give Possession as aforesaid by Distress and Sale of his Goods.

Years to
quit Lands,
&c. after
Notice.

XLV. Provided always, and be it further enacted, That when any such Tenant or Lessee, being Tenant or Lessee from Year to Year, shall be required to deliver up the Possession of any Premises so occupied by him to the said Trustees, or to the Person authorized by them to take Possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Trustees shall and they are hereby directed to make or tender unto such Tenant or Lessee Satisfaction or Compensation for the Value of his unexpired Term or Interest in the Premises; which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in manner herein-before directed with regard to any other Satisfaction or Compensation in and by this Act provided for and directed to be made and assessed.

Interest of
such Tenants
may be
settled by
a Jury.

XLVI. And be it further enacted, That every Person who shall have any Mortgage on such Lands or any of them, or any Part thereof, not being in Possession thereof by virtue of such Mortgage, shall, on the Tender of the Principal Money and Interest due thereon by the said Trustees, or by such Person as they shall appoint, immediately convey, assign, and transfer such Mortgage to the said Trustees, or to such Person as they shall appoint; or in case such Mortgagee shall have Notice in Writing from the said Trustees from such Person as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee shall convey, assign, and transfer his Interest in the Premises to the said Trustees, or to such Person as shall

Mortgages
to be con-
veyed to the
Trustees
after Tender.

shall be appointed in Trust for them; and in case such Mortgagee shall refuse to convey and assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Principal Sum due upon any Mortgage, with all Interest due thereon, shall amount to more than the real Value of the Premises to be taken and made use of for the Purposes of the said recited Acts or this Act, and which shall be ascertained in manner herein-before directed, then the said Trustees shall not be liable to pay to the said Mortgagee more than the real Value of such Premises so ascertained as aforesaid, or the Residue thereof, after such Allowance and Payment thereout, to any Lessee or Tenant herein-before directed: Provided also, that in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England*, for the Use of the Mortgagee, the Cashier of the Bank shall give a Receipt for the said Money, in like Manner as is by this Act directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Property, Claim, and Demand of the said Mortgagee, and of every Person in Trust for him, shall vest in the said Trustees, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage to all Intents and Purposes whatsoever.

Application
of Compensation
Money
when
amounting
to 200%.

1 G.4. c.35.

XLVII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for the Purchase of any Lands purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Convert, Cestuique Trust, or to any other Person whose Lands are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer; to be placed to his Account there *ex parte* "The *Swansea* Harbour Trustees," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred to the said Court in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Lands either in the Purchase or Redemption of the Land Tax, or in the Discharge of any Debt or other Incumbrance, or Part thereof, affecting the same Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, and Purposes as the said Court

Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or where such Money shall not be so applied, then the same shall be invested and laid out, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands which shall be so purchased, taken, or used as aforesaid stood settled or limited, or to, for, or upon such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid the Dividends and annual Proceeds of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands to be purchased by virtue of this Act in case such Purchase and Settlement were made.

XLVIII. And be it further enacted, That if any Money so agreed or assessed to be paid for any Lands purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the said Lands so purchased, taken, or used, or of his Guardian or Committee, in case of Infancy, Idiocy, Lunacy, or Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees, to be nominated by the Person making such Option, and approved of by the said Trustees, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and of the Seal of the approving Parties, in order that such Principal Money and the Dividends arising therefrom may be applied in manner herein-before directed with respect to the Money so to be paid into the Bank of *England* in Name of the Accountant General of the Court of Exchequer, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court touching the Application thereof.

When less than 200*l.* and amounting to 20*l.*

XLIX. And be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in every such Case the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands so purchased, taken, or used for any of the Purposes of this Act, in such Manner as

Application when less than 20*l.*

[*Local.*]

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the said Trustees shall think fit, or in case of Infancy or Lunacy or other Incapacity, then to his Guardian, Committee, or Trustee, to and for the Use and Benefit of such Person so entitled respectively.

In case of
not making
out Titles.

L. And be it further enacted, That in case the Person to whom any Sum of Money shall be assessed to be paid for the Purchase of any Lands to be purchased, taken, or used by virtue of this Act shall refuse to accept the same upon Tender being made of the same as aforesaid, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Trustees, or in case such Person to whom such Sum of Money shall be so ordered or awarded to be paid as aforesaid cannot be found, or if the Person entitled to such Lands be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Trustees to order the said Sum of Money so ordered or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands (describing them), subject to the Order, Control, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person making claim to such Sum of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier of the Bank of *England* who shall receive such Sum of Money is hereby required to give a Receipt for such Sum of Money, mentioning and specifying therein for what and for whose Use the same is received, to such Person as shall pay such Sum of Money into the Bank as aforesaid.

Where any
Question
shall arise,
Persons in
Possession
shall be
deemed
entitled.

LI. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, or of any Estate or Interest therein to be purchased, taken, or used in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person who shall have been in Possession of such Lands at the Time of such Purchase, and all Persons claiming under such Person, or under the Possession of such Persons, shall be deemed and taken to have been lawfully entitled to such Lands according to such Possession until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, until it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some Person or Persons was or were lawfully entitled to such Lands, or to some Estate or Interest therein, when the said
Court

Court shall be empowered to make such Order as to the Capital, Dividends, and Interest thereon as the said Court shall deem proper.

LII. And be it further enacted, That where, by reason of the Disability or Incapacity of any Person or Corporation entitled to any Lands, Tenements, or Hereditaments to be taken under or by virtue of this Act, or from any other Cause whatsoever, the Purchase Money for such Lands, Tenements, or Hereditaments, or any Money to be paid for or by way of Compensation or Satisfaction for any Injury or Damage done to the same, shall be required to be paid into the Bank of *England*, and be subject to the Orders and Directions of the Court of Exchequer under the Provisions herein contained, it shall be lawful for the said Court to order all the reasonable Costs, Charges, and Expences attending such Purchase, taking, or using of any Lands, Tenements, and Hereditaments, or which may be incurred in consequence thereof, and also of the Investment of the Purchase or Compensation Money paid in respect of such Lands, Tenements, and Hereditaments in Real or Government Securities, and likewise the Reinvestment of such Purchase or Compensation Money, or the Government and Real Securities purchased therewith, in the Purchase of Lands, Tenements, and Hereditaments, as herein-before mentioned, together with the Costs, Charges, and Expences of obtaining the proper Orders and of the other Proceedings for such Purposes, and of the Payments of the Dividends and Interest of the said Government or Real Securities, and of the Payment of the Principal of the said Purchase or Compensation Money, and of the Government or Real Securities purchased therewith, out of Court, to be paid by the said Trustees, and the said Trustees shall from Time to Time pay such Sums of Money for the said Costs, Charges, and Expences as the said Court shall direct.

The Court of Exchequer may order Expences of Purchases to be paid by the Trustees.

LIII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as of the Purchaser, of all Conveyances and Assurances of any Lands and Hereditaments which shall be purchased or taken by the said Trustees for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Trustees may require to the said Lands and Hereditaments, and of all attested Copies which the said Trustees may require of any Deeds, Evidences, or Writings relating thereto, and all Expences whatsoever incident to the Investigation, Deduction, or Verification of such Title, shall be exclusively borne and paid by the said Trustees, and the said Trustees, before entering into Possession of the Lands and Hereditaments so purchased, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party or Parties from whom the Lands and Hereditaments shall be purchased: Provided always, that the said Trustees shall not be prevented from entering into Possession of the Lands and Hereditaments so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Deposit herein mentioned not having been made, unless the Party or Parties from whom such Lands and Hereditaments shall have been purchased shall,

Trustees to defray the Expences of making out Titles to Estates purchased by them.

shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Trustees, deliver a Bill of their said Costs, Charges, and Expences to the said Trustees, with the Name of a Solicitor as their Referee for the Purposes herein-after mentioned, and if the said Trustees, and the Party or Parties aforesaid, cannot agree as to the Amount of such Costs, Charges, and Expences, the said Trustees shall name a Solicitor as a Referee on their Part, and deposit the Amount of the Costs, Charges, and Expences claimed by such Party or Parties as aforesaid in the Hands of the said Two Referees to answer the same; and such Costs, Charges, and Expences shall be settled and determined by the said Two Referees, or in case they shall differ about the same then by a third Solicitor or Umpire to be named and appointed by such Two first Referees, before they proceed on the Matter referred to them; and the Award and Determination of the said Two Referees, or of the said Umpire, as the Case may be, shall be binding and conclusive, and shall be made within One Calendar Month from the Time of making such Deposit as is herein-before mentioned; and upon such Award and Determination being made, the said Two Referees shall, by and out of the Money so deposited with them, pay to the Party or Parties from whom the said Lands and Hereditaments shall be so purchased as aforesaid the Amount of the Costs, Charges, and Expences which shall be so awarded and determined, and the Remainder of the said Money so deposited shall be returned to the said Trustees: Provided also, that the Expence of determining such Costs, Charges, and Expences as aforesaid shall be paid and borne by the said Trustees, unless One Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the Expence of determining the same shall be paid and borne by the said Sellers, and the Amount thereof may then be deducted by the said Trustees from the Sum payable by them under the Award and Determination of the said Two Referees or of the said Umpire.

Enabling
the Trustees
to sell Lands
not wanted.

LIV. And whereas by means of the Purchases which the said Trustees are empowered to make by virtue of this Act they may happen to be seised or possessed of more Land or Ground than will be necessary for effecting the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Trustees and they are hereby required, within Ten Years after the same shall not have been required for the Purposes of this Act, to sell and dispose of any Piece of such Land or Ground, either together or in Parcels, by public Auction or private Contract, as they shall find most convenient and advantageous, to such Person as shall be willing to contract for and purchase the same, and to convey the same accordingly; and such Conveyances from the said Trustees shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom to the contrary notwithstanding.

First Offer
of such
Lands to be
made to
Owners of
adjoining
Lands.

LV. Provided always, and be it enacted, That the said Trustees, before they shall dispose of any such superfluous Lands, shall first offer to sell the same to the Person or Persons whose Lands or Premises shall adjoin the Lands so proposed to be sold, such Persons being in *England* and conveniently to be found, and being capable of entering into a Contract for the Purchase of such Lands; and such respective
Persons,

Persons, in case they shall be desirous of purchasing the same, shall signify such their Desire and Intention in that Behalf to the said Trustees within Fourteen Days after such Offer of Sale shall have been made; and in case such Persons shall decline to avail themselves of such Offer, or shall neglect to signify their Desire and Intention to purchase such Lands for the Space of Fourteen Days, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer of Sale shall cease; and a Declaration made in the Manner and Form prescribed in and by an Act passed in the last Session of Parliament for the more effectual Abolition of Oaths, and to substitute Declarations in lieu thereof, before a Master or Master Extraordinary of the High Court of Chancery, or before any Justice of the Peace for the County, City, or Place where such Lands may be situate, by some Person not interested in such Lands, stating that the Person entitled to such Right of Pre-emption was not in *England*, or was not found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made by or on behalf of the said Trustees, and that such Offer was refused or was not accepted by the Person to whom the same was made within the Space of Fourteen Days from the Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused or was not accepted within the Time aforesaid (as the Case may be), by the Person to whom such Offer was made; and in case any such Person shall be desirous of purchasing any such Lands, and he and the said Trustees shall not agree with respect to the Price thereof, then the Price thereof shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Lands to be taken or used by the said Trustees.

LVI. And be it further enacted, That in all Conveyances to be made by the said Trustees under or by virtue or in pursuance of the several Powers and Authorities to them hereby given the Word "grant" shall amount to and be construed and adjudged, in all Courts of Judicature, to be express Covenants to Grantees or other Purchasers, their Heirs, Executors, Administrators, or Assigns, from the said Trustees, for themselves and their Successors, that they the said Trustees, notwithstanding any Act done by them, were at the Time of the Execution of such Conveyance seised of the Hereditaments and Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, freed from all Incumbrances, for quiet Enjoyment thereof against the said Trustees, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances, or any of them, and such Purchasers or Grantees, their several Heirs, Executors, Administrators, and Assigns respectively, shall and may, in any Action to be brought, assign a Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances.

The Word "grant" in Conveyances made by the Trustees to be effectual.

LVII. And whereas by reason of the Exercise of the Powers of this Act granted there may be Deficiencies in the Assessments for Land Tax in the Parishes herein mentioned; be it therefore enacted, That for preventing the same the said Trustees shall, from and after

Provision for Deficiencies of Land Tax.

[*Local.*]

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the said Trustees shall become seised and possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, (unless the said Trustees shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable, from Time to Time, to pay and make good, to or in aid of any such Parish, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within such Parish by reason or means of taking down or using for the Purposes of this Act any Houses, Buildings, or Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of passing this Act, and the Treasurer, Collector, or Receiver to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments; on Demand thereof, to the Collector of the Land Tax Assessments.

Trustees
may borrow
Money.

LVIII. And be it further enacted, That for the Purpose of making the said Cut or Canal, and the other Works herein-before authorized to be made and constructed, it shall and may be lawful to and for the said Trustees from Time to Time to borrow and take up at Interest such Sums of Money as they shall judge necessary, not exceeding in the whole the additional Sum of Eighty thousand Pounds, upon the Credit of the Tolls, Rates, and Duties to be collected by virtue of this Act, and by Writing under the Hands and Seals of any Seven or more of the said Trustees to assign all or any Part of the said Tolls, Rates, or Duties, subject to the Restrictions herein-after mentioned, to such Person as shall lend or advance any Money thereon, or his Trustee, as a Security for the Principal Money to be advanced, with legal Interest for the same; and the Costs and Expences of such Assignments shall from Time to Time be defrayed by the said Trustees out of the Monies so to be borrowed; and every such Assignment may be in the Words or to the Effect following; (that is to say,)

Form of
Assignment.

WE, _____ being Seven of the *Swansea* Harbour Trustees in the County of *Glamorgan*, in consideration of the Sum of _____ advanced and lent by *A. B.* upon the Credit and for the Purposes of several Acts passed in the Thirty-first, Thirty-sixth, and Forty-fourth Years of the Reign of His Majesty King *George* the Third, intituled [*set forth Titles of Acts*], or of an Act passed in the _____ Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*], do hereby grant and assign unto the said *A. B.*, [*or his Trustee, as the Case may require,*] his Executors, Administrators, and Assigns, such Proportion of the Tolls, Rates, and Duties arising by virtue of the said Acts as the said Sum of _____ doth or shall bear to the whole Sum which shall have been or may at any Time be borrowed or become due and owing to or be charged upon the Credit of the said Tolls, Rates, or Duties, to be had and holden from this Day of _____ until the said Sum of _____ with Interest at _____ *per Centum per Annum* for the same, shall be repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals this _____ Day of _____ in the Year One thousand eight hundred and _____

And

No Preference to be made in Payment of Creditors.

LX. And in order that no Preference may be given to any of the Persons who have lent Money on the Credit of the Tolls granted by the said recited Acts, be it further enacted, That the said Trustees shall at any of their Meetings cause the Numbers of all Assignments or Securities granted and then in force for securing the Principal Monies already due and owing upon the Credit of such Tolls, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box, and the Numbers of as many of the said Assignments or Securities as are intended to be paid off shall be drawn separately out of the said Box by the Treasurer to the said Trustees, or such Person as the said Trustees may choose for that Purpose; and after every such Ballot Notice signed by the Treasurer shall be given or left at the last or usual Place of Abode of the Person who shall be entitled to the Money to be paid off pursuant to such Ballot, and where there is only One Creditor the like Notice shall be given to such Creditor of the Intention to pay him off as aforesaid; and every such Notice shall express the Sum to be paid off, together with the Interest due thereon, and that the same will be paid on a Day and at a Place to be specified in such Notice, such Day not being sooner than Three Calendar Months after the Day of giving or leaving such Notice as aforesaid, and the Interest of the Principal Money to be paid off shall, from and after the Day to be so specified, cease and be no longer paid and payable, unless such Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest to the Day so specified, shall nevertheless be payable on Demand: Provided always, that when and so soon as the said Trustees shall have paid off and discharged the several Principal Sums of Money which may have been borrowed under the Authority of the said recited Acts, it shall and may be lawful for the said Trustees and they are hereby empowered, whenever they shall think fit so to do, to proceed in like Manner and under the same Rules and Regulations to pay off and discharge the several Principal Sums of Money which may hereafter be borrowed under the Authority of the said recited Acts and this Act or either of them.

When old Securities are lost new ones may be executed.

LXI. And be it further enacted, That in Cases where it shall appear by satisfactory Evidence adduced at any Meeting of the said Trustees that any Person is a Creditor on Security of the Tolls or Duties granted by the said recited Acts or by this Act, and that the Mortgage or Assignment of the Duties for securing any such Sum of Money, or the Transfer thereof, has been lost, mislaid, or by Accident destroyed, it shall and may be lawful for the said Trustees, or any Seven or more of them, under such Restrictions as they shall think fit, to execute, at the Expence of the Person applying for the same, an Assignment of the Duties by this Act granted for the Sum of Money mentioned in such original or former Assignment or Transfer; and every Assignment so to be executed shall be valid and effectual for the Purposes thereby intended.

LXII. And

LXII. And be it further enacted, That it shall be lawful for the said Trustees, at any Time, or from Time to Time, by Order of any intended Special General Meeting to be convened as herein mentioned, to borrow of the Commissioners for carrying into execution an Act passed in the First and Second Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to amend several Acts passed for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, any Sum of Money not exceeding in the whole the Sums of Money by this Act authorized to be raised, and by Deed under the Hands and at the Costs of the said Trustees to assign and assure to the Secretary for the Time being of the said Commissioners, and as they shall direct, free from all Incumbrances, the said Cut or Canal and other Works, and all the Works and Property vested in them as Trustees under this Act, and all Rates, Tolls, Profits, and Receipts accruing and thereafter to accrue to or for the Use of the said Trustees, under or by virtue of the Authority of this Act or otherwise, for securing to the said Commissioners the Repayment of the Amount of the Exchequer Bills to be so borrowed as aforesaid.

Power to borrow Money of Exchequer Loan Bill Commissioners.
1 & 2 W. 4. c. 24.

LXIII. And be it further enacted, That every Security to be given to the said Commissioners as aforesaid shall not be affected by any Informality in any Meeting or Proceeding of the said Trustees or their Committee, and shall have Priority over all other Mortgages, Charges, and Securities whatsoever to be created by the said Trustees under the Authority of this Act.

Security to Commissioners to have Priority.

LXIV. Provided always, and be it further enacted, That when and so soon as all the Monies borrowed under the Authority of the said recited Acts shall have been paid off and discharged, that then it shall and may be lawful for the said Trustees and they are hereby empowered to borrow the Sums of Money by this Act authorized to be raised, as well upon the Security of the Tolls, Rates, and Duties by the said recited Acts granted as of the Tolls, Rates, and Duties by this Act authorized to be raised, and for that Purpose to assign to the Persons advancing the same, as well the said Harbour and other Works vested in them by the said recited Acts as the said Cut or Canal and other Works vested in them under the Authority of this Act.

When old Bonds paid off, Trustees may borrow on Security of the old Tolls as well as the new.

LXV. And be it further enacted, That from and after the First Day of *July* One thousand eight hundred and thirty-seven it shall be lawful for the said Trustees and they are hereby empowered, in addition to the Tolls, Rates, or Duties by the said recited Acts granted, to demand, levy, and receive One Halfpenny *per* Ton for all Coal, Culm, Stone Coal, Copper Ore, Iron Ore, manufactured Copper or Iron, Tin, Lead, or other heavy Goods of a like Nature, not specified in the Schedule (A.) to this Act annexed, imported into or exported from the said Port and Harbour of *Swansea* (save and except as herein-after mentioned); and from and after the First Day of *July* One thousand eight hundred and thirty-eight, it shall be

Trustees to levy additional Dues on heavy Goods.

lawful for them and they are hereby empowered, over and above the Rates, Tolls, or Duties by the said recited Acts granted, and the said Rate or Duty of One Halfpenny, to demand, levy, and receive an additional Halfpenny *per* Ton, upon all such Goods as aforesaid when exported from or imported into the said Port or Harbour, save and except as herein-after mentioned.

Additional Dues when a larger Sum has been expended.

LXVI. And be it further enacted, That from and after the First Day of *July* One thousand eight hundred and thirty-seven, over and above the Tolls, Rates, or Duties granted by the said recited Acts or this Act, there shall be paid to the said Trustees, upon all Goods, Wares, and Merchandize imported into the said Harbour of *Swansea*, (save and except such as herein-after mentioned,) by the Owner or Consignee of such Goods, Wares, or Merchandize, the several Tolls, Rates, and Duties specified in the Schedule (A.) to this Act annexed: Provided always, that One Half only of the said Tolls, Rates, or Duties shall be paid until the First Day of *July* One thousand eight hundred and thirty-eight, and the remaining Half from and after the said First Day of *July* One thousand eight hundred and thirty-eight.

Limiting Amount to Tolls imported into or exported from Port Tennant.

LXVII. Provided always, and be it further enacted, That the Amount of Tolls, Rates, or Duties to be demanded, levied, and received under or by virtue of this Act, for any Coal, Culm, Stone Coal, Copper Ore, Iron Ore, manufactured Copper or Iron, Tin, Lead, or other heavy-Goods of a like Nature (not specified in the said Schedule (A.)) imported into or exported from *Port Tennant* aforesaid, or upon any Goods, Wares, and Merchandize, (specified in the said Schedule (A.)) imported into *Port Tennant* aforesaid, shall not exceed One Half Part of the Tolls, Rates, or Duties which may for the Time being be demanded, levied, and received under or by virtue of this Act for the like Articles when imported into or exported from any other Part of the said Port and Harbour of *Swansea*.

Additional Dues when the several Works are completed.

LXVIII. And be it further enacted, That as soon as the said navigable Cut or Canal, the deepening the Bed of the River as aforesaid, and the diverting the Course of the River *Tawe*, and the other Works connected therewith, shall be completed and opened for the Reception of Vessels, it shall and may be lawful for the said Trustees and they are hereby empowered to raise, levy, and collect, in addition to the Harbour Dues by the said recited Acts granted, an additional Duty or Rate upon all Vessels entering the said Harbour of One hundred and fifty Tons Register or upwards, not exceeding the Duty or Rate following; that is to say, One Penny *per* Ton on all Vessels from One hundred and fifty Tons to Two hundred and fifty Tons Register, Two-pence *per* Ton on all Vessels from Two hundred and fifty Tons to Three hundred and fifty Tons Register, and Three-pence *per* Ton on all Vessels from Three hundred and fifty Tons and above Register.

Wet Dock and Half-tide Basin to be constructed.

LXIX. And whereas it may be deemed expedient that the Trustees of the said Harbour, in addition to the Works herein-before authorized to be made and executed, should make, construct, and maintain

maintain the Works next herein-after mentioned; be it therefore enacted, That whenever the Consent of Three Fourths of the Trustees present at a Special Meeting to be convened for that Purpose, and of which Meeting Twenty-one Days Notice shall be given by Advertisement in the *Cambrian* or some other Newspaper published in the County of *Glamorgan*, shall be had and obtained, it shall be lawful for the said Trustees, and they are hereby required and empowered, to make and convert into a Wet Dock the Bed of the River *Tawe*, from the Point where the Course of the River *Tawe* is herein-before authorized to be diverted at or near the Pottery, and for that Purpose to erect, construct, and maintain a Lock or Gate across the Bed of the said River at or near the Corporation public Quay in the said Town of *Swansea*, and to erect and maintain a Bridge over the said Wet Dock at or near the Corporation public Quay aforesaid, and also to erect, make, and construct a Gate or Gates across the Bed of the said River *Tawe* opposite the *Cambrian* Hotel on the *Burrows*, in the said Franchise of the Town of *Swansea*, so as to form a Half-tide Basin to communicate with the said Wet Dock, and the said navigable Cut or Canal herein-before authorized to be made, together with such Locks, Wharfs, Warehouses, Quays, Buildings, and other Works as may be deemed necessary for the due Accommodation of Vessels resorting to and using the said Dock and Tide Basin: Provided always, that the Trustees present at such Meeting and consenting as aforesaid shall in no Case be less in Number than shall be equal to One Half of the whole Body of Trustees acting in execution of the said recited Act and this Act.

LXX. And whereas by the converting of the Bed of the said River *Tawe* into a Wet Dock or Float the constructing and repairing of the Wharfs, Quays, Embankments, or other useful Works or Improvements on the Sides thereof may be impeded; be it further enacted, That the said Trustees shall, on Application made to them in Writing by any Person desirous of constructing or repairing such Wharfs, Quays, Embankments, or other useful Works or Improvements as aforesaid, for that Purpose direct and cause the said Water to be so far drawn down and let out as may be necessary for that Purpose: Provided also, that the Water of the said Dock shall not be suffered to remain and continue so drawn down for more than the Space of One Month in the whole Year, and then for no longer than Seven Days at a Time, unless by the Permission and Approbation of the said Trustees by Writing under their Hands, and also when it shall appear to the said Trustees that the same may be effected with the least Detriment and Obstruction to the Trade and Navigation of the said Port, River, and Harbour.

Allowing the Water of the Harbour to be drawn off occasionally.

LXXI. And whereas a Mill hath been erected near the Foundry in the said Town of *Swansea*, and another Mill hath been erected above the same called the *Flint Mill*, which Mill, when the present Bed of the River *Tawe* shall be converted into a Wet Dock, will be prevented working in consequence of the Water being then kept up at a high Level; be it therefore enacted, That the said Trustees shall and they are hereby required, previous to constructing the said Wet Dock, to make and ever after keep in repair a good and sufficient Culvert and Sewer

Sewer to be erected for Flint Mill.

Sewer for the Purpose of conveying such Water as shall be used in working the said Mill on the Outside of the Stop Gates of the said Half-tide Basin below the said Corporation public Quay, and also for the Purpose of the Sewage of the said Town.

As to Frontage to the Cambrian Pottery Wharf.

LXXII. And whereas by the Erection of such Gate or Lock at or near the *Cambrian* Pottery Wharf a narrow Space only of the said River or Float will be left opposite such Wharf, and great Inconvenience would arise to the Occupiers thereof if Vessels were allowed to lay alongside such Wharf; be it therefore enacted, That it shall not be lawful to and for any Person to lay or moor any Vessel within a Distance of Thirty-five Feet from such Wharf Wall, without the Consent of the Owner or Occupier of such Wharf for the Time being.

Power to borrow Money for defraying the Expence of the Works.

LXXIII. And in order to enable the said Trustees to defray the Expence of the said last-mentioned Works, be it enacted; That, in addition to the Sum of Eighty thousand Pounds herein-before authorized to be raised, it shall be lawful for the said Trustees and they are hereby empowered to raise a further Sum of Money, not exceeding Forty thousand Pounds in the whole, upon the Credit of the several Tolls, Rates, and Duties, by the said recited Acts and this Act granted, such Money to be raised by the same Ways and Means and subject to the same Regulations and Restrictions as the said Sum of Eighty thousand Pounds herein-before authorized to be raised or borrowed.

Further Tolls may be taken.

LXXIV. And be it further enacted, That when the said Trustees shall have expended the Sum of Five thousand Pounds on the said last-mentioned Works it shall be lawful for them and they are hereby authorized, in addition to the Tolls, Rates, or Duties by this Act granted, to take, demand, and receive a further Toll, Rate, or Duty, not exceeding One Half of the highest Amount of the several Tolls, Rates or Duties by this Act imposed, such additional Toll, Rate, or Duty to be paid by the same Persons and in the same Manner as the other Tolls, Rates, or Duties by this Act granted are directed to be raised, levied, collected, and paid.

Duties to be paid in respect of Foreign Vessels.

LXXV. And be it further enacted, That Double the Duties which from Time to Time shall be imposed by virtue of this Act in respect of *British* Vessels shall be payable in respect of Foreign Vessels, and also in respect of all Goods or Articles imported or exported in such Foreign Vessels; and every Vessel shall be deemed a Foreign Vessel within the Meaning of this Act which shall not be entitled to the Privileges of a *British*-built Ship or Vessel by virtue of an Act passed in the Third and Fourth Years of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for the Encouragement of British Shipping and Navigation*.

3 & 4 W. 4. c. 54.

His Majesty may reduce the Duties on Foreign Vessels.

LXXVI. Provided always, and be it further enacted, That it shall be lawful for His Majesty, in and by an Order of Council, or for the Lords Commissioners of His Majesty's Treasury, or any Three or more of such Lords Commissioners, by any Order in Writing, from
Time

Time to Time to reduce the Duties which shall be imposed on Foreign Vessels under the Powers of this Act, on all or on such and on so many of such Vessels, and on all or on such and on so many of the Goods or Articles imported or exported in such Vessels as His Majesty, or as the Lords Commissioners as aforesaid shall deem expedient, to the same or the like Duties as shall by virtue of the Powers of this Act be payable at the Time in respect of *British* Vessels.

LXXVII. And be it further enacted, That the Master of every Vessel coming into the said Harbour, liable to pay any of the Duties by this Act granted, shall give to the Collector of the said Duties, or to any other Person appointed to receive the same, a true and particular Account in Writing of any Goods or Articles which shall be embarked in each such Vessel, and of the Quantities and Weight of the Goods and Articles respectively, and of their Nature or Kind, stating from whence brought and where the same are intended to be sent; and in case the Master of such Vessel shall neglect or refuse to give such Account, or shall wilfully give a false Account, or do any other Act whereby the Payment of the said Duties or any Part thereof shall be avoided, or shall charge in respect of the said Duties more than shall have actually been paid for the same, or shall refuse to give such Collector or other Person as aforesaid, when required, an Account of the Charge made by him in respect of the said Duties, he shall forfeit and pay any Sum not exceeding Ten Pounds over and above the Amount of the said Duties.

Masters of Vessels to deliver an Account of their Cargo.

LXXVIII. And be it further enacted, That every Master or Owner, or other Person having the Charge or Command, at the Time, of any Ship or Vessel liable to pay any of the Tolls, Rates, or Duties by the said recited Acts or this Act imposed, shall, whenever required by the Receiver or Collector of the said Duties, produce and shew, or cause to be produced and shewn to such Receiver or Collector, the Register or Light Bill of such Vessels, and other Documents relating to the Appointment of such Master or other Person, and in case such Master or other Person shall, upon such Requisition, refuse to produce or shew to such Receiver or Collector such Registers or other Documents as aforesaid, he or they shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Ten Pounds.

Masters of Vessels to produce Registers, &c. to Collectors when required.

LXXIX. And be it further enacted, That so much of the said recited Act of the Forty-fourth Year of the Reign of His said Majesty King *George* the Third as enacts that no Ship or Vessel liable or subject to the Payment of the said Rates and Duties granted by the Acts therein recited or by that Act, or any or either of them, should be permitted to clear at the Custom House of any Port wherein the said Rates and Duties are respectively payable, until the same shall have been paid, and a Certificate thereof under the Hand of the Receiver of the said Rates and Duties at such Port respectively produced and left at the Custom House thereof, and which Certificate shall be then regularly filed, which Files shall be delivered to the said Trustees or to their Clerk, as often as the same shall be required, and in default thereof the Officer or Officers who shall clear any such Ship or Vessel without the aforesaid Proof of Payment, shall

Repeal of Penalty on Officers of Customs for refusing to grant Clearance to Vessels.

forfeit and pay for every such Offence the Sum of Fifty Pounds, shall be and the same is hereby repealed.

Officers of Customs may refuse to give Cocquet for Clearance until Duties hereby imposed are paid.

LXXX. And be it further enacted, That it shall and may be lawful for the Collector or other proper Officer of His Majesty's Customs within the said Harbour, and he or they is and are hereby authorized, with the Consent of the Commissioners of Customs, to refuse to receive any Entry or give any Cocquet or other Discharge or Clearance, or take any Report inwards or outwards for any Ship or other Vessel whatever subject and liable to the Payment of the Duties imposed by the said recited Acts or this Act, until a Discharge for the said Duties shall be produced to the said Collector or other proper Officer of His Majesty's Customs, or proved to his Satisfaction that the said Duties have been paid to the proper Person appointed to receive the same.

Penalty on Persons eluding the Payment of Duties.

LXXXI. And be it further enacted, That if any Master or other Person having the Command of any Ship or Vessel shall depart from the said Harbour of *Swansea* without having first paid the Tolls, Rates, and Duties by the said recited Acts or this Act imposed, or shall elude or avoid the Payment thereof by any Method whatsoever, every such Master or other Commander of such Ship or Vessel shall pay for every such Offence to the said Trustees the Sum of not less than Twenty Pounds and not exceeding Fifty Pounds, over and above the Duties imposed by the said recited Acts or this Act.

Receivers may enter Ships and take account of Duties.

LXXXII. And to the end that the Tolls, Rates, or Duties by the said recited Acts or this Act imposed may be effectually levied and collected, be it further enacted, That it shall and may be lawful to and for the Receiver or Collector of the Duties by the said recited Acts or this Act imposed, or any of them, or for his Deputy, to enter, either alone or with any other Person for his Assistance, into or on board any Ship or Vessel within the said Harbour of *Swansea*, and to demand, take account of, and inspect what Duty is payable by virtue of the said recited Acts or this Act, for or in respect of any such Ship or Vessel, or of any Goods, Wares, or Merchandize on board thereof, and to demand, collect, and receive all and every such Duty, and in case the same shall not be paid by the Master or Person having the Charge or Command of such Ship or Vessel, upon Demand, the said Receiver or Collector or his Deputy shall have Power to seize and distrain, or cause to be seized and distrained, the Goods, Wares, and Merchandize on board thereof, or any Goods, Wares, and Merchandize of or belonging to the said Master, or to the Owner or Consignee of the said Vessel or Cargo, which shall then or at any Time afterwards come to or be found at or within the Harbour or Town of *Swansea*, or upon any Wharf belonging to or adjoining the same respectively, and also all the Guns, Tackle, Furniture, and Apparel of or belonging to any Ship or Vessel within the said Harbour or Town of *Swansea*, belonging to such Master, Owner, or Consignee, and in case of Neglect or Delay of or in the Payment of the said Duties or any Part thereof so payable and neglected or delayed to be paid, and for which such Distress shall be taken as aforesaid, for the Space of Seven Days next after such Distress so taken, then
and

and in every such Case it shall and may be lawful to and for such Receiver or Collector to sell the said Goods, Wares, or Merchandize, Guns, Tackle, and Furniture so distrained, or so much thereof as he shall deem necessary, and therewith to satisfy him, as well for the said Duties as for his reasonable Charges in taking, keeping, and selling such Distress, rendering the Overplus (if any) to the Master or Commander of the same, or to his Agent, for the Use of such Owner when he shall demand the same; and if any Master, Owner, Merchant, Consignee, Agent, or other Person shall not permit or shall obstruct or hinder any Receiver or Collector or other Person employed by the said Trustees to enter or from entering on board any Ship or Vessel to take an Account of and inspect what Toll, Rate, or Duty may be payable by virtue of the said recited Acts or this Act, or for any Purpose authorized by this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds over and above the said Duties.

LXXXIII. And be it further enacted, That the said Rates, Tolls, and Duties authorized to be demanded and taken by the said Trustees shall be paid to such Person, at such Place and in such Manner, and under such Regulations, as the said Trustees shall from Time to Time direct or appoint, and in case of Refusal or Neglect of Payment of any such Rates, Tolls, or Duties, or any Part thereof, on Demand, to the Person appointed to receive the same as aforesaid, it shall be lawful for the Person to whom such Rates, Tolls, or Duties ought to have been paid, and he is hereby authorized and empowered, to go on board any Ship or other Vessel within the Port of *Swansea*, and to demand, collect, and receive the said Rates, Tolls, or Duties, and on Nonpayment thereof to seize and distrain such Ship, Boat, or other Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and all or any Part of the Goods or Merchandize, either on board such Ship or other Vessel or on Land, as also to seize and distrain the Goods or other Things for or in respect whereof any such Tolls, Rates, or Duties ought to have been paid, or any Part thereof, and the same to retain until the said Rates, Tolls, or Duties, and any Expence attending such Seizure or Distress, shall have been paid; and in case of Neglect or Default in Payment of the said Rates, Tolls, or Duties, and Expences, for the Space of Seven Days after such Distress so made and taken, then the said Distress, or the Articles so seized and distrained, shall be appraised and sold as the Law directs in Cases of Distress for Rent.

LXXXIV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time and as often as they shall think fit, to lessen or reduce any of the Tolls and Duties granted by this Act, or any Part thereof, and again to raise and advance the said Tolls and Duties respectively, so as not at any Time to exceed the Amount authorized to be collected and paid by the said recited Acts or this Act, subject nevertheless as herein-after is mentioned.

LXXXV. Provided always, and be it further enacted, That, save and except as herein mentioned, the said Rates, Tolls, and Duties shall at all Times be charged equally in respect of the same Description

For Recovery
of Rates.

Power to
vary the
Tolls.

Rates to be
charged
equally.

tion of Articles, Matters, and Things, and that no Reduction or Advance in the said Rates, Tolls, or Duties shall either directly or indirectly be made partially or in favour of or against any particular Person or Company, or be confined to any particular Part of the said Harbour or Works connected therewith; but that every Reduction or Advance of the said Rates, Tolls, or Duties shall extend to and take place throughout the Whole and every Part of such Harbour and Works connected therewith, in respect of Goods, Matters, or Things of a like Nature to those upon which such Reduction or Advance shall have taken place.

Ships re-
entering
Harbour not
liable to pay
the Duties
again.

LXXXVI. Provided always, and be it further enacted, That if any Merchant Ship or any Coasting Vessel for which the said Rates or Duties shall have been paid shall depart from or leave the said Harbour, and either from accidental Stress of Weather or any other Cause be obliged to put back or return into the same, then and in every such Case such Ship or Vessel shall not be again liable to the Payment of the said Harbour Dues in consequence of so putting back or returning into the said Harbour, any thing in this Act contained to the contrary notwithstanding.

List of Tolls
to be affixed
in conspicu-
ous Places.

LXXXVII. Provided always, and be it further enacted, That the said Trustees shall from Time to Time cause to be painted on Boards, and affixed and stuck up and continued, and renewed as often as the same shall be obliterated or defaced, in some conspicuous Part of the said Port and Harbour, in large and legible Characters, an Account or List of the Tolls or Duties which the said Trustees shall from Time to Time direct and appoint to be taken under the Authority of the said recited Acts or this Act; and in case any Collector of the Tolls or Duties aforesaid shall, after such Account or List shall be affixed or stuck up as aforesaid, demand or take more than the Price or Sum of Money therein specified and ascertained, such Collector or other Person as aforesaid shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Act not to
affect Ves-
sels in His
Majesty's
Service.

LXXXVIII. And be it further enacted, That nothing in the said recited Acts or this Act contained shall extend or be construed to extend to any of His Majesty's Ships of War, or any Ship, Transport, or Vessel employed in or upon His Majesty's Service, in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging, or of any Ordnance, Barrack, or Commissariat Stores, or to any Vessel in the Service or Employ of the Ordnance, Customs, Excise, or Post Office.

Trustees
may Com-
pound for
Dues on
Steam
Vessels.

LXXXIX. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time as they shall see convenient, to compound and agree for any Time not exceeding One Year, to and with the Owner or Owners, Consignees, Agents, or other Persons having the Charge or Management of any Steam Vessels using and resorting to the said Harbour, for the Payment of such Sum or Sums of Money or Tonnage Rates as they may think sufficient and proper, for and in lieu of in full Discharge of the Tolls which would by this Act be payable on such Steam Vessels, and that such Com-
position

position Money shall be recovered, paid, and applied as the Tolls by this Act imposed would be recoverable, payable, and applicable: Provided also, that in case any such Composition or Agreement shall be made or entered into the same shall extend to or may be adopted by all such Owners, Consignees, Agents, or other Persons having the Charge or Management of any Steam Vessels using and resorting to the Harbour aforesaid, who shall think fit to take advantage of such Composition or accept the Terms thereof; and no such Composition shall either directly or indirectly be made partially or in favour of or against any particular Owners, Consignees, Agents, or other Persons aforesaid, or be confined to any particular Steam Vessel, any thing to the contrary thereof in anywise notwithstanding: Provided nevertheless, that it shall not be lawful for the said Trustees to compound and agree with any Owners, Agents, Consignees, or other Persons having the Charge as aforesaid of any Steam Vessels used or employed in tugging Vessels from the Port of *Swansea*, in Ballast, into or towards any Port or Ports in the *Bristol Channel*.

XC. And be it further enacted, That it shall be lawful for the said Trustees to let to farm the Tolls or Duties by the said recited Acts or this Act made payable, or any Part thereof, unto any Person for any Term or Time which they shall think proper, not exceeding Seven Years; and the Lessee thereof, and also such Person as such Lessee shall appoint to collect and receive the Tolls and Duties so let, shall during the Continuance of any such Lease be deemed Collectors thereof, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by the said Trustees: Provided always, that public Notice of the Intention to let the said Tolls and Duties, or any Part thereof, be given by the Clerk to the said Trustees by Advertisement published in some Newspaper usually circulated in the said County at least Fourteen Days prior to any Meeting at which the said Tolls or Duties, or any Part thereof, are proposed to be let.

Trustees
empowered
to lease the
Tolls.

XCI. And be it further enacted, That in case all or any of the Tolls or Duties arising by virtue of the said recited Acts or this Act shall be demised or let to farm to any Person in any Manner whatsoever, and the Lessee or Farmer thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent agreed to be paid by such Lessee or Farmer, or any Part thereof, shall be in arrear or unpaid for the Space of Seven Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Agreement, or Contract for demising or letting such Tolls or Duties, or in case any such Lease, Agreement, or Contract shall in any other Manner become void, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the said County, or for the Borough of *Swansea*, upon Application made by Three or more of the said Trustees, or by the Clerk or Treasurer for the Time being of the said Trustees, by Warrant under their respective Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to remove such Lessee, Farmer, or other Person

Power of
Re-entry.

[Local.]

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from

from the Collection of such Tolls or Duties, and to put the said Trustees, or any of them, or their new Lessee, Farmer, or Collector, into Possession, and thereupon it shall be lawful for the said Trustees, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement, if any, which was previously subsisting, and the same shall accordingly be utterly void to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part,) as if such Lease, Contract, or Agreement had never been made; and it shall be lawful for the said Trustees in every such Case again to demise or let to farm the said Tolls or Duties to any other Person, or cause them to be collected in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

Repeal of
Provision of
31 G. 3. ex-
empting
Rates from
Taxes.

XCII. And be it further enacted, That so much of the said recited Act of the Thirty-first Year of the Reign of His said Majesty King *George* the Third as enacts that the Rate or Duty on the Tonnage of Shipping and Vessels, or any other Duties to arise by virtue of this Act, and all Annuities granted and secured thereon, and all Monies and Interest thereof lent and secured thereon, and all Issues and Profits arising from or in consequence thereof, shall be at all Times hereafter totally exempted from the Payment of any parliamentary or other Taxes, Rates, or Assessments whatsoever, any Law or Statute to the contrary notwithstanding, shall be and the same is hereby repealed.

Improve-
ment of the
River Tawe
up to the
Forest
Works.

XCIII. And whereas on the Completion of the said new Cut or Canal from *Fabian's Bay* to *Pentreguinea*, and the Works connected therewith, and the said River *Tawe*, as herein-before mentioned, it may be deemed advisable that the said River *Tawe* should be further deepened, straightened, and rendered navigable for Ships and Vessels as high as the Forest Copper Works in the Parish of *Langefelach* in the County of *Glamorgan*; be it therefore further enacted, That when the said Trustees shall be called upon by Nine Tenths in Value of the Contributors to the Tolls, Rates, and Duties by this Act authorized to be levied and collected, interested in the different Works situate above *Morfa Quay* near *Swansea* aforesaid, so to do, it shall be lawful for the said Trustees and they are hereby empowered and required to cause the Bed of the said River *Tawe* as high as the said Forest Works to be deepened, straightened, and improved, so as to render the same navigable in the Float as before specified for Ships and Vessels not drawing more than Seven Feet Nine Inches as high as the said Forest Works: Provided always, that the said Trustees shall not commence to further deepen, straighten, or improve the said River in manner aforesaid, unless such last-mentioned Contributors shall enter into a Bond, with Two sufficient Sureties, to be approved of by the said Trustees, that they the said Contributors will repay to the said Trustees Four Pounds *per Centum* Interest on such Sums that may be expended in such further deepening, straightening, improving, and rendering navigable the said River *Tawe* to the Forest Works, or in attempting to effect the same, and in addition to such Interest will provide a Sinking Fund of not less than Five Pounds *per Centum*
per

per Annum for the Repayment of the Monies so laid out and expended by the said Trustees in making the additional Depth of Water: Provided always, that if the said Contributors shall prefer at once to repay to the said Trustees the Sum so expended by them as aforesaid, that then the said Trustees shall and they are hereby required to accept and receive the same.

XCIV. And be it further enacted, That such further deepening being made, the said Trustees shall take that Part of the River under their Superintendence in the same Manner as any other Part of the River.

Trustees, after deepening, to take that Part of the River under their Care.

XCV. And be it further enacted, That so much of the said recited Act of the Thirty-first Year of the Reign of His said Majesty King *George* the Third as enacts that it shall be lawful for the Trustees, at their Meetings, to make such Bye Laws, Rules, Orders, and Regulations, for the Improvement and Security of the Navigation of the said River, and for the Security, Safety, and Conveniency of the Ships and Vessels coming into or being in or lying in the same, and for the loading, unloading, and mooring thereof, in addition to and in explanation of the ancient Rules, Orders, and Regulations of the said Port and Harbour, and for the effecting the Preservation of the Works to be erected and done in pursuance or by virtue of this Act, and for the Appointment, Regulation, directing, and good conducting of the Pilotage and Pilots (but without Prejudice to the Rights of the Admiralty of the Duke of *Beaufort*, his Heirs, Successors, or Assigns), and Pilot Boats, Hoblers, and Helpers of Ships or Vessels into or out of or whilst within the said River, Harbour, Port, and Bay of *Swansea*, and the Use of Fires and the melting of any combustible Matters on board any Ship or Vessel within the said River or Port of *Swansea*, and for keeping clear and unincumbered the public Piers, Quays, and Embankments, and removing and preventing Nuisances in them, as shall from Time to Time appear necessary and proper, and to impose reasonable Fines and Penalties for the Breach and Non-observance of such Bye Laws, Rules, Orders, and Regulations (no one Penalty exceeding Forty Shillings), which Fines and Penalties should be recovered and levied as the Fines, Penalties, and Forfeitures by that Act inflicted or imposed, and thereafter directed to be recovered, and that all such Bye Laws, Rules, Orders, and Regulations, and the Fines and Penalties for the Breach or Nonperformance thereof, should from Time to Time, and as often as they should be altered or varied, be put up in Writing, in a clear legible Hand, in the Guildhall and in the Custom House in the said Town and Borough of *Swansea*, and in the Pilots or any other Office which the said Trustees may appoint, and at all Times to remain and be in the said Places, shall be and the same is hereby repealed.

Repeal of Power to make Bye Laws.

XCVI. And be it further enacted, That the said Trustees, at any General Meeting, shall have full Power and Authority from Time to Time to make such Bye Laws, Orders, and Rules as to them shall seem expedient for the due Regulation of the said Harbour and the Works connected therewith, and of the Officers and Servants of the said Trustees, and of all Pilots, Hoblers, and Porters, in all respects

Trustees empowered to make Bye Laws.

what-

whatsoever, and from Time to Time to alter or repeal such Bye Laws, Orders, and Rules, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same as to the said Trustees shall seem meet, not exceeding the Sum of Five Pounds for any One Offence; such Fines and Forfeitures to be levied and recovered as any Penalty may by this Act be levied and recovered; which said Bye Laws, Orders, and Rules, being reduced into Writing, shall be printed and published, except such as shall relate solely to the Officers or Servants of the said Trustees, and shall be painted on Boards, and hung up and affixed and continued in some conspicuous Parts of the said Harbour, and on the Buildings or Places at which any Rates, Tolls, or Duties shall be collected or paid, under the Authority of the said recited Acts or this Act, and which Boards shall from Time to Time be renewed as often as the same or any Part thereof shall be obliterated or destroyed; and such Bye Laws, Orders, and Rules shall be binding upon and be observed by all Parties, and shall be sufficient in all Courts of Law and Equity to justify all Persons who shall act under the same; provided that such Bye Laws, Orders, or Rules be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any Directions in this Act contained; and all such Bye Laws, Orders, and Rules shall be subject to Appeal in manner herein-after mentioned.

Authen-
ticated Bye
Laws to be
Evidence.

XCVII. And be it further enacted, That in all Cases of Prosecution for Offences against any of the Bye Laws, Rules, or Orders of the said Trustees the Production of a written or printed Paper purporting to be the Bye Laws, Rules, or Orders of the said Trustees, and authenticated by the Signatures of Five or more of the said Trustees, shall be Evidence of the Existence and of the due making of such Bye Laws, Rules, or Orders, and it shall be sufficient to prove that a printed Paper or painted Board containing a Copy of such of the Bye Laws, Rules, or Orders, as shall subject any Person not being a Trustee to any Fine or Penalty hath been affixed and published in manner by this Act directed, and in case of its being afterwards displaced or damaged hath been replaced as soon as conveniently might be, unless Proof shall be adduced by the Defendant that such printed Paper or painted Board is not a Copy of such Bye Laws, Rules, or Orders, or hath not been duly affixed and generally continued in manner by this Act directed.

Power and
Authority of
Harbour
Master.

XCVIII. And with a view to support the Harbour Master and others employed under him in all proper and reasonable Authority in the Direction of the Ships and Vessels within the said Harbour, River, Dock, and other Works by this Act proposed to be made and executed, be it further enacted, That each and every such Harbour Master, or his Deputy, shall have full Power and Authority to direct the mooring, anchoring, unmooring, placing, moving, or removing of all Ships, Vessels, Boats, or other Craft coming into, lying, or being in the said Harbour or any Part thereof respectively, and to regulate and determine the Position of such Ships or Vessels, Boats, or other Craft, and of their Manner of laying up and of taking in, heaving out, or delivering Ballast therein respectively; and such Harbour
Master

Master or his Deputy shall from Time to Time give Orders and Directions as to the Places from which any Sand, Beach, Gravel, or Ballast shall be dug for or taken from within the said Harbour, and shall cause to be removed all Wrecks of Vessels, Timber, or any other Article or Thing whatsoever obstructing or tending to obstruct the free Navigation and Use of the said Harbour, and the Mouth or Entrance thereof, and shall give other Orders and Directions for the Government and Regulation of the Ships and Vessels, Boats and other Craft within the said Harbour, as to him shall from Time to Time seem expedient and necessary, and shall in all respects obey the Orders and Directions of the said Trustees; and in case the said Harbour Master or his Deputy shall neglect or wilfully omit to execute the Duties by this Act imposed on him, or any of them, or shew any undue Preference in the Execution of his Office, the same shall be referred to the next General Meeting of the Trustees after such Offence shall so happen, who shall have Power to impose any Penalty for every such Offence not exceeding Ten Pounds.

XCIX. And be it further enacted, That the Master, Mate, Pilot, Owner, or Commander of every Ship, Vessel, Boat, or other Craft within the said Harbour or Dock shall, after Notice or Directions given to him, either verbally or in Writing, by the said Harbour Master or his Deputy for that Purpose, moor, anchor, unmoor, place, move, or remove his Ship, Vessel, Boat, or other Craft, or take, heave out, or deliver Ballast into or from any Ship, Vessel, Boat, or other Craft, in such Manner as the said Harbour Master or his Deputy shall direct, and in default thereof it shall and may be lawful for the said Harbour Master or his Deputy to cause such Ship, Vessel, Boat, or Craft to be moored, anchored, unmoored, placed, moved, or removed to or at such Place in the said Harbour as may be deemed most convenient for any of the said Purposes; and every such Master, Owner, Pilot, or other Person having the Command, Care, or Charge of any such Ship, Vessel, Boat, or other Craft so refusing or neglecting to moor, anchor, unmoor, place, move, or remove such Ship, Vessel, Boat, or other Craft, when directed so to do as aforesaid, or obstructing or hindering the Harbour Master or his Deputy or Deputies in the mooring, anchoring, unmooring, placing, moving, or removing any such Ship, Vessel, Boat, or other Craft as aforesaid, shall in every such Case forfeit a Sum not exceeding Five Pounds, together with the Costs and Charges which may be incurred by such Harbour Master or his Deputy or Deputies in the mooring, anchoring, unmooring, placing, moving, or removing such Ship or Vessel as aforesaid.

Penalty for not obeying Orders of Harbour Master.

C. And be it further enacted, That in case any Master, Mate, Pilot, Owner, or Commander, or other Person on board of any Ship or Vessel which shall be moored or fastened within the said Harbour or Dock, shall at any Time refuse or neglect, upon Demand of the Harbour Master or his Deputy, to unloose or slacken the Rope or Chain by which such Ship or Vessel shall be so moored or fastened, or shall refuse or neglect to remove his Ship or Vessel from any one Part, Place, or Berth within the said Harbour or any Part thereof which in the Judgment of the said Harbour Master or his Deputy shall be considered as proper and commodious, or in case there shall be

Harbour Master empowered to cut Moorings, Ropes, &c. in case of Necessity.

no Person on board of any such Ship or Vessel so moored or fastened, or who shall answer to the Call of the said Harbour Master, or his Deputy for the Purpose aforesaid, in every such Case it shall and may be lawful for the said Harbour Master or his Deputy to cut the Rope or slacken the Chain by which such Ship or Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master or his Deputy shall cut any Rope or slacken any Chain by which any Ship or Vessel shall be moored or fastened, having no Person on board, or who shall not answer to the Call for the Purpose aforesaid of the said Harbour Master or his Deputy, the said Harbour Master or his Deputy shall and they are hereby authorized to put on board such Ship or Vessel such Persons as he may think proper for the Protection and Security from Injury of such Ship or Vessel; and that all reasonable Charges and Expences which shall be thereby incurred, to be ascertained by any Justice of the Peace for the said County of *Glamorgan* or for the said Borough of *Swansea*, shall be forthwith paid by the Master or Owner of such Ship or Vessel; and in default of Payment of such Charges and Expences the same shall and may be levied, together with the Costs of levying the same, by Distress and Sale of the Goods and Chattels of such Master or Owner, or by Distress and Sale of the Tackle, Apparel, and Furniture of such Ship or Vessel, in manner as herein-before mentioned in case of Distress for Duties.

Punishing
Persons cut-
ting away
Ropes or
Buoys.

CI. And be it further enacted, That if any Person not legally authorized so to do shall wilfully cut or break, or in any Manner to destroy or injure or cast loose or cut away, any Rope or Chain or any other Thing by which any Ship or Vessel lying, coming in, or going out of the said Harbour or Docks shall be moored or fastened, or shall deface or take away or cast loose or cut away any floating Buoy or known Sea-mark, such Person for every such Offence shall forfeit and pay the Sum of Ten Pounds; and the enforcing such Penalty shall not in any Manner lessen or affect the Remedy which any Person shall or may have by Action or otherwise against such Person for any Damage or Injury which may be done.

For keeping
the Passage
clear
through the
Cut or Canal.

CII. And for the better making and preserving a free and clear Passage through the said navigable Cut or Canal, be it further enacted, That it shall not be lawful for any Masters or Pilots or other Person having the Charge or Command of any Ship, Lighter, Barge, or Vessel, of any Description whatsoever, to place or lay, or permit or suffer the same to be placed, laid, or remain in the said Cut or Canal alongside of any other Ship, Lighter, Barge, or Vessel, or in or across the Centre of such Cut or Canal, so as to obstruct the free Navigation thereof; and if any Master or Pilot or other Person shall so place or lay, or permit or suffer to be so placed or laid, any such Ship, Lighter, Barge, or Vessel, and shall not on being thereunto required by the Harbour Master, as soon as practicable, remove such Ship, Lighter, Barge, or other Vessel, every such Master or Pilot or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and also any Sum not exceeding Twenty Shillings for every Hour that the Obstruction thereby occasioned shall remain after such Notice; and in case the
Master

Master or other Person having the Command of such Ship, Lighter, Barge, or Vessel shall not remove such Ship, Lighter, Barge, or Vessel, it shall be lawful for the said Harbour Master and his Assistants to remove the same; and the Expence of every such Removal shall be paid by the Master or other Person having the Command of such Ship, Lighter, Barge, or Vessel as aforesaid, such Expences to be recovered in like Manner as is herein-after provided for the Recovery of other Forfeitures or Fines under this Act.

CIII. And be it further enacted, That if any Person shall take away, remove, or overturn, or endeavour to take away, remove, or overturn, or shall damage or injure any Stones, Gravel, Beach, Sand, Clay, Rubbish, Timber, or other Materials whatsoever which shall have been dug or gathered by or by the Order of or for the Use of the said Trustees in open Grounds, Cuts, Creeks, Canals, or other Places, for the Repair and Improvement of the said Harbour and River or Dock, or for any of the Purposes of the said recited Acts or this Act, every Person so offending shall forfeit for every such Offence any Sum not exceeding Ten Pounds over and above the Value of the Materials or other Things as aforesaid so taken away, damaged, injured, or defaced.

Penalty for taking away Materials, &c. procured for the Use of the Works.

CIV. And be it further enacted, That if any Person shall wilfully or maliciously destroy or break down, damage, or injure any of the Works of the said Harbour and River or Dock, or any Part thereof respectively, or shall wilfully or maliciously do any Damage to any Ship or Vessel or Goods within or upon the same, or shall remove or displace any Anchors, Buoys, Beacons, or Sea-marks used in the said Harbour and River or Dock for the Protection or Assistance of Ships or Vessels resorting thereto, then and in every such Case every such Person shall be deemed guilty of Felony; and the Court before whom such Person shall be tried and convicted shall have Power and Authority to cause such Person to be transported for the Term of Seven Years, or in mitigation of such Punishment may award such Sentence as the Law directs in Cases of Petty Larceny.

Penalty for damaging the Works, &c.

CV. Provided always, and be it further enacted, That it shall not be lawful to and for the said Trustees or any other Person or Persons to deposit, throw, or convey any Ballast below High-water Mark at the Outside of the Eastern Pier or at the Outside of the Western Pier aforesaid, unless the same shall be first properly and sufficiently protected by Slag or other Embankment from being washed or carried into the Sea by the Operation of the tidal Waters or otherwise (Accident by Storm or unusual high Tides only excepted), any thing in this Act or the herein-before recited Acts to the contrary thereof notwithstanding: Provided that nothing herein contained shall extend or be construed to extend to prohibit the casting out or depositing of any Stones, Bricks, Lime, or other Materials used or to be used in or towards the supporting, maintaining, repairing, or keeping in repair the said Piers respectively.

To prevent discharge of Ballast over the Piers.

CVI. And be it further enacted, That the Owner of every Ship, Boat, or Vessel using the said Harbour, River, or Dock shall be and

Owners of Ships to be accountable

for Damages
done by their
Servants.

he is hereby made answerable for any Trespasses, Damages, Spoil, or Mischief that shall be done by his Ship, Boat, or Vessel, or by any of the Seamen or Boatmen or other Persons belonging to or employed in or about the same respectively, to the Breakwaters, Piers, Jetties, Dock, and other Works or Conveniences made by virtue of the said recited Acts or this Act, by any Means whatsoever, or to the Owners or Proprietors of any Building or other Erection on the Lands adjoining or lying near the same, or any other Trespass whatsoever; and such Owner of such Ship, Boat, or Vessel shall, for every such Damage, upon Conviction of such Person before One Justice of the Peace, either by the Confession of the Party offending or upon the Oath of One credible Witness, (which Oath such Justice is hereby empowered and required to administer,) pay to the Person injured the Damages to be ascertained by such Justice, provided that such Damages do not exceed the Sum of Twenty Pounds, and shall also, over and above such Damages, forfeit and pay all the Costs, Charges, and Expences attending such Conviction; which Damages, Penalties, and Costs shall be levied by Distress and Sale of the Goods and Chattels of the Owner of any such Ship, Boat, or Vessel, by Warrant under the Hand and Seal of such Justice; and the Overplus (if any), after such Penalty, Damages, and the Costs and Charges of such Distress and Sale are deducted, shall be returned, upon Demand, to the Owner of such Goods and Chattels; or if the Damages shall exceed the Sum of Twenty Pounds then and in such Case the Owner of such Ship, Boat, or Vessel may be sued and prosecuted for the same in any of His Majesty's Courts of Record; and if a Verdict shall be given against him, either on Proof made or by Default or upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained with full Costs of Suit.

Servant to
be liable to
repay his
Master any
Sums paid
for his
Neglect.

CVII. And be it further enacted, That if the Owner of any such Ship, Boat, or Vessel shall be compelled to pay any Penalty or make any Satisfaction for any Damages by reason of any wilful Act, Neglect, or Default of his Seamen, Boatmen, or other Persons employed by him, then and in such Case every such Seaman, Boatman, or other Person shall be liable to repay such Penalty or Satisfaction for Damages, with the Costs attending the same, to such Owner; and in case of Nonpayment thereof on Demand the same shall be recovered in like Manner as any Penalty can or may by virtue of the said recited Acts or this Act be recovered.

Power to
take Tolls.

CVIII. And in order to defray the Expence of erecting the said Bridges across the said River *Tawe* and over the said intended Cut or Canal, be it enacted, That the several Tolls herein-after mentioned shall be demanded and taken by the said Trustees, or such Person as they shall appoint to collect the same, at any Toll House or Toll Gate erected upon the said Bridges across the River *Tawe* aforesaid by virtue of this Act; (that is to say,)

Table of
Tolls.

For every Horse, Mule, Ass, or other Beast, drawing any Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Litter, Hearse, Waggon, Cart, Car, or other Carriage, any Sum not exceeding the Sum of Sixpence :

For

For every Horse, Mule, Ass, or other Beast of Burthen, laden or unladen, and not drawing, any Sum not exceeding the Sum of Two-pence :

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any less Number :

For every Drove of Calves, Sheep, Lambs, or Swine, any Sum not exceeding the Sum of Ten-pence *per* Score, and so in proportion for any less Number :

And for any Foot Passenger or Person on Foot, any Sum not exceeding One Halfpenny for the first Time of passing each Day only, and a like Sum for the first Time of passing at such Gate for every Person who shall ride in or upon any Waggon or Wain or any Cart or other such like Carriage (not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire), or who shall ride upon any Horse or Beast drawing any such Waggon, Wain, Cart, or other such like Carriage.

CIX. And be it further enacted, That it shall be lawful for the said Trustees to erect, put up, or place upon each of the said Bridges over or across the said River *Tawe*, or near thereto, a Toll Gate or Toll Bar, together with such Toll House and Conveniences for the Use of the Collectors at such Gates as they shall think proper, and from Time to Time to make such Alterations therein as they shall deem requisite.

Power to put up a Toll Gate on each Bridge.

CX. Provided always, and be it further enacted, That in case the full Tolls shall have been paid for the passing of any Person or Passenger, Horse, Beast, Cattle, or any other Animal, over any of the said Bridges, such Person or Passenger, Horse, Beast, Cattle, or other Animal, (except Horses or Beasts drawing any other or different Carriage, or Horses or Beasts not travelling for Hire under the Post Horse Duty Act, and drawing any Stage Coach, Stage Waggon, Fly, Diligence, Van, Caravan, Cart, or other Carriage carrying Passengers or Goods for Hire or Reward, or Horses travelling for Hire under the Post Horse Duty Act passing after a fresh Hiring,) shall, on a Ticket being produced denoting such Payment, be permitted to repass over the same or any other of the said Bridges once only on the same Day in respect of such full Toll so paid.

Horses, &c. on paying Toll may return free.

CXI. And be it further enacted, That in case any Horse, Beast, or other Animal, returning on the same Day over any of the said Bridges, shall draw any other Carriage than the one in which they were employed in drawing when the Toll was paid, or in case any Horse, Beast, or other Animal, (not being any Horse travelling for Hire under the Post Horse Duty Act,) returning on the same Day, shall draw any Stage Coach, Diligence, Van, Caravan, or other Carriage carrying Passengers or Goods for Pay, Hire, or Reward, then and in such Case the Owner or Driver of every such Horse, Beast, or other Animal shall again pay Toll in respect of such different Carriage, or in respect of drawing any such Carriage for Passengers, or Goods for Pay, Hire, or Reward; and the Tolls hereby made payable shall in every such Case be paid for every second or

Horses drawing any different Carriages with Passengers or Goods to pay each Time of passing.

[*Local.*]

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other

other Time both of passing and repassing over the said Bridges, in like Manner as if no Toll had been previously paid.

Horses returning the same Day with fresh Hiring to pay Toll.

CXII. And be it further enacted, That in case any Horse or Horses travelling for Hire under the Post Horse Duty Acts, for which Toll shall have been previously paid, shall return on the same Day over any of the said Bridges after a new or fresh Hiring, every such Horse or Horses shall be again liable to Toll, in like Manner as if no Toll had been previously paid.

Ticket to be delivered to Persons paying Toll.

CXIII. And be it further enacted, That upon Payment of the Toll by this Act granted and authorized to be taken for passing over any of the said Bridges the Collector or Receiver thereof is hereby required to deliver *gratis* to the Person paying such Toll a Note or Ticket denoting such Payment, which Note or Ticket shall be provided by the said Trustees.

Table of Tolls to be set up, &c.

CXIV. Provided always, and be it further enacted, That a Table of the Tolls payable under this Act shall be painted on a Board, and affixed on the Toll Houses or Toll Gates to be erected in pursuance of this Act; and it shall not be lawful for the said Trustees (except in the Case of a malicious Removal or defacing of such Board) to demand or take, or cause to be demanded or taken, any Tolls for or in respect of any Carriages, Horses, Cattle, or Passengers, but for and during such Time as a Table of the Tolls payable under this Act shall remain fixed as aforesaid.

Royal Family exempted from Toll.

CXV. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll His Majesty or any Member of the Royal Family, or any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom.

General Exemption from Toll.

CXVI. Provided always, and be it further enacted, That no Toll whatever shall be demanded or taken for any Horse, Beast, Cattle, or Carriage, of whatsoever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriage attending them, with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Beast, Cattle, or Carriage travelling with Vagrants sent by legal Passes, or any Prisoner in Custody under any legal Warrant; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them
in

in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons be dressed in the Uniforms of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemptions as aforesaid; or for any Coach, Berlin, Landau, Chariot, Calash, Chair, or other Carriage or Passenger on Horseback going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Glamorgan* or for the Borough of *Swansea* on the Day or Days of such Election, or going to or returning on a *Sunday* from his or their usual Place of Worship; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted for the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

CXVII. And be it further enacted, That if any Person shall forcibly go upon any of the said Bridges without Payment of the Toll on Demand made by any Collector or Person empowered to demand or collect the same, or shall refuse or neglect to pay the Toll on such Bridges on such Demand, or shall in any other Manner wilfully evade the Payment of the said Tolls or any of them or any Part thereof, or if any Person having the Care of any Horses, Beasts, or Carriages upon the said Bridges, or passing through the Toll Gate or Bar, shall refuse or neglect to pay the proper Toll or any Part thereof, or shall wilfully or fraudulently go upon the said Bridges, or pass the said Toll Gate or Bar, with any Horse, Carriage, Cattle, or Beast, without Payment of Toll, or shall take off or cause to be taken off any Horse, Beast, or Cattle from any Carriage, or having passed through such Toll Gate or Bar shall put on an additional Horse or Beast to any such Carriage, or shall leave or cause to be left behind any Horse, Cattle, Beast, or Carriage, or shall unload or cause to be unladen any Goods, Merchandize, or other Things from or out of any Carriage, or put or cause to be put or placed any Goods, Merchandize, or other Things upon or in any Carriage, with Intent to evade Payment of any of the said Tolls, every such Person so offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds, over and besides such Damages or Punishment as he shall be otherwise liable to by Law.

Penalty on evading Tolls.

CXVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to demise or let to farm, or agree to demise or to let to farm, any of the said Tolls, and the Toll House, Gate, or Bar, for any Term not exceeding Three Years, upon Public Bidding or private Tender to the best Bidder or for the best Price or Rent to be gotten for the same, payable quarterly in advance, or at such other Time or Times as the said Trustees shall think proper, to any Person who shall be willing to take or farm the same, under such Conditions and Agreements, and with such Sureties for the Payment thereof as the said Trustees shall think fit; and at such

Tolls may be leased.

such public Letting the said Trustees shall have and be entitled to One or more Bidding or Biddings for such Tolls by their Clerk or other Person by them authorized.

Lessees or
Persons may
collect Tolls.

CXIX. And be it further enacted, That during such Time as the said Tolls or any Part thereof shall be leased, demised, or let to any Person whomsoever, it shall and may be lawful to and for the Lessee or Farmer thereof, or such other Person as he shall authorize or appoint, to occupy and enjoy the Toll House or Toll Houses at which the said Tolls so let are to be collected and to arise, with all the Appurtenances and Conveniences to the same Toll House belonging, for the Purpose of collecting such Tolls during so long Time only as such Lessee or Farmer shall regularly and duly pay his Rent and perform the Covenants, Agreements, and Conditions of such Lease, Demise, or Letting, but no further or otherwise; and such Lessee or Farmer, and the Person so to be by him appointed (such Rents and Covenants being duly paid and performed) shall and may demand and take the said Tolls so leased, demised, farmed, or let, with the like Powers for Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls appointed by the said Trustees is by virtue of this Act authorized and empowered to demand, take, and recover the same; and such Lessee, Farmer, Collector, or other Person as aforesaid shall be subject to the Regulations of this Act, and to the like Pains, Penalties, and Forfeitures, and shall be liable to the like Actions and Prosecutions as any Collector of the said Tolls appointed in pursuance of this Act is subject or liable to.

Penalty on
Collector,
&c. taking
greater or
less Toll than
allowed.

CXX. And be it further enacted, That if any Lessee, Farmer, or Renter or any Collector of the Tolls shall demand and take, or cause to be demanded and taken, from any Person, any Toll not hereby authorized to be taken, or a greater or less Toll than so authorized and directed by the said Trustees to be taken under the Authority of this Act, such Lessee, Farmer, or Renter shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and his Contract for renting the Tolls shall be vacated, if the said Trustees shall think fit to vacate the same; and every Collector, not being the Lessee, Farmer, or Renter, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; such respective Forfeitures to be recovered in manner herein-after mentioned: Provided always, that if the Justice by or before whom the Matter of Complaint shall be heard shall be of Opinion that the Offender had probable Grounds for such Demand or taking, it shall be lawful for such Justice either to mitigate the said Penalty or wholly to exonerate the Offender therefrom, as such Justice shall think fit.

For prevent-
ing Toll Col-
lectors from
misbe-
having.

CXXI. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, or appointed either by any such Lessee or by the said Trustees to collect the Tolls on the said Bridges by this Act granted, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate, immediately on his coming on Duty, each of the Letters
of

of such Name to be at least Two Inches in Length and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed; during the whole Time he shall be upon such Duty; and every such Collector shall place or caused to be placed on the Front of such Toll House or Toll Gate the Board herein-before directed to be provided containing the Schedule or List of Tolls payable; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the Trustees made in pursuance thereof, or shall demand and take a Toll from any Person who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer or shall in anywise hinder any Person or Persons from reading such Board, or shall refuse to tell his Christian or Surname to any Person who shall demand the same, on having paid the said Tolls or any of them, or shall in answer to such Demand give a false Name, or upon the proper Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Horse, Beast, Cattle, Carriage, or Passenger from passing upon or from the said Bridges or through such Toll Gate, or shall make use of any scurrilous or abusive Language to any Proprietor, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger, then and in every such Case such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice before whom the Information shall be laid shall adjudge, to be recovered and applied as herein-after mentioned: Provided also, that if any Person shall at any Time assault, obstruct, hinder, or molest any Collector who shall and may be employed by virtue of or in the Execution of this Act in the Performance of his Duty, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, as the Justice before whom the Information shall be laid shall adjudge.

Penalty on obstructing Toll Collectors.

CXXII. And be it further enacted, That if any Person shall moor or fasten any Boat, Barge, or Vessel or other Thing to the said Bridges or Works or any Part thereof, or shall in any other Manner, or by any Means, Ways, Contrivance, or Device whatever, wilfully obstruct the Use or Passage over the said Bridges or Approaches; or if any Person shall wilfully pull up, injure, or damage any Toll House, Toll Gate, or Bar, or any of the Posts, Boards, or Tables of Tolls put up or placed by the said Trustees or by their Order, or by virtue of this Act, or wilfully or designedly deface or obliterate any of the Inscriptions, Letters, Figures, or Marks thereon; or shall wilfully break, throw down, or otherwise damage any Lamp Post or Lamp Iron set up or affixed by Order of the said Trustees on the said Bridges or Approaches, or at or near to the said Toll House, Toll Gate, or Bar, or shall cause or procure the same to be done; or if any Person shall wilfully pull up, injure, or damage any other Posts, Rails, or Fences to be placed or put up by Order of the said Trustees by the Side or Sides of such Bridges or Approaches, or shall remove, throw down, pull up, or displace or injure any Stakes or Marks put up or placed for staking out or marking the Line of the said Bridges,

Penalty for damaging or committing Nuisance on Bridges, &c.

[Local.]

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Approaches,

Approaches, or Works; or if any Person shall upon any Part of such Bridges or Approaches haul or raw or cause to be hauled or drawn any Tree or Piece of Timber, or any Stone, otherwise than upon a Wheel Carriage, or suffer any Tree or Piece of Timber which shall be conveyed upon a Wheel Carriage to drag thereon to the Prejudice thereof; or wilfully drive any Waggon, Cart, or Carriage upon, along, or against any Footpath or Causeway, or wilfully or carelessly cause any Damage to be done to any Footway or Causeway, or thereon turn loose any Horse, Ass, Beast, or Swine, or suffer any Horse, Ass, Beast, or Swine to be turned loose or to wander or stray or to be or remain thereon, or wheel any Carriage, Truck, or Wheelbarrow on any Footway or Causeway; or ride on the Shafts or on any other Part of any Waggon, Cart, Dray, Sledge, or other such Carriage, or any of the Horses drawing the same, without Reins, or some other Person on Foot for driving the same; or being on Horseback, or driving any Coach, Chaise, Waggon, Cart, or other Carriage, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, or Person on Horseback, shall not keep his Horse or Carriage on his Left or near Side of such Bridges or Approaches, or in any Manner wilfully impede the public Passage; or make and assist in the making of any Fire or Fires commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or other Firework whatsoever; or play at Football or any other Game to the Annoyance of any Passenger, or unnecessarily leave thereon any Waggon, Wain, Cart, or other such Carriage, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or convey any Iron Bar or Rod, or Basket or Pannier, or any other Matter or Thing on Horseback, without placing such Bar or Rod, or Basket or Pannier, or other Matter or Thing so that the same or any of them shall not project more than Fifteen Inches from the Side of such Horse or other Beast, or so as not in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage; or driving any Waggon, Wain, Cart, or other Carriage shall wilfully or carelessly pull up, break, or damage any Posts or Stones thereon, or wilfully or carelessly drive the Wheel of any Carriage against the same; or lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Ashes, Filth, Rubbish, or other Matter or Thing whatsoever thereon, to the Prejudice, Annoyance, or Interruption of Persons travelling and passing thereon; or if any Person shall wilfully obstruct the free Passage of any Passenger on the said Footways; every such Person shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence, to be levied, recovered, apportioned, and applied in manner herein-after provided for the Recovery and Application of Penalties and Forfeitures, and such Offender shall also pay to the said Trustees or their Treasurer such Sum of Money as shall be a full Satisfaction for the Damage so done, which Damage shall be settled or ascertained by the Justice of the Peace by or before whom such Offender shall be convicted of any of the Offences aforesaid, and shall and may be levied and recovered in like Manner as any Penalties or Forfeitures imposed by this Act.

Application
of Rates.

CXXIII. And be it further enacted, That the Monies which have arisen or been received under the Provisions of the said recited Acts,
or

or which may arise or be received by or from the Rates, Tolls, or Dues by this Act authorized to be imposed, and all Monies which may be borrowed on the Security thereof, and all other Monies which may arise or be received by virtue of the said recited Acts or this Act, shall be and the same are hereby vested in the said Trustees, and shall be applied by the said Trustees in the Manner following; (that is to say,) in the first place, in paying and discharging the Costs, Charges, and Expences which shall have been incurred in applying for or which shall be in any Manner incident to the obtaining and passing of this Act, with Interest for any Money which may have been advanced for that Purpose; secondly, in paying and discharging the annual Interest of any Principal Money borrowed on the Authority of the said recited Acts; thirdly, in paying and discharging the annual Interest of any Principal Money borrowed on the Authority of this Act; fourthly, in paying and discharging all other Costs, Charges, and Expences attending the carrying into execution such of the Powers of the said recited Acts and of this Act as the said Trustees may deem expedient; fifthly, in reducing and discharging the several Principal Sums of Money which may have been borrowed on the Credit or under the Authority of the said recited Acts; and sixthly, in reducing and discharging the several Principal Sums of Money which may hereafter be borrowed on the Credit or under the Authority of the said recited Acts or this Act.

CXXIV. And be it further enacted, That so much of the said recited Act of the Forty-fourth Year of the Reign of His said Majesty King *George* the Third as requires that every Treasurer, Receiver, Collector, Comptroller, and other Person liable to account under the said Act or the other Acts therein recited, should verify his Accounts upon Oath, shall be and the same is hereby repealed.

Repeal of Provision that Accounts should be verified on Oath.

CXXV. And be it further enacted, That the said Trustees shall cause to be prepared in the Month of *July* in every Year a full and complete Account of such of the Receipts and Disbursements as shall not have been included in any preceding Account, and that such Account shall be signed by the Treasurer and Five or more of the said Trustees in testimony of their Allowance and Approbation of the same, and a Copy of such Account shall be inserted once in the Month of *August* in each and every Year in the *Cambrian* or some other Newspaper published in the County of *Glamorgan*; and if the Clerk to the said Trustees shall neglect to prepare and publish such annual Account in manner aforesaid he shall for every such Offence forfeit and pay any Sum of Money not exceeding Five Pounds.

Annual Account of Receipts to be made up.

CXXVI. And be it further enacted, That the said Trustees shall and they are hereby required to cause separate and distinct Accounts to be kept of the several Tolls, Rates, and Duties which shall be taken or received from Vessels resorting to the said Harbour under or by virtue of the said recited Acts or this Act, (that is to say,) that one such Account shall include all the Monies levied and received under and by virtue of the said recited Acts, and the other Account all the Monies which shall be levied and received under and by virtue of this

Trustees to keep distinct Accounts.

this Act; and that every such last-mentioned Account shall shew how much of such Monies was received on account of the Tonnage Rates and Rates on Goods by this Act imposed, and how much on account of the Bridges hereby authorized to be erected over the said River *Tarwe* and the said navigable Cut or Canal.

Justices may proceed by Summons for Recovery of Penalties.

CXXVII. And be it further enacted, That in all Cases in which by the said recited Acts or by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace for the County of *Glamorgan* it shall and may be lawful for any Justice as aforesaid to whom Complaint shall be made of any Offence against the said recited Acts or this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Damages and Charges in case of Distress to be settled by a Justice.

CXXVIII. And be it further enacted, That where by the said recited Acts or this Act any Damages or Charges are directed to be paid or recovered, in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice of the Peace before whom any Offender shall be convicted of any such Offence, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in the Manner directed by the said recited Acts or this Act for levying of any Penalties or Forfeitures.

Mode of Recovery and Application of Penalties.

CXXIX. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of the said recited Acts or this Act are or shall be subjected to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Discovery of which no previous Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any Justice of the Peace acting in and for the County of *Glamorgan* in a summary Way, upon Information or Complaint made or exhibited before him, and upon such Information or Complaint as aforesaid the said Justice shall summon the Party accused, and examine into the Matter thereof; and if upon the Confession of the Party accused, or on the Oath of any One or more credible Witness or Witnesses, which Oath the said Justice is hereby empowered and required to administer, the Party accused shall have been convicted of having committed such Offence, then and in every such Case the said Penalty, Fine, or Forfeiture hereby made payable in respect of such Offence, together with the Costs of Conviction, to be ascertained by such Justice, shall be forthwith paid by the Party so convicted as aforesaid; and in case such Party so convicted shall refuse or neglect to pay the same forthwith, then the same shall and may, by Warrant under the Hand and Seal of any such Justice (which he is hereby authorized and empowered

powered to grant), be levied and recovered, together with the Costs of Conviction and Recovery, to be ascertained as aforesaid, by Distress and Sale of the Goods and Chattels of such Offender, wherever such Goods and Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any), after deducting the reasonable Charges of taking, keeping, and selling such Goods and Chattels, to the Party whose Goods and Chattels shall be so distrained; and one Half of such Penalty shall be paid to the Informer, and the other Half to the Trustees for the Time being, or to such Person as shall by them be in that Behalf authorized to receive the same, and shall go and be applied for the same Purposes as the Duties imposed by this Act are directed to be applied; and it shall and may be lawful to and for such Justice to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before the said Justice on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty, Fine, or Forfeiture, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to such Justice, either by the Confession of the Offender or otherwise, that the Offender hath not sufficient Goods and Chattels whereon such Penalties, Fines, or Forfeitures and Costs may be levied were a Warrant of Distress issued, such Justice shall not be required to issue a Warrant of Distress, and thereupon it shall be lawful for such Justice, and he is hereby required and empowered, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction of the County, Town, or Place respectively in the Jurisdiction of which the Place may be situated where the Offence was committed, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, or until such Offender shall have paid such Penalty, Fine, Forfeiture, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, or shall otherwise be discharged by due Course of Law.

CXXX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Duties, or respecting any Matter or Thing relating to the said recited Acts or this Act, no Person acting by or under the Authority of the said Trustees, or in the Service of the said Trustees, shall for that Reason alone be in any Manner disqualified or incapable from giving Evidence in, upon, and respecting such Dispute, Suit, or Litigation.

Officers not to be incompetent Witnesses.

CXXXI. And be it further enacted, That it shall be lawful for any Collector, Surveyor, Harbour Master, or other Officer of the said Trustees, and such Persons as he shall call to his Assistance, to seize and detain any Person, being unknown to such Collector, Surveyor,

For securing transient Offenders.

[Local.]

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Harbour

proper; and the Determination of the said Justices at their General or Quarter Sessions shall be final and conclusive to all Intents and Purposes.

CXXXIV. And be it further enacted, That it shall and may be lawful to and for the said Trustees from Time to Time, if they shall see Cause, to pay and apply such Part of the Penalties and Forfeitures or any of them as they shall think proper (not exceeding one Moiety of them or any of them) to and for the Use of the Informer, upon whose Information such Penalty or Forfeiture shall have been recovered, any thing herein contained to the contrary notwithstanding.

Commis-
sioners may
reward
Informers.

CXXXV. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of the said recited Acts or of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards done by the Party distraining, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damages only in an Action on the Case.

Distress not
unlawful for
Want of
Form.

CXXXVI. And be it further enacted, That no Proceeding touching any Order made, or any other Matter or Thing to be done or transacted in or relating to any Complaint or Appeal, or any Order or Determination thereon, shall be quashed or vacated for Want of Form only, or be removed into any of His Majesty's Courts of Record at *Westminster*, by Certiorari or any other Writ or Process whatsoever, any Law, Statute, or Usage to the contrary notwithstanding.

Proceedings
not to be
quashed for
Want of
Form.

CXXXVII. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any such Irregularity, Trespass, or other Proceeding if Tender of sufficient Amends shall be made by or on behalf of the Party who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceeding, before such Action brought; and in case no such Tender shall have been made it shall and may be lawful for the Defendant in any Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he shall see fit, whereupon such Proceeding or Order and Judgment shall be had, made, or given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Tender of
Amends.

CXXXVIII. And be it further enacted, That no Action or Suit shall be commenced against any of the said Trustees or any other Person acting under them for any thing done in pursuance of the said recited Acts or this Act until the Expiration of Fourteen Days next after Notice thereof shall have been given in Writing to the Person against whom such Action is intended to be brought, or after sufficient Satisfaction, or Tender thereof, hath been made to the Party aggrieved, or after Six Calendar Months next after the Fact committed for which such Action or Suit shall be brought; and every such Suit shall be brought,

Limitation of
Actions.

brought, laid, and tried in the County of *Glamorgan*, and not elsewhere; and that the Defendant in every such Action and Suit shall and may plead the General Issue, and give the special Matter in Evidence at any Trial to be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought was done in pursuance and by the Authority of the said recited Acts and this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit shall have been brought before the Expiration of Fourteen Days after Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if such Action or Suit was not commenced within the Time before limited for that Purpose, or shall be laid in any other County or Place, other than the said County of *Glamorgan*, then the Jury shall find for the Defendant therein; and upon such Verdict, or if the Plaintiff in such Action or Suit shall become nonsuited, or suffer a Discontinuance of such Action or Suit, or if upon any Demurrer in any such Action or Suit Judgment shall be given for the Defendant, then and in either of the Cases aforesaid such Defendant shall have his Costs, and shall have such Remedy for recovering the same as any Defendant may have for his Costs in any other Case by Law.

Penalty on
Witnesses
for Default.

CXXXIX. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against the said recited Acts or this Act, either on the Part of the Prosecutor or the Person accused; shall refuse or neglect to appear at the Time or Place to be for that Purpose appointed (having been paid or tendered a reasonable Sum for his Costs and Charges, without a reasonable Excuse for his Refusal or Neglect of Appearance), or shall refuse to be examined upon Oath and to give Evidence before such Justice of the Peace, then and in any of the said Cases such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Reserving
Rights of
Lord of the
Seigniories
of Gower
and Kilvey.

CXL. Provided always, and be it further enacted, That nothing in this Act shall extend or be construed to extend to affect, prejudice, alter, diminish, abridge, or take away the Royalty, Right, or Property of the Duke of *Beaufort*, his Heirs, Successors, or Assigns, in and to the Water Channel and Soil of the River of *Swansea* otherwise *Tawe* aforesaid, or the Port and Harbour thereof, or to the Fisheries therein, and in and to the said River itself, or to remove or prevent any present or future Weirs or Erections thereon, or to stop and impede any present or future Watercourses, Diversions, or perfect Use of the Streams thereof in anywise whatsoever, by him or them, or in any Manner to affect, prejudice, abridge, diminish, alter, or take away any Royalties, Rights, Property, Duties, Tolls, Payments, Powers, Authorities, Jurisdictions, Privileges, Liberties, and Franchises whatsoever, of or belonging to the said Duke, his Heirs, Assigns, or Successors, in the said Seigniories of *Gower* and *Kilvey*, as Lord or Lords thereof, and otherwise, or of any future Lords or Ladies thereof, or as Admiral or Admirals of the Seas, Bays, Havens, Creeks, Ports, and Rivers within, bordering on, and surrounding the same, or of his or their Officer or Officers in their respective Duties within the same,
but

but that the same remain to him and them entire, wholly and altogether, as if this Act had not passed, any thing herein to the contrary notwithstanding.

CXLI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter, abridge, diminish, or take away any of the Rights, Tolls, Benefits, Privileges, Emoluments, Liberties, Franchises, or any former or other Jurisdictions which the Mayor, Aldermen, and Burgesses of the said Town and Borough of *Swansea* were possessed of or had a Right unto by Charter, Prescription, Custom, or otherwise howsoever before the passing of this Act, but that the said Mayor, Aldermen, and Burgesses shall have full Power, Liberty, and Authority to appoint such Officer or Officers at the Port of *Swansea* as the said Mayor, Aldermen, and Burgesses do or can appoint, and shall receive all such Quayage, Tolls, and Duties on Goods and other Things discharged from or loaded into any Ship or Vessel within the River of *Swansea*, and all other such Dues and Profits whatsoever appertaining to the said Mayor, Aldermen, and Burgesses as they would have been entitled to demand and receive if this Act had not passed, any thing herein contained to the contrary notwithstanding.

Saving Rights of Corporation of Swansea.

CXLII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges of the Corporation of the *Trinity House of Deptford Strond*.

Saving the Rights of the Trinity House of Deptford Strond.

CXLII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Trustees to exhibit or alter any Beacon or other Sea-mark for the Guidance of Ships or Vessels navigating to or from the said Harbour, without having from Time to Time first obtained the Sanction in Writing of the Corporation of *Trinity House of Deptford Strond*, as to the Character of any such Beacon or Sea-mark, and the Mode of exhibiting the same.

Sea-marks not to be exhibited or altered without the Sanction of the Trinity House.

CXLIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.

SCHEDULE A.

	£	s.	d.
Casks, for every full Hogshead containing 63 Gallons	-	0	0
every Barrel	-	0	0
every Kilderkin	-	0	0
And so in proportion for larger or lesser Casks.			
Fruit, for every Frail of Fruit	-	0	0
for every Ton of Fruit	-	0	0
Salt, for every Ton of Salt or Rock Salt	-	0	0
Wheat and Malt, for every 100 Bushels, Winchester Measure	-	0	1
Barley, Peas, and Beans, for every 100 Bushels, Winchester Measure	-	0	1
Oats and other Grain, for every 100 Bushels, Winchester Measure	-	0	0
Fish, for every Cwt. of Fish	-	0	0
for every Cwt. of Dry Fish	-	0	0
for every Mease of Fresh Herrings	-	0	0
for every Mease of Salt Herrings, in Bulk	-	0	0
Cloth, for every Pack of Linen or Woollen, per Cwt.	-	0	0
for every Truss of Ditto under a Cwt.	-	0	0
Roll Tobacco, for every Cwt.	-	0	0
Leather, for One Dicker of Bend Leather	-	0	0
for One Dicker of Middle, Sole, or Upper Leather	-	0	0
for One Dozen of Calf Skins	-	0	0
for One hundred of Pelts	-	0	0
for One Dicker of Raw Hides	-	0	0
Boards, for every Hundred Deals	-	0	0
for One hundred Feet of Inch and a Half or Two Inch Plank	-	0	0
Timber, for One Ton of Timber	-	0	0
for every Mast not exceeding One Foot Diameter	-	0	0
for every Mast not exceeding Nine Inches	-	0	0
for every Dozen of Spars	-	0	0
Tile Stones, for every Thousand of Tile Stones	-	0	0
Mill Stones, for every Pair of Mill Stones	-	0	0
for every Hundred Weight of Grindstones	-	0	0
Earthenware, for every Dozen of Earthenware of Barnstaple	-	0	0
for every Crate of other Ware	-	0	0
for every Eight Mawns of Ditto	-	0	0
for every Warp of Holland Ware	-	0	0
Bottles, for One Gross of empty Bottles	-	0	0
for One Gross of full Bottles	-	0	0
Glass, for One Case of Glass	-	0	0
for One Crib of Glass	-	0	0
Oakum, for One Cwt. of Oakum	-	0	0
for One Cwt. of Hemp or Flax	-	0	0
Pitch, for One Cwt. of Pitch or Rosin	-	0	0
Cordage, for One Cwt. of Cordage	-	0	0
Wool, for One Stone of Wool containing 24 Pounds	-	0	0
Apples, for every Vessel of Apples, if 50 Bushels, to pay Half a Winchester; if 100 Bushels, One Bushel; if 200 Bushels, Two Bushels; if 300 Bushels, to pay Three Bushels, and no more.			

Oranges, for every 100 Oranges or Lemons	-	-	-	0	0	0½
Cheese, for One Cwt. of Cheese	-	-	-	0	0	0½
Ranges and Lanthorns, for every Dozen of Ranges and Lanthorns	0	0	0½			
Flour, for every Sack of Two Cwt. and a Half	-	-	-	0	0	1½
And Bags of lesser Quantity in the same Proportion.						
Bricks, for every Thousand of Bricks	-	-	-	0	0	4
Hay, for every Ton of Hay	-	-	-	0	0	10
Carriages, for every Wheel	-	-	-	0	0	6
Horses, for every Horse	-	-	-	0	1	0
Cattle, for every Head	-	-	-	0	0	2
Pigs, for every Pig	-	-	-	0	0	1
Sheep or Lamb, for every Sheep or Lamb	-	-	-	0	0	0½
Potatoes, for every Ton	-	-	-	0	0	6
Straw, for every Ton	-	-	-	0	0	6
Baskets, for every Dozen	-	-	-	0	0	1
Hops, for every Pocket	-	-	-	0	0	3
Furniture, for every Package	-	-	-	0	0	1
Onions, for every Ton	-	-	-	0	0	10
Bacon, for every Ton	-	-	-	0	0	10
Slates, for every Ton	-	-	-	0	0	2
Stones or Flags, for every Ton	-	-	-	0	0	2
Limestone, for every Ton	-	-	-	0	0	0½
Manure, for every Ton	-	-	-	0	0	2
Thrawl Boat, for every Thrawl Boat	-	-	-	0	0	4
Coal, for every Ton imported	-	-	-	0	0	2
Chairs, for every Dozen	-	-	-	0	0	6
Gunpowder, for every Cwt.	-	-	-	0	0	1
Pilchards, for every Mease	-	-	-	0	0	1½
Mule or Ass, for every Mule or Ass	-	-	-	0	1	0
Car or Cart, for every Wheel	-	-	-	0	0	6
Carboy, for every Carboy imported full	-	-	-	0	0	1½
for every Carboy exported, per Dozen, full	-	-	-	0	0	3
Hampers, for every large Hamper of Goods	-	-	-	0	0	2
for every small Ditto of Ditto	-	-	-	0	0	1
Rags and Junk, for every Ton	-	-	-	0	0	5
Paper, for every Ton	-	-	-	0	0	10
Bones, for every Hogshead	-	-	-	0	0	2
Rotten Stone, for every Hogshead	-	-	-	0	0	2
Tea, for every Chest	-	-	-	0	0	3
Soap, for every Chest	-	-	-	0	0	2
Gates and Hurdles, for every Dozen	-	-	-	0	0	6
Candles, for every Chest	-	-	-	0	0	2
Bran, for every Ton	-	-	-	0	0	10
Oatmeal, for every Hundred	-	-	-	0	0	1
Sugar, for every Hogshead	-	-	-	0	0	6
Bark, for every Ton	-	-	-	0	0	10
Copperas, for every Ton	-	-	-	0	0	1
Sulphur, for every Ton	-	-	-	0	0	1
Saltpetre, for every Ton	-	-	-	0	0	1
Clay, for every Ton	-	-	-	0	0	1
Flint, for every Ton	-	-	-	0	0	1

And 1*d.* per Ton on all other heavy Goods not specified above, except Coal, Culm, Stone Coal, Copper Ore, Iron Ore, and manufactured Copper, Iron, Tin, or Lead.

