



CHAPTER vii.

An Act to postpone the repayment of certain mortgages granted by the Swansea Harbour Trustees and for other purposes. A.D. 1916.
—
[25th May 1916.]

WHEREAS the Swansea Harbour Trustees (in this Act called "the Trustees") were incorporated by the Swansea Harbour Act 1854 and further powers have been conferred upon them by the Acts specified in the Schedule to this Act:

And whereas the Trustees have from time to time granted mortgages for short terms certain of which mortgages are repayable on the first day of January and the first day of July in each year:

And whereas the trade of the port and harbour of Swansea has been adversely affected by the present war and owing thereto and to the financial situation created by the war the Trustees are for the time being unable to re-borrow the sums necessary to repay the said mortgages as they fall due for repayment and it is accordingly expedient that the repayment of mortgages falling due prior to the second day of January one thousand nine hundred and nineteen should be postponed as by this Act provided:

And whereas the postponement of such repayment has been approved by more than three fourths in number of the holders of the mortgages affected who together hold more than three fourths of the aggregate amount of such mortgages:

And whereas it is expedient that the other powers contained in this Act should be granted:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

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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 as follows:—

Short and
collective
titles.

1. This Act may be cited for all purposes as the Swansea Harbour Act 1916 and this Act and the Acts specified in the Schedule to this Act may be cited together as the Swansea Harbour Acts 1854 to 1916.

Interpreta-
tion.

2. In this Act—

The expression “the Trustees” means the Swansea Harbour Trustees;

The expression “the Act of 1901” means the Swansea Harbour Act 1901; and

The expression “the Act of 1907” means the Swansea Harbour Act 1907.

Incorporation
of Harbours
Docks and
Piers Clauses
Act 1847.

3. The provisions of the Harbours Docks and Piers Clauses Act 1847 are except so far as such provisions are varied by this Act hereby incorporated with and form part of this Act.

Postpone-
ment of
redemption
of certain
mortgages.

4. Every mortgage granted by the Trustees the principal moneys secured by which become due by virtue thereof or of any memorandum endorsed thereon on any date between the thirtieth day of June one thousand nine hundred and sixteen and the second day of January one thousand nine hundred and nineteen shall be read and construed and have effect as if the date on which the principal moneys secured thereby become due for repayment had been the first day of July one thousand nine hundred and nineteen in lieu of the date specified in such mortgage or memorandum. Provided that as from the date on which the principal moneys secured by any such mortgage would but for the passing of this Act have become due for repayment until the actual date of repayment thereof interest shall be payable thereon at the rate of five pounds per centum per annum instead of at the rate prescribed by such mortgage or memorandum. Provided also that if at any time before the repayment of such principal moneys the Trustees shall make default in the payment of any interest payable on the principal moneys secured by any mortgage granted by the Trustees for the time being outstanding or of the interest on any stock issued by the Trustees then and in such case the said principal moneys

secured by the mortgages first in this section referred to shall notwithstanding the foregoing provisions be deemed to have become due for repayment at the respective dates on which the same would have been so due if this Act had not been passed.

Power to appropriate lands &c. to particular trades.

5.—(1) Section 31 (Power to set apart and appropriate berths &c.) of the Act of 1901 and section 12 (Further power as to berths &c. on eastern side of entrance channel) of the Act of 1907 are hereby repealed but without prejudice to anything which may have been done thereunder and the Trustees may set apart and appropriate any lands wharves quays berths warehouses manufactories buildings works or conveniences for the time being belonging to them for the exclusive partial or preferential use and accommodation of any particular trades persons companies vessels or goods or class of vessels or goods subject to the payment of and exemption from such reasonable rents rates dues tolls and charges on vessels and goods and subject to such other terms conditions and regulations as they may from time to time think fit Provided that every such exemption shall be made equally to all persons in respect of all vessels falling within the same class or description carrying the same description of goods and in the like circumstances:

Provided always that nothing contained in this section shall lessen or affect the rights powers liberties and authorities granted or agreed to be granted by the Trustees to or vested in the Midland Railway Company and Gertrude Barbara Rich Tennant respectively by any statute deed or agreement:

Provided also that nothing contained in this section shall authorise the Trustees to stop up or otherwise interfere with any right of way existing at the date of the passing of this Act:

Provided further that nothing contained in this section shall be construed as enabling the Trustees to interfere with the rights and privileges (if any) enjoyed before the passing of this Act by persons employed or plying for hire within the harbour or to prevent such persons from having the same rights (if any) of ingress and egress to and from the harbour or any part thereof as were available to them before the passing of this Act.

(2) No person or vessel shall make use of any land wharf quay berth warehouse manufactory building work or convenience so set apart or appropriated without the consent of the

A.D. 1916. harbour-master and the harbour-master may order any such person or vessel making use thereof without such consent to be removed and the provisions of section 58 of the Harbours Docks and Piers Clauses Act 1847 shall extend and apply mutatis mutandis to and in relation to any such vessel.

Power to grant leases of lands for certain purposes.

6. Section 37 (Trustees may grant leases of lands for certain purposes) of the Act of 1901 and section 10 (Amendment of section 37 of Act of 1901) of the Act of 1907 are hereby repealed but without prejudice to anything which may have been done thereunder and notwithstanding anything contained in section 23 of the Harbours Docks and Piers Clauses Act 1847 the Trustees from time to time may grant for any term not exceeding ninety-nine years leases of any lands wharves quays berths warehouses manufactories buildings works and conveniences for the time being belonging to them and easements in on and over any such lands for the purpose of the exclusive partial or preferential use and accommodation of any particular trades persons companies vessels or goods or class of vessels or goods and for the purpose of erecting and laying down thereon and therein such wharves quays berths dry docks furnaces stores warehouses manufactories buildings mains pipes and other works and conveniences as may be requisite or convenient in connection therewith and the Trustees may accept surrenders of such leases and leases granted by them under the said section 37 of the Act of 1901 on such conditions as they think fit.

For protection of Great Western and Rhondda and Swansea Bay Railway Companies.

7. Nothing in this Act shall prejudice or affect any agreements between the Trustees on the one hand and the Great Western Railway Company and the Rhondda and Swansea Bay Railway Company or either of them on the other hand or in any way exempt or relieve the Trustees from any of their obligations or deprive the Great Western Railway Company or the Rhondda and Swansea Bay Railway Company of any of their respective rights thereunder or under any Act of Parliament or otherwise.

Costs of Act.

8. All the costs charges and expenses of applying for obtaining and passing this Act and incidental thereto shall be borne and paid by the Trustees out of the Swansea Harbour Fund.

The SCHEDULE referred to in the foregoing Act.

A.D. 1916.

The Swansea Harbour Act 1854.
The Swansea Harbour Act 1857.
The Swansea Harbour Act 1859.
The Swansea Harbour Act 1860.
The Swansea Harbour Act 1861.
The Swansea Harbour Act 1862.
The Swansea Harbour Act 1864.
The Swansea Harbour Act 1866.
The Swansea Harbour Act 1873.
The Swansea Harbour Act 1874.
The Swansea Harbour Act 1876.
The Swansea Harbour (Extension of Time) Act 1880.
The Swansea Harbour Act 1883.
The Swansea Harbour Act 1886.
The Swansea Harbour Act 1894.
The Swansea Harbour Act 1895.
The Swansea Harbour Act 1896.
The Swansea Harbour Act 1901.
The Swansea Harbour Act 1907.
The Swansea Harbour Act 1913.

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