



ANNO QUINQUAGESIMO OCTAVO

# GEORGI II. REGIS.

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## Cap. lxxv.

An Act to explain and amend an Act of the Fifty-second Year of His present Majesty, intituled *An Act for the Improvement of the Harbour of Kidwelly, and for making and maintaining a Navigable Canal or Tramroads in Kidwelly and Llanelly, and other Parishes therein mentioned, in the County of Carmarthen*; and to alter and enlarge the Powers thereof.  
[28th May 1818.]

**W**HEREAS an Act was passed in the Fifty-second Year of the Reign of His present Majesty, intituled *An Act for the Improvement of the Harbour of Kidwelly, and for making and maintaining a Navigable Canal or Tramroads in Kidwelly and Llanelly, and other Parishes therein mentioned, in the County of Carmarthen*: And whereas it was thereby enacted, that certain Persons therein named, their several and respective Successors, Administrators, and Assigns, together with such Person or Persons, Bodies Politic, Corporate, or Collegiate, as should at any Time thereafter be possessed of any Share or Shares in the Undertaking thereby authorized to be carried into Execution, should be and were thereby united into a Company, for the better restoring, improving, and maintaining of the said Harbour of *Kidwelly*, and for the better carrying on, making, completing, and maintaining of the said intended Canal and Railways or Tramroads, and carrying on, making, completing, and maintaining such Collateral Branches of Canal, Railways or Tramroads, Wharfs, Shipping Places, Drains, and other Conveniences, as were therein mentioned, according to the Rules, Orders, and Directions therein expressed and laid down, and should for that Purpose be One Body Politic

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and Corporate, by the Name of "The *Kidwelly* and *Llanelly* Canal and Tramroad Company;" and by that Name should have perpetual Succession and a Common Seal, and by that Name should and might sue and be sued, and also should and might have Power and Authority from and after the passing of the said Act, and at all Times hereafter, to purchase, hold, accept, and take Lands, Tenements, and Hereditaments, to them and their Successors and Assigns, for the Use of the said Undertaking, and the several Works thereby authorized to be made, and for the several Purposes therein mentioned, and also to sell any of the said Lands, Tenements, or Hereditaments purchased, accepted, or taken for the Purposes aforesaid, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain; And whereas it was thereby further enacted, that it should and might be lawful for the said Company, and they were thereby authorized, empowered, and required, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and others, to restore, improve, deepen, widen, and maintain, and from Time to Time to alter and improve, the Port and Harbour of *Kidwelly*, in the said County of *Carmarthen*; and for those Purposes to restore, excavate, make, maintain, and buoy with proper and sufficient Buoys, a navigable Cut or Channel from or from near a certain Place called *The Salmon Scar*, on the South Side of the River *Towey*, to the present Channel of the united Rivers *Gwendraeth*, at or near a certain Place there called *Bertwyn House*; and also to deepen, straighten, and maintain the then Channel of the said united Rivers, from or from near the said House or Place called *Bertwyn House*, to a certain Place on the *Little Gwendraeth* River, at the North End of *Kymer's* Canal, called *Kymer's Shipping Place*, in such Manner as to enable Vessels drawing Eight Feet Water to work up and navigate, on the lowest Neap Tides at High Water, the restored Channel of the said united Rivers of *Great Gwendraeth* and *Little Gwendraeth*, up to and from the said Place called *Kymer's Shipping Place* or *Dock*, such restored Channel to be at all Times maintained of a regular Descent from *Kymer's* Dock to the River *Towey*; and to make, erect, and maintain all such Piers, Quays, Wharfs, Jetties, Moorings, Chains, Lighthouses, Buoys, and other Works of proper Dimensions within the said Harbour of *Kidwelly*, as might be deemed necessary for the Reception and Protection, and the more convenient Accommodation, lading and unlading of Ships and Vessels resorting thereto, and for the better enabling such Ships and Vessels to come into and to go out of the same; and to make all such convenient Roads, Ways, and Passages of Communication with all Turnpike Roads or Highways then already made or to be made within One hundred Yards of the said Harbour, as might be deemed requisite for giving necessary Access to the said Harbour, Docks, Cuts, Canals, Wharfs, Warehouses, and other Works thereby authorized to be made, and the Carriage of Goods to and from the same; and also to make, complete, and maintain a Canal navigable and passable for Boats, Barges, and other Vessels, from or near a certain Place called *The Old Castle House*, at or near the Town of *Llanelly* in the Parish of *Llanelly*, into the Parish of *Kidwelly*, to join a certain Canal there then already made, called *Kymer's Canal*, at or near a certain Bridge called *Spudder's Bridge*, in the said County of *Carmarthen*; and also a Canal navigable and passable for Boats, Barges, and other Vessels, to begin at or near the East or Upper End of *Kymer's* Canal, at or near a certain Place called *Pwell Llygod*, in the Parish of *Pembrey* and County of *Carmarthen*, and to extend to a certain Common called *The Great Mountain*, in the Parish of *Llanarthney*,

in the said County of *Carmarthen*; and also to make a certain other collateral Navigable Canal, Branch, Railway, or Tramroad, as in the said Act is particularly mentioned; and also divers other Branches, as in the said Act are particularly mentioned and described; and also to make, construct, and maintain divers other Works therein specified and set forth: And whereas it was thereby enacted (amongst other Things), that if the said Company of Proprietors should at any Time thereafter, by reason of the heavy Costs and Charges of restoring, improving, and maintaining the said Harbour of *Kidwelly*, in the Manner by the said Act directed, be desirous to abandon and relinquish the said Harbour and the Management thereof, it should and might be lawful for the said Company of Proprietors so to do, on giving Notice in Writing under the Common Seal of the said Company of Proprietors to the Mayor of the said Borough of *Kidwelly* for the Time being, of such the Desire and Intention of the said Company of Proprietors: And whereas it was thereby amongst other Things enacted, that from and after such Notice should be so given to the Mayor of *Kidwelly* as aforesaid, and from thenceforth for ever thereafter, all and singular the Powers and Authorities vested in the said Company by the said Act, so far as the same related to the restoring, improving, and maintaining the said Harbour of *Kidwelly*, and the Duties thereby imposed on the Masters or Commanders and Owners of all and every Ship, Bark, Barge, Boat, and other Vessel, and all and every Person and Persons whomsoever, trading to and from, or using or resorting to the said Harbour of *Kidwelly*, should cease and determine to all Intents and Purposes whatsoever; and the said Harbour of *Kidwelly* should thenceforth be and remain a free Harbour, the same as if the said Act had never been made or passed; any thing therein contained to the contrary notwithstanding: And whereas it was by the said Act provided and enacted, that if the said Company of Proprietors should not, within the Space of Six Years from and after the passing of the said Act, restore, improve, and maintain the said Harbour of *Kidwelly* in Manner therein directed, and complete the said Canal thereby authorized to be made, from or from or near the East or Upper End of *Kymer's Canal* to *Pont Yates*; and also from another Part of *Kymer's Canal*, at or near *Spudder's Bridge* aforesaid, to *Lord Ashburnham's Canal*; and also the said Branch Canal from *Kymer's Canal* towards the said Bridge at *Kidwelly* aforesaid; that then and from thenceforth, from and after the End and Expiration of the said Term or Space of Six Years from and after the passing of the said Act, and for ever thereafter, all and every the Powers and Authorities by the said Act vested in the said Company of Proprietors, should cease and determine to all Intents and Purposes whatsoever: And whereas a Sum of Twenty-two thousand Pounds, or thereabouts, has been subscribed and actually raised under the Powers and for the Purposes in the said Act contained: And whereas the said Company, in pursuance of the Provisions in the said Act, immediately proceeded to endeavour to restore, improve, deepen, widen, maintain, alter, and improve the said Port and Harbour of *Kidwelly*; and for those Purposes, to restore, excavate, make, maintain, and buoy with proper and sufficient Buoys, a Navigable Cut or Channel, as in the said Act mentioned; and also to deepen, straighten, and maintain the Channel of the said united Rivers *Gwendraeth*, as in the said Act mentioned: And whereas the said Company, in such Endeavours to restore, improve, deepen, widen, maintain, alter, and improve the said Port and Harbour of *Kidwelly*, and to restore, excavate, make, maintain, and

and buoy with proper and sufficient Buoys, such Navigable Cut or Channel, and to deepen, straighten, and maintain the Channel of the said united Rivers *Gwendraeth*, according to the Intent and Meaning and according to the Provisions of the said Act, have expended a Sum of Money in the whole exceeding the Amount of Six thousand Pounds; but it has hitherto been found impracticable to accomplish, effectuate, and complete the Objects aforesaid; to the Extent contemplated in and by the said Act, but the said Company have buoyed with proper and sufficient Buoys a Navigable Cut or Channel from or near *Bertwyn Quay* on the *Little Gwendraeth* River to the Bay of *Carmarthen*: And whereas the said Company have proceeded upon the said other Works, mentioned and specified in the said Act, and have already executed a considerable Part thereof: And whereas the Space of Six Years from the passing of the said Act will shortly be elapsed; and if such Space of Six Years were to elapse without the said Harbour being restored, improved, and maintained in the Manner in the said Act directed; and the said Canal being fully completed, from or near the East or Upper End of *Kymer's Canal* to *Pont Yates*, and also from another Part of *Kymer's Canal*, at or near *Spudder's Bridge*, to Lord *Asburnham's Canal*, and also the Branch Canal from *Kymer's Canal* towards the Bridge at *Kidwelly* aforesaid, according to the Provisions of the said Act; then after the End or Expiration of the said Term or Space of Six Years, and for ever thereafter, all and every the Powers and Authorities by the said Act vested in the said Company of Proprietors would cease and determine, to all Intents and Purposes whatsoever, unless by the Authority of Parliament the Powers, Provisions, and Authorities of the said Act were renewed and enlarged: 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, in this present Parliament assembled, and by the Authority of the same, That the Powers and Authorities by the said Act vested in the said Company of Proprietors shall not cease or determine at the End or Expiration of the said Term or Space of Six Years from and after the passing of the said recited Act, but that all and every the Powers and Authorities, Provisions, Regulations, Clauses, Matters, and Things in the said recited Act contained (save and except such as are repealed, varied, or affected by this Act), shall be and continue in full Force, in as large and ample a Manner, and as effectually to all Intents and Purposes, as if the said Powers and Authorities, Provisions, Regulations, Clauses, Matters, and Things were repeated and re-enacted in the Body of this Act.

Powers of the former Act continued.

Powers of this Act to cease if certain Works not completed within Six Years.

II. Provided always, and be it further enacted, That if the said Company of Proprietors shall not within the Space of Six Years from and after the passing of this Act, complete the said Canal from or from near the East or Upper End of *Kymer's Canal* to *Pont Yates*; and also from another Part of *Kymer's Canal*, at or near *Spudder's Bridge* aforesaid, to Lord *Asburnham's Canal*; and also the said Branch Canal from *Kymer's Canal* towards the said Bridge at *Kidwelly* aforesaid; then and from thenceforth from and after the End or Expiration of the said Term or Space of Six Years from and after the passing of this Act, and for ever thereafter, all and every the Powers and Authorities by the said recited Act vested, and by this Act continued, in the said Company of Proprietors, shall cease and determine to all Intents and Purposes whatsoever.

III. And

III. And whereas by the said recited Act it was enacted, that the said Company of Proprietors, in making the said Cuts, Canal, Reservoirs, Docks, Basins, Entrances, Railways, Tramroads, and other Works thereby authorized to be made, should not deviate more than Two hundred Yards from their respective Courses in the said Map or Plan and in the said Book of Reference respectively set forth, without the Approbation or Consent in Writing signed by the Person or Persons to whom such Lands or Grounds and Hereditaments, into or through which such Deviation was intended to be made, did or should respectively belong; be it enacted by the Authority aforesaid, That from and after the passing of this Act, no such Cut, Canal, Reservoir, Dock, Basin, Entrance, Railway, Tramroad, or other Work hereafter to be formed or made, shall, either without or with such Approbation or Consent, deviate more than Two hundred Yards from their respective Courses in the said Map or Plan and in the said Book of Reference respectively set forth.

The Company not to deviate more than Two hundred Yards from the Lines laid down in the Plan, either with or without the Consent of the Owners of the Lands.

IV. And in consideration of the great Charge and Expence which the said Company have already incurred and sustained, and still further must incur and sustain; be it further enacted, That it shall and may be lawful for the said Company from Time to Time, and at all Times hereafter, to ask, demand, take, recover, and receive, to and for the Use and Benefit of the said Company, the several Rates herein-after mentioned for the Tonnage of all Coals, Limestone, Timber, Merchandize, and other Goods, Matters, and Things whatsoever, which shall be navigated, carried, or conveyed upon any Part of the said Canal, Collateral Cuts, Branches, Railways, or Tramroads hereby authorized; that is to say,

Power to take Rates, &c.

For all Goods, Wares, Merchandize, and other Things which shall be navigated, carried, or conveyed upon such Canal, Collateral Cuts, Railways, or Tramroads, (except Pig Iron, Iron Castings, Calcined Iron Ore, Stone, Iron Ore, Rotten Stone, Charcoal, Coal, Culm, Stone, Coal Cokes, Cinders, Timber, Deals, Stones, Tiles, Slates, Bricks, Clay, Limestones, Lime, Sand, and all Kinds of Manure), any Sum not exceeding the Sum of Four-pence *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile:

Rates.

And for all Iron Castings which shall be navigated, carried, or conveyed upon such Canal, Collateral Cuts, Railways, or Tramroads, any Sum not exceeding Three-pence *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile:

And for all Pig Iron which shall be navigated, carried, or conveyed upon the said intended Canal and Cuts, Railways or Tramroads, any Sum not exceeding Two-pence Halfpenny *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile:

And for all Calcined Iron Ore, Rotten Stone, Coals, Culm, Stone, Coal Cokes, Cinders, Charcoal, Timber, Deals, Stones, Tiles, Slates, and Bricks, which shall be navigated, carried, or conveyed upon such Canal and Cuts, Railways or Tramroads, any Sum not exceeding One Penny Three Farthings *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or for any greater or less Distance than a Mile:

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And for all Ironstone, Iron Ore, Limestone, Lime, Sand, Clay, and all Kinds of Manure, which shall be navigated, carried, or conveyed upon such Canal and Cuts, Railways or Tramroads, any Sum not exceeding One Penny *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile.

Power to levy  
Duties for  
Kidwelly  
Harbour, &c.

V. And, in consideration of the very great Charge and Expence which the said Company have already incurred and borne, in endeavouring as aforesaid to restore, improve, deepen, widen, and maintain, alter and improve, the said Port and Harbour of *Kidwelly*, according to the Intent and Meaning of the said recited Act, and to restore, excavate, make, and maintain such a navigable Cut or Channel as in the said Act is mentioned and described; and also to deepen, straighten, and maintain the Channel of the said united Rivers *Gwendraeth*, according to the Intention of the said recited Act; and also in consideration of the Expence which the said Company have incurred and sustained, in buoying with proper and sufficient Buoys the present Channel of the said united Rivers from *Bertwyn Quay* aforesaid to the said Bay of *Carmarthen*; be it further enacted, That whilst the said Company shall keep and maintain the said Channel buoyed with proper and sufficient Buoys as aforesaid from *Bertwyn Quay* to the said Bay of *Carmarthen*, all and every the Masters or Commanders and Owners of all and every Ship, Bark, Barge, Boat, and other Vessel, and all and every Person or Persons whosoever trading to or from or using or resorting to the said Harbour of *Kidwelly*, and also every Coal Owner or other Person shipping any Coal or Culm at or in the said Harbour, or at any Dock, Quay, or Wharf already made, or by the said recited Act or by this Act authorized to be made, shall from Time to Time and at all Times for ever hereafter, pay towards the Purposes of this Act, the Duty hereinafter particularly specified and set forth; that is to say,

Duties.

For every Ship, Bark, Barge, Boat, and other Vessel, agreeably to the Burthen or Tonnage thereof, to be ascertained by their respective Registers (where there shall be a Register thereof), and in all other Cases by the actual Admeasurement thereof, entering and using the said Harbour of *Kidwelly*, such Sum of Money as the said Company of Proprietors shall from Time to Time direct or appoint, not exceeding the Sum of One Halfpenny *per Ton*.

Powers, Provisions, Exemptions, &c. as to Rates and Duties in the former Act, to be applicable to the Rates and Duties under this Act.

VI. And be it further enacted, That all and every the Powers and Authorities, Regulations, Provisions, Exemptions, Clauses, Matters, and Things whatsoever, in the said recited Act contained, respecting the several Rates and Duties or any of them respectively by the said Act authorized, save and except in so far as the same are altered or affected in and by this Act, shall be applicable to the several Rates and Duties respectively by this Act authorized; and shall be of the same Force and Effect, touching the said Rates and Duties authorized by this Act, as if the said several Powers and Authorities, Regulations, Provisions, Exemptions, Clauses, Matters, and Things whatsoever, were here repeated and set forth.

For continuing to the Company the Right of making the

VII. Provided always, and be it further enacted, That if at any Time hereafter, within the Space of Twelve Years from the passing of this Act, it shall be found practicable to carry into Effect the Improvements to the said Port and Harbour of *Kidwelly*, as directed and prescribed in and by the

the said recited Act, and according to the true Intent and Meaning thereof, it still shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered so to do at any Time within the said Space of Twelve Years from the passing of this Act; and all the same and the like Powers and Authorities as are given in and by the said recited Act, touching or concerning and for the Purpose of the proposed Improvement of the said Port and Harbour of *Kidwelly*, as in the said recited Act mentioned, and touching and concerning the proposed navigable Cut or Channel, as in the said Act is mentioned, or touching or concerning the deepening, straightening, and maintaining of the said Channel of the said united Rivers *Gwendraeth*, as in the said Act is mentioned, shall be applicable to the forming, making, and maintaining of the Line or Channel of Communication in this Act before mentioned, and shall be and remain and are hereby continued to the said Company for the said Space of Twelve Years from the passing of this Act.

Improvements originally contemplated to the Harbour of *Kidwelly*, if practicable, within 12 Years.

VIII. And be it further enacted, That if the said Company of Proprietors shall, within the said Space of Twelve Years from the passing of this Act, well and effectually restore, improve, deepen, widen, and maintain the said Port and Harbour of *Kidwelly*, and restore, excavate, make, maintain, and buoy with proper and sufficient Buoys, a navigable Cut or Channel from or from near the said Place called *The Salmon Scar*, on the South Side of the River *Towey*, to the present Channel of the said united Rivers *Gwendraeth*, at or near the said Place there called *Bertwyn House*; and also deepen, straighten, and maintain the present Channel of the said united Rivers, from or from near the said House or Place called *Bertwyn House*, to the said Place on the *Little Gwendraeth* River, at the North End of *Kymer's* Canal, called *Kymer's Shipping Place*, in such Manner as to enable Vessels drawing Eight Feet Water to work up and navigate on the lowest Neap Tides at High Water the restored Channel of the said united Rivers of *Great Gwendraeth* and *Little Gwendraeth*, up to and from the said Place called *Kymer's Shipping Place* or *Dock*, such restored Channel to be at all Times maintained of a regular Descent from *Kymer's* Dock to the River *Towey*, and make, erect, and maintain all such Piers, Quays, Wharfs, Jetties, Mooring Chains, Lighthouses, Buoys, and other Works, of proper Dimensions, within the Harbour of *Kidwelly*, as may be competent and sufficient for the Reception and Protection and convenient Accommodation, loading and unloading of Ships and Vessels resorting thereto, and for enabling such Ships and Vessels to come into and go out of the same; and also make all such convenient Roads, Ways, and Passages of Communication with all Turnpike Roads or Highways already made or to be made within One hundred Yards of the said Harbour, as may appear to the said Company to be competent and sufficient for giving necessary Access to the said Harbour, and to the Docks, Cuts, Canals, Wharfs, Warehouses, and other Works authorized to be made by the said recited Act, and the Carriage of Goods to and from the same, according to the Provisions and to the true Intent and Meaning of the said recited Act; then and in such Case, and upon such Works being fully effected and completed in Manner aforesaid, it shall and may be lawful to and for any Three or more of His Majesty's Justices of the Peace in and for the said County of *Carmarthen* (which Justices shall be of the Quorum, and shall have no Interest whatever in the subject Matter) to certify under their Hands and Seals that such Works have been fully effected and completed

Duties payable in such Case.

pleted in Manner aforesaid; and after such Certificate so obtained, it shall and may be lawful to and for the said Company of Proprietors to give Notice in Writing under the Common Seal of the said Company to the Mayor of the said Borough of *Kidwelly* for the Time being, of their having fully effected and completed such Works in Manner aforesaid, and having obtained such Certificate as aforesaid; and from and after such Notice so given under the Common Seal of the said Company to such Mayor of the Borough of *Kidwelly*, and after a Copy of such Notice shall have appeared and been inserted in *The London Gazette*, together with a Copy of such Certificate, it shall and may be lawful for the said Company to demand, require, and receive, of and from all and every the Masters or Commanders and Owners of all Ships, Barks, Barges, Boats, and other Vessels, and all and every Person and Persons whatsoever, trading to or from or using the said Harbour of *Kidwelly*, and also all Coal Owners, or other Persons shipping either Coal or Cullm at or in the said Harbour, or any Dock, Quay, or Wharf hereby authorized to be made (instead and in lieu of the Duty herein-before mentioned, not exceeding the Sum of One Halfpenny *per* Ton), the Duty herein-after specified and set forth; that is to say,

For every Ship, Bark, Barge, Boat, and other Vessel, agreeably to the Burthen or Tonnage thereof, to be ascertained by their respective Registers (where there shall be a Register thereof), and in all other Cases by the actual Admeasurement thereof, entering and using the said Harbour of *Kidwelly*, such Sum of Money as the said Company of Proprietors shall from Time to Time direct or appoint, not exceeding the Sum of One Penny *per* Ton.

The same Powers, &c. in such case, as before enacted as to the other Duties.

IX. And be it further enacted, That from and after such Notice so given under the Common Seal of the said Company to the Mayor for the Time being of the Borough of *Kidwelly*, and after a Copy of such Notice, together with a Copy of such Certificate, appearing in *The London Gazette*, all and every the Powers and Authorities, Regulations, Provisions, Exemptions, Clauses, Matters, and Things whatsoever, shall be applicable to the said Duty herein-before last mentioned, as have been before enacted touching and concerning the said Duty not exceeding One Halfpenny *per* Ton, in the former Part of this Act mentioned; and shall be of the same Force and Effect as if the same Powers and Authorities, Regulations, Provisions, Exemptions, Clauses, Matters, and Things, were here repeated and set forth.

Two Justices may determine any Dispute as to Tolls or Rates, or the Expences in case of Distress.

X. And be it further enacted, That if any Disputes shall arise concerning any Rates or Tolls claimed under or by virtue of the said recited Act, or under or by virtue of this Act, and any Distress shall be had or taken under the Provisions or under Colour of the said recited Act or of this Act, for or on account of any such Rates or Tolls; or if any Dispute shall arise touching or concerning the Charges or Expences of any such Distress, then and in such Case it shall and may be lawful for any Two or more Justices of the Peace of the Quorum in and for the said County of *Carmarthen*, upon Application made to them for that Purpose, to examine the Matter in Dispute, upon the Oath of the Parties, or of any Witness or Witnesses, and to determine the Amount of the Tolls or Rates due; and it shall be lawful for such Justices to assess and award such Costs to be paid by either



of the Parties to the other of them as they shall think just and reasonable; and in case of Nonpayment thereof on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hands and Seals of such Justices; any thing in the said recited Act or in this Act contained to the contrary thereof in anywise notwithstanding.

XI. And whereas in and by a certain Clause in the said recited Act it was enacted, that the said Company of Proprietors should; and they were thereby required to commence the Works authorized to be made by virtue of the said Act, by restoring and improving the Harbour of *Kidwelly* in the Manner by the said Act directed; and that they should then, and they were thereby required, before they began to make any other Part of the Canal or Tramroad, or any of the said collateral Branches which they were by the said Act authorized to make, to begin, make, execute, and complete the Parts or Portions of the Work therein-after specified, that is to say; that Part of the Line of the said intended Canal which lay between the East or Upper End of *Kymer's* Canal, and a Place called *Pont Yates*, and also that Part of the said intended Canal which is marked on the Plan deposited with the Clerk of the Peace of the said County of *Carmarthen*, was to be carried over *Gwendraeth Vawr* River, on or by a Bridge or Aqueduct to the West of and near to a Bridge called *Spudder's Bridge*, till it joined a Canal called *Lord Ashburnham's* Canal, and also that Part of the said intended Canal called the *Branch Canal*, in a Direction towards the Bridge at *Kidwelly* aforesaid; provided nevertheless, that as soon as the said Company of Proprietors should have raised the Sum of Thirty-three thousand three hundred and eighty-five Pounds, then that it should and might be lawful for them to commence, make, and execute any other Part or Parts of the Works authorized to be made by virtue of the said recited Act as they should think proper, and proceed with the Execution thereof without postponing the same until they should have completed the Parts of the Works first therein-before directed to commence and be completed as aforesaid; but the said Company of Proprietors should, and they were thereby required to reserve and set apart the Sum of Fourteen thousand Pounds in their Hands out of the said Thirty-three thousand three hundred and eighty-five Pounds, for or towards the Completion of the Works therein-before directed to commence as last mentioned, for the Purpose of ensuring the due Execution of the same: Be it enacted, That the said Clause of the said recited Act shall be and the same is hereby repealed.

The Clause in the former Act, requiring the Company to begin their Works at certain Points, repealed.

XII. And be it further enacted, That if any Person or Persons interested in or desirous of making any Collateral Navigable Canal, Branch, Railway, or Tramroad, authorized in and by this Act or by the said recited Act, shall subscribe and advance to the said Company of Proprietors a sufficient Sum of Money for the making, completing, and effecting such Collateral Navigable Canal or Branch, Railway or Tramroad, and at the Time of the actual Advance of such Sum of Money, shall express and give Notice in Writing to the Clerk to the said Company of Proprietors, that the same is subscribed and advanced for the Purpose of making and completing any particular Collateral Navigable Canal or Branch, Railway or Tramroad; and if the said Company of Proprietors shall accept and receive such Sum of Money for that Purpose, then

Collateral Cuts may be made by Persons subscribing for the same.

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and in such Case the said Company of Proprietors shall and they are hereby required immediately to commence and begin upon, and forthwith to complete as speedily as may be, such Collateral Navigable Canal or Branch, Railway or Tramroad, as the Case may be; and the said Company of Proprietors shall and they are hereby required to apply and appropriate such Sum of Money so subscribed and advanced, or so much thereof as shall be necessary for the Purpose, and appropriate such Sum of Money so subscribed to the making, completing, and effecting of such Collateral Navigable Canal or Branch, Railway or Tramroad; any thing herein or in the said recited Act contained to the contrary notwithstanding.

In case the Company refuse to accept Subscription Money for making any Collateral Cut, it may be done by the Proprietor at his own Expence.

XIII. Provided always, and be it further enacted, That if any Person or Persons interested in or desirous of making or effecting any Collateral Navigable Canal or Branch, Railway or Tramroad, authorized in and by this Act or by the said recited Act, shall subscribe and actually tender to the said Company of Proprietors, or to any Person or Persons lawfully authorized and empowered to act for them, a Sum of Money sufficient and adequate for the making or effecting of any such Collateral Navigable Canal or Branch, Railway or Tramroad, and if the said Company of Proprietors shall refuse to accept the same for such Purpose and on such Account, then and in such Case it shall and may be lawful for such Person or Persons so interested in or desirous of making and effecting the same, to give Notice in Writing to the Clerk to the said Company of Proprietors, of his or their Intention to make, effect, and complete such Collateral Navigable Canal or Branch, Railway or Tramroad, at his, her, or their own Expence; and at the Expiration of Three Calendar Months from the Time of giving such Notice, it shall and may be lawful for such Person or Persons to make, complete, and effect such Collateral Navigable Canal or Branch, Railway or Tramroad, at his, her, or their own Expence, but under the Direction and Superintendance of the Surveyor to the said Company of Proprietors: Provided always, that when and so soon as such Person or Persons shall have actually completed and accomplished such Collateral Navigable Canal or Branch, Railway or Tramroad, under the Direction and Superintendance of the said Surveyor, then and in such Case such Person or Persons, for every Sum of One hundred Pounds so by him, her, or them actually and *bonâ fide* expended for the making, completing, and effecting of such Collateral Navigable Cut, Branch, Railway, or Tramroad, shall become and be a Proprietor of a Share of One hundred Pounds, and shall be entitled to all and singular the same Rights, Privileges, Emoluments, and Advantages, as if the same had been subscribed for the general Purposes of the said recited Act or of this Act, to all Intents whatsoever.

Subscribers may direct the Application of their Subscription to particular Works.

XIV. And be it further enacted, That if any Person or Persons shall hereafter subscribe for the Purpose of becoming a Proprietor according to the Provisions of this Act or of the said recited Act, and shall at the Time of such Subscription, by any Writing under his Hand, distinctly give Notice to the said Company of Proprietors, or to their Clerk for the Time being, that it is his, her, or their Wish and Meaning that the Sum or Sums of Money by him, her, or them actually advanced shall be appropriated and applied towards the making or effecting of any particular Part of the Works authorized by this Act or by the said recited Act, then and in such Case the said Company of Proprietors shall and they are hereby required,

in the Event of their accepting and receiving after such Notice such Sum or Sums of Money, to appropriate and apply the same in the first Instance towards the making and completing of such Part of the said Works, according to the Notice or Requisition of the Party or Parties so advancing the said Sum or Sums of Money; any thing herein-before contained to the contrary notwithstanding.

XV. And be it further enacted, That from and out of the Money now in Hand, and out of the first Monies that shall or may be received after the passing of this Act, under or by virtue of the same, the Costs, Charges, and Expences of procuring and passing this Act, shall be first paid and satisfied.

For paying  
the Expences  
of the Act.

XVI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to restrain, hinder, or prevent the Lord of the Manor or Lordship of *Kidwelly*, his Heirs or Assigns, from exercising any Manorial or other Right or Rights vested in him, or which he is entitled to, in such Manner to all Intents and Purposes as if this Act had not been passed, so as not to prevent, hinder, or obstruct the carrying of the several Powers and Authorities given by this Act into Execution, or from making any Navigable Cut or Cuts with Locks, Stop Gates, Towing Paths, and all other Conveniences, with or without Rollers or inclined Planes, and also to make any Railways or Tramroads, in such Manner as he or they shall think proper, in, through, or upon his or their Lands or Grounds, to communicate with the said Canal, Cuts, and Railways or Tramroads, so that the same be done without doing any Injury or Damage to the said Canal and Cuts, Railways or Tramroads, and other the Works authorized to be made by virtue of this Act or the said recited Act.

Saving  
Rights of the  
Lord of the  
Manor or  
Lordship of  
*Kidwelly*.

XVII. And be it further enacted, That no Action, Suit, or Information shall be brought, commenced, or prosecuted against any Person or Persons, for any Thing done or to be done in pursuance of this Act, or in the Execution of the Powers and Authorities or any of the Orders made, given, or directed in, by, or under this Act, unless One Calendar Month's previous Notice shall be given by the Person or Persons intending to commence and prosecute such Action, Suit, or Information, to the said Company, or to the Clerk or Treasurer for the Time being, nor unless such Action, Suit, or Information shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards, and shall be laid and brought in the County where the Matter in Dispute or Cause of Action shall arise, or in the County of *Hereford*, and not elsewhere; and the Defendant or Defendants in such Action, Suit, or Information shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if such Action, Suit, or Information shall have been brought and commenced before or after the Time so limited for bringing the same, or in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall  
become

Limitation  
of Actions.

become nonsuit, or suffer Discontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall have been given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law.

**Public Act.** XVIII. 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, without being specially pleaded.

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