



ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

Cap. lxxi.

An Act for improving and maintaining the Port or
Harbour of *Neath* in the County of *Glamorgan*.
[12th July 1843.]

WHEREAS an Act was passed in the Thirty-ninth and Fortieth Years of the Reign of His Majesty King *George* the Third, intituled *An Act for the Appointment and Regulation of Pilots and Hoblers for the conducting of Ships and Vessels into and out of the Port or Harbour and River of Neath in the County of Glamorgan, for placing Buoys upon the Bar of Neath, and the Removal of Obstructions in the said Port or Harbour and River, for regulating the mooring of Ships and Vessels therein, and for the Regulation of Porters within the said Port or Harbour and River, and within the Town of Neath*: And whereas it is expedient that more effectual Provision should be made, and that further and additional Powers should be granted, for the Improvement and Preservation of the said Port or Harbour of *Neath*, and for the better Regulation thereof: And whereas it would facilitate the Objects hereinbefore mentioned if the said recited Act of the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third was repealed, and other Powers and Provisions granted in lieu thereof; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted

[Local.] 24 G enacted

Recited Act
repealed.

enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said recited Act of the Thirty-ninth and Fortieth Years of the Reign of King *George* the Third shall be and the same is hereby repealed.

Property of
Commis-
sioners under
recited Act
vested in
Commis-
sioners under
this Act.

II. And be it enacted, That the Estate and Interest of and in the present Port or Harbour of *Neath*, and of and in the present and future Piers, Jetties, Breakwaters, Sluices, Lights, Buoys, Anchors, and other Works in any way appertaining to the said Port or Harbour, and of and in all Funds, Goods, Chattels, and Effects purchased or otherwise obtained by or belonging to the Commissioners acting in the Execution of the said recited Act under the Authority and for the Purposes of such Act, or which shall at any Time hereafter be purchased or otherwise obtained by the Commissioners acting in the Execution of this Act, and all Powers, Privileges, Jurisdictions, and Authorities which at the Time of the Repeal of the said recited Act were vested in or appertained to the Trustees or Commissioners acting in the Execution thereof, shall be and the same respectively are hereby absolutely vested in the Commissioners for the Time being for executing this Act, for the Purposes of this Act, subject always however to the existing Debts and Liabilities heretofore contracted by the Commissioners of the said Harbour; and such Funds, Goods, Chattels, and Effects so hereby vested in the said Commissioners, may be sold and disposed of from Time to Time as such Commissioners shall think proper; and the Money arising by such Sale or Sales shall be applied in aid of such of the Purposes of this Act as the said Commissioners shall think proper; and the said Commissioners are hereby authorized to bring any Action, or to prefer any Bill of Indictment, or to take any other Proceedings, (as the Case may require,) against any Person who shall injure, steal, take, carry away, or detain any or any Part of the Property, Works, Articles, or Effects so vested in them as aforesaid.

Duties, &c.
due under
recited Act
may be re-
covered by
the Commis-
sioners for
executing
this Act.

III. Provided always, and be it enacted, That, notwithstanding the Repeal of the said recited Act, all Duties and Rates which before the Commencement of this Act shall have become payable, and all Fines and Penalties which shall have been incurred, and all Bonds, Contracts, and Agreements which shall have been given or entered into, under or by virtue of the said recited Act, and all other Monies due, in respect of the said Port or Harbour, to the Commissioners acting in the Execution of the said recited Act, and which shall respectively remain uncollected or unpaid, or be in existence or unperformed, at the Time of the Commencement of this Act, shall and may be collected, recovered, and enforced by the Commissioners for executing this Act, in the same Manner and by the same Ways and Means as if such Duties and Rates had been imposed or become due, and as if such Fines and Penalties had been incurred, and as if such Bonds, Contracts, and Agreements had been entered into, and as if such Monies had become due, under or by virtue of this Act;

and all Treasurers, Collectors, Officers, and other Persons who at the Time of the Commencement of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or other Effects relating to the said Port or Harbour belonging to the Commissioners acting in the Execution of the said recited Act shall be liable to account for and deliver up all such Monies, Books, Documents, Papers, Writings, and Effects to the Commissioners for executing this Act, in the same Manner, and subject to the same Process and Penalties for Refusal or Neglect, as if such Treasurers, Collectors, Officers, or other Persons had been appointed by the Commissioners acting in the Execution of this Act; and all other Persons who at the Time of the Commencement of this Act shall owe any Money to the Commissioners acting in the Execution of the said recited Act, for or in respect of any Matter or Thing affecting or relating to such Act, shall be liable to the Payment of such Money to the Commissioners acting in the Execution of this Act, and in case of Refusal or Neglect to pay the same shall be subject to the Provisions of this Act for the Recovery thereof as if such Money had become due under or by virtue of this Act.

IV. Provided also, and be it enacted, That all Bonds, Mortgages, Assignments, Grants, and other Securities, and all Conveyances and Leases, entered into, made, or granted to or by any Person by virtue or under the Authority of the said recited Act shall be as valid and effectual as if such Act had not been repealed. Securities under recited Act made valid.

V. Provided also, and be it enacted, That all Books kept containing the Accounts and Proceedings of the Commissioners acting in the Execution of the said recited Act, and all Entries therein, shall be admitted in Evidence in all Courts of Law, and by all Judges, Justices, and others. Books under the recited Act to be Evidence.

VI. Provided always, and be it enacted, That the Duties, Rates, and other Monies by this Act granted to the Commissioners acting in the Execution thereof, and all Duties, Rates, and other Monies to be recovered under the said recited Act, and all Goods, Chattels, and Effects, and all Monies, which at the Time of the Commencement of this Act shall be in hand under the same Act, shall be liable to the Payment of all Monies which at the Time of the Commencement of this Act are due and owing on the Credit or under the Authority of the said recited Act, and of all Interest due and to grow due thereon, and to all proper Proceedings thereon for the Recovery thereof, as fully and effectually to all Intents and Purposes as if such Monies had become due on the Credit or under the Authority of this Act. This Act made liable to Debts created under the recited Act.

VII. Provided also, and be it enacted, That the Treasurer, Secretary, and Clerk, (if appointed consistently with the Provisions of this Act in reference to the Offices of Clerk and Treasurer,) and all other Officers appointed under the said recited Act, or in the Employment of the Commissioners acting in the Execution of such Act at the Time of the Commencement of this Act, shall hold and enjoy their respective Offices and Employments until removed therefrom by the Officers appointed under the recited Act to be continued in Office, unless removed by Commissioners.

Commissioners for executing this Act; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages in the Execution of this Act, and shall be liable to the same Penalties, Obligations, Restrictions, and Regulations in every respect, as if they had been respectively appointed under or by virtue of this Act.

Officers
under recited
Act to ac-
count under
this Act.

VIII. And be it enacted, That all Persons who are or have been employed, or who shall have received any Duties or other Money, or who may owe or be subject to the Payment of any Money, by virtue of the said recited Act, or who shall have in their Custody or Possession any Boats, Crafts, Machinery, Tools, Money, Books, Accounts, Receipts, Papers, Writings, or other Matters or Things relating to the said Port or Harbour and River, or connected therewith, shall be liable to account for, pay, and deliver over the same, and every Part thereof, to the Commissioners nominated by this Act, or to any Person whom they may appoint, in the same Manner as if they had been employed or had received such Money, or were subject to the Payment of such Money, or had such Things in their Custody or Possession, by virtue of this Act.

This Act not
to abate
Actions
heretofore
brought.

IX. And be it enacted, That nothing contained in this Act shall abate or affect any Action, Suit, or other Proceeding whatsoever brought, commenced, or instituted by or against the said Commissioners under the said recited Act, but that such Action, Suit, or other Proceeding shall be carried on and prosecuted by or against the Commissioners by this Act created, in the like Manner and with the like Effect as the same could or might have been continued or carried on if the said recited Act had not been repealed, or as if the same had been commenced after the passing of this Act by or against the Commissioners hereby created.

Commis-
sioners.

X. And be it enacted, That the Mayor, Aldermen, and Councillors of the Borough of *Neath* for the Time being, and their Town Clerk for the Time being, and the several Owners of the several Estates following, (that is to say,) the *Britonferry* Estate, the *Gnoll* Estate, the *Neath Abbey* Estate, the *Ynisygerwn* Estate, the *Aberpergwm* Estate, the *Cadoxton Lodge* Estate, and the *Eaglesbush* Estate, situate in the several Parishes of *Britonferry*, *Neath*, *Lantwit-juxta-Neath*, *Cadoxton-juxta-Neath*, and *Glyncorrwg*, in the said County of *Glamorgan*, and their respective Successors thereto, together with their respective chief Agents (for the Time being) of such Estates, and *Rees Williams* of *Aberpergwm*, *Howel Gwyn* of *Baglan House*, *Thomas Dumayne Place* of *Efrwd Vale*, *John Swayne Place* of the same, *Frederick Fredricks* of *Dyffryn*, *Jonathan Rees* of *Neath*, *Henry Tennant* of *Cadoxton Lodge*, *Charles Tennant* of the same Place, *Griffith Llewellyn* of *Baglan Hall*, *William Llewellyn* of *Greenfield*, *John Rowland* of *Plas-y-felyn*, *Nathaniel Tregelles* of *Neath Abbey*, *Henry Thomas* of *Preswylfa*, *Robert Place Leyson* of *Neath*, *James Evans* of *Neath*, *Isaac Redwood* of *Cae Wern* near *Neath*, *William Llewellyn* of *Aberdylais*, *Llewellyn Llewellyn* of *Ynispenllwch*, *John Parsons* of the *Graig*, *Robert Evans* of *Neath*, *William Weston Young* of *Waincîrch*, *Townshend Wood* of *Cadoxton*, *Charles Strange* of *Forchdwm*,
Nash

Nash Vaughan Edwards Vaughan of Rheola, James Wittit Lyon of London, Michael Williams of Morfa near Swansea, John Michael Williams of the Crown Copper Works, Richard Hill Miers of Ynispenllwch, David Howell Morgan, and Henry Simmons Coke, both of Neath, and the several Proprietors and their Lessees for the Time being of the several Collieries and Works following, (that is to say,) the Aberpergwm Colliery, the Maesmarchog Colliery, the Duffryn Colliery, the Level Newydd Colliery, otherwise called "Parson's Colliery," the Gnoll Colliery, the Forchdwm Colliery, the Eaglesbush Colliery, the Rhigos Colliery, the Neath Abbey Colliery, the Eskyn Colliery, the Aberdylais Forges and Mills, and also the chief Agents for the Time being of the several Works following, (that is to say,) the Neath Abbey Iron Company at Neath Abbey, the Mines Royal Copper Company, and the Crown Copper Works at Neath Abbey, and the Clerk or chief Agent for the Time being of the Neath Canal Company, shall be and they are hereby constituted and appointed Commissioners for carrying into execution and accomplishing the several Powers, Provisions, and Objects herein specified, and designated by the Name and Style of "The Commissioners for improving the Port and Harbour of Neath:" Provided always, that if several Persons be jointly or severally seised or entitled as Owners, Proprietors, or Lessees to any of the Estates, Collieries, and Works herein-before described, then such One only of such Owners, Proprietors, or Lessees for the Time being as may be appointed or agreed upon by such Owners, Proprietors, or Lessees respectively shall be entitled to act or vote at any Meeting to be held under the Provisions of this Act.

XI. And be it enacted, That if at any Time any Commissioner herein named for executing this Act, or who shall have been appointed under this Act, shall die, resign, refuse, or become incapable to act, or shall in any other Way be disqualified from acting, in the Trusts hereby reposed in him, then the surviving or continuing Commissioners shall and they are hereby required from Time to Time, at any General or Special Meeting after such Death, Resignation, Refusal, Incapacity, or Disqualification, to appoint such Person to be a Commissioner in the Room of him so dying, resigning, refusing, or becoming so incapacitated or disqualified to act as aforesaid, as the Commissioners shall think fit; which Person so to be appointed shall have all such and the same Powers and Authorities as the Commissioner in whose Room he shall succeed.

Power to
appoint
new Com-
missioners.

XII. And be it enacted, That every Person resident in the said Borough of *Neath*, or within Fifteen Miles thereof, who shall be seised or possessed of Real or Personal Property, or of both, of the clear Value of One thousand Pounds above what will satisfy his Debts, or being resident as aforesaid shall be seised or possessed in his own Right, or in Right of his Wife, and in the actual Enjoyment or Receipt, of the Rents of Lands, Tenements, or Hereditaments of the clear yearly Value of Fifty Pounds, or shall occupy, and shall for Twelve Months next previous have occupied, a House, Store, Warehouse, or Counting House, or other Building, which, either separately or jointly, shall be rated for the Relief of the Poor

Qualifica-
tions of Com-
missioners.

[Local.]

24 H

at

at the annual Value of Fifty Pounds or upwards, situate within the Borough of *Neath*, shall be eligible to be elected a Commissioner, and none other.

Same Property not to give 2 Qualifications.

XIII. And be it enacted, That the same Property shall not give a Qualification to Two Commissioners at the same Time as the Owner and Occupier thereof.

No Bankrupt or Insolvent to be a Commissioner.

XIV. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing a Commissioner.

No Person holding Office or concerned in a Contract to be a Commissioner.

XV. And be it enacted, That if at any Time subsequently to the Appointment or Election of any Commissioner he shall accept or continue to hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract, or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant.

Shareholders in Companies established under Act not disqualified by reason of Contract.

XVI. Provided always, and be it enacted, That no Person being a Shareholder or Member of any Joint Stock Company established by Act of Parliament shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners, but no such Commissioner being a Member of such Company shall vote upon any Question relating to the Execution of this Act in which such Company may be interested.

Commissioner not incapable to act as a Justice.

XVII. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner.

Declaration by Commissioners.

XVIII. And be it enacted, That no Person shall be capable of acting as a Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made and signed before One of the Commissioners a Declaration to the Effect following :

‘ I *A.B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act of Parliament passed in the Year of the Reign of Queen *Victoria*, intituled [*here insert the Title of this Act*], and also that I am seised or possessed of Real or Personal Property, or of both, of the clear Value of One thousand Pounds above what will satisfy my Debts ; or, am seised or possessed in my own Right or in Right of my Wife, and in the actual Receipt, of the Rents of Lands, Tenements, or Hereditaments of the clear yearly Value of Fifty Pounds ; or, do occupy and have for the last Twelve Months occupied, a House, Store, Warehouse, or Counting-house, or other Building, which, either separately or jointly, has been rated for the Relief of the Poor within the Borough of *Neath* at the annual Value of Fifty Pounds or upwards.’

XIX. And

XIX. And be it enacted, That any Person who shall falsely or corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Particular, shall be guilty of a Misdemeanor. Penalty on making a false Declaration.

XX. And be it enacted, That at the Meeting of Commissioners at which any Person shall first attend as one of such Commissioners such Person shall make and subscribe the Declaration herein required, and it shall be lawful for any Person attending as one of such Commissioners, whether he shall himself have made such Declaration or not, to administer such Declaration. Declaration to be taken at the First Meeting.

XXI. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act, or not being duly qualified, or before he shall have made or subscribed such Declaration as aforesaid, or after having become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds; and such Penalty may be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified, and had made and subscribed the Declaration aforesaid, or he shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of this Act; nevertheless, all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previous to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified. Penalty on Commissioner acting not being qualified.

XXII. And be it enacted, That if any Commissioner fail to act in the Execution of this Act for One Year, or shall cease to reside within the said Borough, or within Fifteen Miles thereof, such Commissioner shall be deemed to have refused to act, and therefore shall cease to be a Commissioner, and another Person shall be elected, pursuant to the Directions of this Act, in the Room of the Person so absenting himself or ceasing to reside. Commissioners absenting themselves shall cease to be Commissioners.

XXIII. And be it enacted, That the Commissioners for executing this Act shall hold their First General Meeting at the Guildhall in the Borough of *Neath*, upon the *Monday* next after the Sixth *Friday* after the passing of this Act, or within Six Days thereafter, at Twelve of the Clock at Noon, and proceed to put this Act into execution; and a General Meeting of the Commissioners shall be held on the last *Monday* in *April* annually, at the Place and Hour aforesaid, unless some other Time or Place shall be appointed by the Commissioners; and it shall be lawful for the Commissioners present at such first or any subsequent Meeting from Time to Time to adjourn such Meeting to the same or any other Place within the said Town, or within Four Miles thereof; and if at any such Meeting there shall not be Five Commissioners present within Half an Hour after the Time appointed for such Meeting, then it shall be lawful for the Commissioners present, or the major Part of them, or any One Commissioner First and other Meetings

missioner if only One be present, to adjourn such Meeting to another Day, but no Adjournment of any Meeting shall extend beyond the Term of One Calendar Month from the Day on which such Adjournment shall take place; and if the Meeting shall not be adjourned, then it shall be lawful for any Two of the Commissioners, or the Clerk, to appoint a Meeting to be held at the Guildhall aforesaid, or some other convenient Place; and not less than Three Days Notice shall be given of such intended Meeting.

Special Meetings.

XXIV. And be it enacted, That it shall be lawful for the said Commissioners to hold Special Meetings, and any Eight or more of the Commissioners may require a Special Meeting to be held, but no such Meeting shall be held unless Seven Days Notice thereof shall be given.

Quorum of Commissioners.

XXV. And be it enacted, That all Powers of this Act may be exercised by any Five or more of the Commissioners present at any Meeting holden in pursuance of this Act, and no Business shall be transacted at any Meeting of the Commissioners unless Five or more Commissioners shall be present at such Meeting.

How Notices of Meetings are to be given.

XXVI. And be it enacted, That all Notices of any Meeting to be held under the Authority of this Act shall be in Writing or Print, or partly in Writing or partly in Print, and shall be delivered or sent by the Post to the usual Place of Abode of each of the Commissioners, and published on the Doors of the Custom House and Guildhall within the said Borough, Three Days at least previous to such Meeting; and every Notice shall be signed by the Clerk of the Commissioners, and shall specify the Time and Place of meeting, and in case of a Special Meeting shall specify the Object thereof; and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

Expences at Meetings.

XXVII. And be it enacted, That at all Meetings of the Commissioners they shall defray their own Expences, except for the Use of the Room in which the Meeting is held.

General Meeting may appoint Committees.

Duration of Committees.

XXVIII. And be it enacted, That it shall be lawful for the said Commissioners at any General Meeting to appoint a Committee, consisting of not more than Seven of the Commissioners, for carrying into effect any of the Provisions of this Act, and at any General Meeting to continue, alter, or discontinue such Committee; but no such Committee shall be appointed to act for a longer Term than until the Annual General Meeting of the Commissioners next following its Appointment.

Quorum of Committees.

XXIX. And be it enacted, That no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee be present.

Order of Business at Meetings of Commis-

XXX. And be it enacted, That at every Meeting of the Commissioners or Committee One of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present

present at such Meeting, and all Questions considered at any such Meeting shall be decided by the Votes of a Majority present, and if there be an equal Division of Votes the Chairman, in addition to his own Vote as a Commissioner or Member of the Committee, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, then One of the Commissioners having an equal Number of Votes, whose Name would stand first if the Names of the Commissioners present were alphabetically arranged, shall be Chairman of such Meeting: Provided always, that the Mayor of the said Borough of *Neath* for the Time being shall, if present at any such Meeting, be the Chairman thereof.

XXXI. And be it enacted, That no Resolution or other Act of any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be called expressly for such Alteration or Revocation, by Notice given Ten Days at least previous to the holding thereof, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Number of the Commissioners present at such subsequent Meeting be not greater than the Number present when such Resolution was made, or such Act was done, or in case the Number of Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting, then by a simple Majority.

XXXII. And be it enacted, That it shall be lawful for the Commissioners or their Committee to enter into Contracts with any Persons for the Execution of any Works directed or authorized by this Act to be done by the said Commissioners, and for furnishing any Materials for the same, or which may be required by the Commissioners; and every such Contract shall be in Writing, and shall specify the Works to be done, and the Materials to be furnished, and an Entry of such Contract shall be made in a Book to be kept by the Clerk of the Commissioners for that Purpose.

XXXIII. And be it enacted, That every such Contract shall be signed by any Five or more of the Commissioners, and the other Parties thereto; and such Contracts shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs recovered, by or against the Commissioners or the other Parties failing in the Execution thereof.

XXXIV. And be it enacted, That during the Execution of any such Contract the Works in course of being done under such Contract, and all the Materials of every Description brought upon or near such Works for the Purpose of being used in the Execution of such Contract, shall, for the Purpose of protecting the same from Injury by Indictment as herein-after mentioned, be held to be the Property of such Commissioners.

[*Local.*]

24 I

XXXV. And

Indictments
how to be
preferred.

XXXV. And be it enacted, That it shall be lawful for the Commissioners, by their Clerk, to prefer any Bill of Indictment against any Person who shall steal, take, or carry away any Property, Article, or Thing belonging to the said Commissioners; and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Bill of Indictment shall be preferred to be the Property of the Commissioners for executing this Act, without naming the Members thereof.

Commis-
sioners not
to be per-
sonally liable.

XXXVI. And be it enacted, That nothing in any Deed or Contract by this Act authorized to be made by or on behalf of the Commissioners for any of the Purposes of this Act shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Instrument; but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit in consequence of any such Instrument, or which any such Commissioner shall otherwise be put to by virtue of this Act, shall respectively be discharged out of the Monies to arise by virtue of this Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect on the Part of the Commissioner incurring the same, or unless such Action or Suit have been defended without the Order or Direction of the Commissioners.

Liability of
their Funds.

Actions or
Suits to be
brought in
the Name of
any One
Commis-
sioner or of
their Clerk.

XXXVII. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this or the herein-before recited Act, or any Security given under the said former Act, to be brought by or against the Commissioners, it shall be sufficient to state the Name of any one of the Commissioners, or the Name of their Clerk, as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit; and no such Action shall abate or be discontinued by the Death of any such Commissioner, or by the Death, Suspension, or Removal of such Clerk.

Executions
against the
Goods of
Commis-
sioners.

XXXVIII. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office.

Indemnity to
Commis-
sioners and
Clerk.

XXXIX. And be it enacted, That every such Commissioner or Clerk in whose Name any such legal Proceedings shall be carried on, either as Plaintiff or Defendant, on behalf of the Commissioners, shall be reimbursed, out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office, all Damages, Costs, Charges, and Expences to which any such Commissioner or Clerk may be put, or with which he may become chargeable, by reason of being so made Plaintiff or Defendant; and no such Commissioner or Clerk shall be personally liable for the Payment of the same, unless such Action or Suit have arisen in
consequence

consequence of his own wilful Neglect or Default, or unless, if such Action have been brought by the Clerk or One Commissioner as aforesaid, it have been so brought without the Order or Direction of the Commissioners.

XL. And be it enacted, That the Commissioners shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and Proceedings of all Meetings, as well ordinary as special, of the Commissioners and of the Committees, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Commissioners; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed; and such Entry, so signed, shall be received in Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Commissioners or Members of Committee respectively, or of the Signature of the Chairman, all of which last-mentioned Matters shall be presumed; and all such Books shall at all reasonable Times be open to the Inspection of the Commissioners, and any of the Creditors or Parties paying any of the Rates authorized to be collected by virtue of this Act.

Proceedings to be entered in a Book, and be open for Inspection.

XLI. And be it enacted, That the said Commissioners shall from Time to Time, as Vacancies arise, appoint a Treasurer and Clerk, Harbour Master, and also a Collector or Receiver of the Rates and Duties, with such Salaries and Allowances as they think reasonable, and may remove or suspend any Clerk, Treasurer, Harbour Master, Collector, or Receiver, and appoint others in their Stead, at such respective Salaries as the Commissioners may deem right.

Commissioners to appoint Treasurer and other Officers.

XLII. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer; and that neither the Person who shall be the Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,)

Offices of Clerk and Treasurer to be separate.

Penalty 100*l.*

If any Person accept both the Offices of Clerk and Treasurer:

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer, as the Case may be:

And

And any Person may sue for such Penalty, either by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Westminster*, and shall, on Recovery thereof, be entitled to full Costs of Suit.

Officer
taking Fees
to lose his
Office, and
forfeit 50*l*.

XLIII. And be it enacted, That if any such Treasurer, Clerk, Harbour Master, Collector, or other Officer employed by the Commissioners, exact, take, or accept, on account of any thing done by virtue of his Office, or in relation to the Functions of the Commissioners, any Fee or Reward whatsoever, other than the Salaries, Rewards, or Allowances allowed by the Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, he shall be incapable of being afterwards employed by the Commissioners, and he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid.

Commis-
sioners to
take Security
from all
Officers in-
trusted with
Money.

XLIV. And be it enacted, That the Commissioners shall take from their Treasurer, and also from all other Officers in their Employ entrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying, as the Commissioners shall from Time to Time require, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing, from Time to Time when required by the Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received or collected.

Officers to
account.

XLV. And be it enacted, That every Officer appointed or employed by the Commissioners by virtue of this Act shall from Time to Time, when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account, in Writing under his Hand, of all Monies received by him on behalf of the Commissioners; and such Account shall state how, and to whom, and for what Purpose such Monies have been disposed of; and, together with such Account, such Officers shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy
against Offi-
cers failing
to account.

XLVI. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to any Justice acting within the Jurisdiction where such Officer may be found, such Justice shall summon such Officer to appear before any Two or more Justices, at a Time and Place to be
set

set forth in such Summons, to answer to such Charge ; and upon the Appearance of such Officer, or in his Absence, upon Proof that such Summons was personally served upon such Officer, or left at his last known Residence or Place of Abode, such Justices may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer ; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justices may order such Officer to pay the same forthwith ; and if he shall fail to pay the Amount, it shall be lawful for any Justice to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for any Time not exceeding Three Calendar Months ; and in any of the following Cases, (that is to say,)

If such Officer do not appear before such Justices at the Place and Time appointed ; or

If such Officer appear, but fail to make out such Account in Writing ; or

If any such Officer refuse to produce and deliver to the Justices the several Vouchers and Receipts relating to such Account in his Possession or Power ; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of this Act, or belonging to the Commissioners, in his Possession or Power ;

Such Justices may lawfully commit such Offender to Gaol ; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power : Provided always, that if any One of such Commissioners shall make Oath that he has good Reason to believe and does believe that it is the Intention of such Officer to abscond, it shall be lawful for the Justice before whom Complaint is made, instead of issuing a Summons as herein-before directed, to issue his Warrant for the apprehending and bringing such Officer before such Two or more Justices as aforesaid ; but no Person directed to execute such Warrant shall keep such Officer in Custody longer than Twenty-four Hours, without bringing him before Two Justices, to answer to the Charge as herein-before directed.

XLVII. And be it enacted, That no such Proceeding against or dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against any Surety of such Officer. Commitment not to discharge Sureties.

XLVIII. And be it enacted, That the Commissioners shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been Books of Account to be kept, and to be open to Inspection.

[*Local.*]

24 K

received

received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor on the Rates by this Act authorized to be collected, and of every Person paying such Rates, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Commissioners, Creditors, and other Persons aforesaid, at seasonable Times, to take Copies of or Extracts from the said Book, without paying any thing for the same; and if, on Request for that Purpose, the Clerk shall fail to permit any of the Commissioners, Creditors, or Persons aforesaid to inspect such Book, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds.

Accounts to be settled and examined at the annual Meeting.

XLIX. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at the annual Meeting of the Commissioners which shall take place in *April* in every Year, or at some Adjournment thereof, at which Meeting it shall be lawful for all Persons interested to be present; and such Accounts shall be examined and settled by the Commissioners, and if the same shall be found just and true they shall be allowed by the Commissioners, and certified accordingly under the Hand of the Chairman of such Meeting; and after such Account shall have been so allowed and signed, the same shall be final, unless an Appeal be prosecuted against such Accounts at One of the Two then next General Quarter Sessions of the Peace for the County of *Glamorgan*, which Appeal it shall be lawful for any Person interested in such Account to institute and prosecute, Notice in Writing of such Appeal having been given to the Clerk of the Commissioners Fourteen Days at least before the hearing of any such Appeal.

Annual Account to be transmitted to the Clerk of the Peace.

L. And be it enacted, That the Commissioners shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act, for the Year ending on the Thirty-first Day of *March* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the said Commissioners; and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Glamorgan*, on or before the Thirty-first Day of *January* in each Year, which Account shall be open to the Inspection of the Public at seasonable Hours on the Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Commissioners may borrow Money.

LI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest not exceeding Five Pounds *per Centum per Annum*, on the Credit of the several Rates, Tonnage and other Duties by this Act granted, and upon the Security of any Lands or other Property of the said Commissioners, any Sum or Sums of Money which shall not exceed in the whole Twenty thousand Pounds, and, in the event of any Part of such

such Sum of Money being repaid by the Commissioners, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Twenty thousand Pounds in the whole at any one Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Five of them, may assign over the said Rates, Tonnage and other Duties, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustees, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

LII. And be it enacted, That every such Mortgage or Assignment and Bond shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Mortgage Deed or Bond shall be under the Hands and Seals of Five of the Commissioners, and may be according to the Forms in Schedule (A.) or (B.) to this Act annexed, or to the like Effect. Form of Mortgages and Bonds.

LIII. And be it enacted, That the Expence of every Mortgage, Assignment, or Bond shall from Time to Time be defrayed by the Commissioners out of the Money raised by the same. Expences of Mortgages, &c.

LIV. And be it enacted, That a Register of such Mortgages or Assignments and Bonds shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment or Bond, an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward. Register of Mortgages and Assignments, &c. to be kept, and to be open to Inspection.

LV. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Assignment or Bond may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect. Transfer of Mortgages, &c.

LVI. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Assignment or Bond, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment or Bond in all respects; and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage or Assignment or Bond so transferred, or any Money thereby secured. Register of Transfers to be kept.

LVII. And be it enacted, That it shall be lawful for the said Commissioners to fix a Period or Periods for the Repayment of all the Principal Commissioners may pay off such Mortgages

on giving Six
Months No-
tice.

Principal Sums of Money to be hereafter borrowed, with the Interest thereof; and in such Case the said Commissioners shall cause to be inserted in such Mortgage, Assignment, or Bond the Time or Times which shall be fixed or agreed upon for the Repayment of the Principal Money thereby to be secured; and such Sum of Money, with all Arrears of Interest thereon, shall accordingly be paid, at the Time or Times so to be fixed, to the Party who shall, upon the Expiration of such Period or Periods, be the Holder of and entitled to such Mortgage, Assignment, or Bond, or his Nominee: Provided nevertheless, that the said Commissioners may at all Times pay off and discharge all such Mortgages or Assignments or Bonds in which no Time shall be fixed for the Payment thereof, or of any Part of the Money thereby secured, on giving Six Calendar Months Notice by Advertisement in the Manner herein directed; and at the Expiration of the said Six Calendar Months all Interest shall cease to be paid on the said Principal Money, unless the said Commissioners shall, on Demand, make default in pursuance of such Notice.

When old
Securities are
lost, new
ones to be
executed.

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

Application
of Monies to
be borrowed.

LIX. And be it enacted, That all the Money which shall be raised on the Credit of the Rates hereby authorized to be levied shall be applied, in the first place, in paying the Expences of obtaining and passing this Act, or incident thereto, and afterwards in making such permanent Improvements within the Limits of this Act as are hereby authorized, and as the Commissioners shall direct to be made.

Service of
Notice on
the Commis-
sioners.

LX. And be it enacted, That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the said Commissioners, or to some Inmate at his usual Place of Abode, or by leaving the same at the Office of the said Commissioners, or in case there shall be no Clerk, or his Place of Abode shall not be known, then by delivering the same to any One Commissioner, or to some Inmate of the Place of Abode of such Commissioner.

Authen-
tication of
Notices.

LXI. And be it enacted, That every Summons, Demand, or Notice, or other such Document under this Act, may be in Writing or Print, or partly in Writing or Print; and if the same require Authentication by the Commissioners, the Signature thereof by One Commissioner,

missioner, or by the Clerk of the Commissioners, shall be a sufficient Authentication.

LXII. And be it enacted, That in all legal Proceedings under this Act it shall be lawful for any Three or more of the Commissioners, by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same. Releases to Witnesses.

LXIII. And with respect to Actions brought in respect of any Proceeding under the Provisions of this Act, be it enacted, That if before an Action be brought any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, make sufficient Tender or Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court. Tender of Amends.

LXIV. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Commissioners to agree with the Owners of the Lands which they are hereby authorized to enter into and take for the Purposes of the said Port or Harbour, for the absolute Purchase, for a Consideration in Money, of any such Lands, or such Parts thereof as they shall think proper, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all commonable or other Rights to which such Lands may be subject, and all other Estates or Interests in such Lands, of what Kind soever. Power to purchase Lands.

LXV. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed of, or entitled to any such Lands, or any such Estate or Interest therein as aforesaid, to sell and dispose of and convey or release the same to the Commissioners, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Married Women seised in their own Right or entitled to Dower, Guardians, Committees of Lunatics and Idiots, Trustees or Feoffees in Trust for charitable or other Purposes, Executors and Administrators; and the Power so to sell and convey as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and as to such Married Women as if they were sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of

the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees, Executors, and Administrators on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and that to the same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

Parties under Disability to exercise other Powers.

LXVI. And be it enacted, That the Power to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent, Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of or convey and release Lands to the Commissioners.

Consideration to be a gross Sum.

LXVII. And be it enacted, That, except as herein-after mentioned, the Consideration to be paid for the Purchase of any such Lands, or for any Damage done thereto, shall be in a gross Sum.

Acceptance of Compensation for Price of or Damage to Lands.

LXVIII. And be it enacted, That the Owners of any such Lands, or of any such Estate or Interest therein as aforesaid, and all Parties by this Act enabled to convey any such Lands, may agree to accept, and, subject to the Restrictions in this Act contained as to the Payment thereof, may accept, Satisfaction for the Value of such Lands, or any Interest therein to which such Party shall be entitled; and, in addition to Compensation for the Value of such Lands or of the Interest therein to be so conveyed, such Parties shall be entitled to and may in like Manner accept Compensation for any Damage by them sustained by reason of the severing or dividing of such Lands, or otherwise owing to the Exercise of the Powers of this Act.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

LXIX. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey, except under the Provisions in this Act contained, and the Compensation Money to be paid for any permanent Damage or Injury to any such Lands, be it enacted, That such Consideration Money or Compensation shall not, except where the same shall have been determined by the Verdict of a Jury under the Provision herein-after contained, be less than shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the Commissioners, and the other by the other Party, and if such Two Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not, then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Compensation to absent Parties

LXX. And with respect to the Compensation Money to be paid for any Lands to be purchased from any Party who, by reason of

of Absence, or from any other Incapacity or Accident, is prevented from treating, or cannot be found, and the Compensation Money to be paid for any permanent Injury to such Lands, be it enacted, That such Consideration or Compensation shall not be less than shall be determined by the Valuation of such able practical Surveyor as Two Justices shall nominate for that Purpose; and such Surveyor shall annex to the Valuation a Declaration of the Correctness thereof.

to be ascer-
tained by
Valuation.

LXXI. And be it enacted, That all Conveyances so to be made as aforesaid may be according to the Form in the Schedule (D.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be effectual to vest the Lands thereby conveyed in the Commissioners, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and to destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Lands comprised in such Conveyances as shall have been purchased or compensated for by the Consideration therein mentioned; but although Terms of Years be thereby merged they shall in Equity afford the same Protection as if they had been kept on foot and assigned to a Trustee for the Commissioners to attend the Reversion and Inheritance.

Form of Con-
veyance.

LXXII. And with respect to the Costs of the Conveyance of any such Lands purchased or taken by the Commissioners, be it enacted, That all such Costs shall be borne by the Commissioners, and such Costs shall include all Charges and Expences, incurred on the Part as well of the Seller as of the Purchaser, of all Conveyances and Assurances of any such Lands, and of any outstanding Terms or Interests therein, and of deducing, evidencing, and verifying the Title to such Lands, Terms, or Interests, and of making out and furnishing such Abstracts and attested Copies as the Commissioners may require, and all other Expences incident to the Investigation, Deduction, and Verification of such Title; and before the Commissioners enter into Possession of the Lands so purchased or taken they shall pay the Amount of such Costs, and if there be any Dispute about the same they shall obtain an Order for the Taxation thereof as herein-after provided; nevertheless, if within Seven Days after Notice in Writing from the Commissioners the Parties from whom such Lands shall have been purchased do not deliver a Bill of their Costs to the Commissioners, then the Commissioners shall not be prevented from entering into the Possession of such Lands by reason of the Nonpayment of such Costs, or by reason of such Order for Taxation thereof not having been obtained.

Costs of Con-
veyances.

LXXIII. And be it enacted, That if the Commissioners and the Party entitled to any such Costs shall not agree as to the Amount thereof, such Costs shall be ascertained by the Court of Chancery, and for that Purpose either Party may apply to the Court by Petition, and thereupon the Court shall order such Costs to be referred to One of the Masters, to be taxed in the usual Manner; and upon

Taxation of
Costs.

Proof

Proof of such Service the Master shall proceed to tax such Costs accordingly, Notice of such Taxation being given to the other Party; and after the Taxation thereof it shall be lawful to the Court to order the Amount at which the same shall be so taxed, together with the Costs of Taxation, or so much of the same as shall be payable by the Commissioners, to be paid to the Party entitled thereto, and the same shall be paid accordingly; and the Expence of taking such Costs, and of obtaining the Order referring the same to be taxed, shall be borne by the Commissioners, unless on the Taxation One Sixth Part of the Costs be disallowed, in which Case the Expence shall be borne by the Party from whom the Lands shall have been purchased or taken.

Purchase Money payable to Parties under Disability amounting to 200*l.* to be deposited in the Bank of England.

12 G. 1. c. 32.

12 G. 2. c. 24.

Application of Monies so deposited.

LXXIV. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Lands, or any Interest therein, which any Corporation, Tenant for Life or for any other partial or qualified Interest, Married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor, or Administrator, or Person under any Disability, shall be entitled to, and shall, under the Powers of this Act, be enabled to convey or dispose of, the same shall, if it amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* "The Commissioners for the Improvement of the Port or Harbour of *Neath*," pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of His late Majesty King George the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds and Indorsements thereon, as likewise Indorsements on South Sea Bonds*, and pursuant to the general Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His late Majesty King George the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of England belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court*; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,)

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Land in respect of which such Money shall have been paid, or affecting other Lands settled therewith, to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the

same Manner, as the Lands in respect of which such Money shall have been paid stood settled; or

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Chancery shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

LXXV. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the said Court of Chancery made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold or converted into Money for the Purposes aforesaid, the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands; and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition. Order for Application.

LXXVI. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *England*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees, to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified by Writing under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last-mentioned Application of the Monies shall not be made unless the Commissioners approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under the Hands of any Three of the Commissioners; and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein-before directed with respect to Money paid into the Bank of *England*, but it shall not be necessary to obtain any Order of the Court for that Purpose. Sums from 20*l.* to 200*l.* to be deposited, or invested in Trustees.

LXXVII. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable, for their own Use and Benefit; or in case of the Coverture, Infancy, Idiocy, Lunacy, or other Incapacity of Sums not exceeding 20*l.* to be paid to Parties.

[*Local.*]

24 M

any

any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Persons.

Where Parties refuse to convey, or do not show Title, the Purchase Money to be deposited.

LXXVIII. And for the Purpose of providing for the Payment and Application in certain Cases of the Purchase Money or Compensation to be paid in respect of any Lands not belonging to Parties under Disability, be it enacted, That in the following Cases, (that is to say,) if the Owner of any such Lands, or of any Interest therein, on Tender of the Purchase Money or Compensation either agreed or awarded to be paid, refuse to accept the same, or if any such Person fail to make out a Title to the Lands in respect whereof such Purchase Money or Compensation shall be payable, or to the Interest therein claimed by him, to the Satisfaction of the Commissioners, or if such Owner be gone out of the Kingdom, or cannot be found, or be not known, or refuse to convey or release such Lands as directed by the Commissioners, it shall be lawful for the Commissioners to deposit the Purchase Money or Compensation payable in respect of such Lands, or any Interest therein, in the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Parties interested in such Lands (describing them, so far as the Commissioners can do), subject to the Control and Disposition of the said Court; and upon Receipt of such Money the Cashier of such Bank shall give to the Commissioners or to the Party paying in such Money a Receipt for such Money, specifying therein for what and for whose Use (described as aforesaid) the same shall have been received, and in respect of what Purchase the same shall have been paid in; and thereupon all the Interest in such Lands in respect whereof such Purchase Money or Compensation shall have been deposited shall vest absolutely in the Commissioners.

Application of Money so deposited.

LXXIX. And be it enacted, That upon the Application by Petition of any Party making claim to the Money so deposited as last aforesaid, or any Part thereof, or to the Lands purchased or taken by the Commissioners, or any Part thereof, or any Interest in the same, the said Court of Chancery may, in a summary Way, as to such Court shall seem fit, order such Money to be laid out or invested in the Public Funds, or may order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim to such Money or Lands, or any Part thereof, and may make such other Order in the Premises as to such Court shall seem fit.

Court of Chancery may direct Investment or Payment of Money in respect of Leases for Lives, Years, &c., or Reversions, as

LXXX. Provided always, and be it enacted, That where any Purchase Money or Compensation so paid into the Court of Chancery under the Provisions of this Act shall have been paid in respect of any Lease for Lives or Years, or any Estate in Lands less than the whole Fee Simple thereof, or of any Reversion dependent on any such Lease or Estate, it shall be lawful for the Court of Chancery, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid in such Manner as the said Court may consider will give to the Parties interested

rested in such Money the same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be. they may think just.

LXXXI. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Monies shall have been so paid or deposited as aforesaid, the Parties respectively in Possession or Receipt of the Rents of such Lands at the Time of such Lands being purchased or taken shall be deemed to have been lawfully entitled to such Lands until the contrary be shown to the Satisfaction of the Court; and unless the contrary be shown as aforesaid the Parties so in Possession, and all Parties claiming under them, or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly. Party in Possession deemed to be the Owner.

LXXXII. And with respect to Costs in Cases of Monies deposited in the Bank of *England*, be it enacted, That the Court of Chancery may in all such Cases, except where Monies shall have been so deposited by reason of the wilful Refusal of any Party entitled thereto to receive the same, or to convey or release the Lands in respect whereof the same shall be payable, order the Costs of the following Matters, including therein all reasonable Charges and Expences incident thereto, to be paid by the Commissioners; (that is to say,) the Costs of the Purchase or of the taking or using of the Lands, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for, and the Costs of the Investment of such Monies in Government or Real Securities, and of the Re-investment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands, and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of the Orders for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Monies shall be invested, and of the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities whereon the same shall be invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants. Costs in Cases of Money deposited.

LXXXIII. And be it enacted, That the Commissioners shall not, except by Consent of the Owner and Occupier, enter upon any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, until they shall either have paid to every Party having any Interest in such Lands, or deposited in the Bank of *England* in the Manner herein mentioned, the Purchase Money or Compensation agreed or awarded to be paid to such Parties respectively for their respective Interests therein: Provided always, that for the Purpose merely of surveying and taking Levels of such Lands it shall be lawful for the Commissioners to enter upon the same without the previous Consent of the Owners, making Compensation Payment of Price to be made previous to Entry, except to survey, &c. for

for any Damage thereby occasioned to the Owners or Occupiers of such Lands.

Penalty on Commissioners entering upon Lands without Consent before Payment of the Purchase Money.

LXXXIV. And be it enacted, That if the Commissioners or any of their Contractors shall, except as aforesaid, wilfully enter upon and take possession of any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, without such Consent as aforesaid, or without having made such Payment or Deposit as aforesaid, the Commissioners shall forfeit to the Party in Possession of such Lands the Sum of Ten Pounds, over and above the Amount of any Damage done to such Lands by reason of such Entry and taking possession as aforesaid, such Penalty and Damage respectively to be recovered before Two Justices; and if the Commissioners or their Contractors shall, after Conviction in such Penalty as aforesaid, or after Notice from the Party in Possession of such Lands, continue in unlawful Possession of any such Lands, the Commissioners shall be liable to forfeit the Sum of Twenty-five Pounds for every Day they or their Contractors shall so remain in Possession as aforesaid, such Penalty to be recoverable by the Party in Possession of such Lands, with full Costs of Suit, in any of the Superior Courts; provided that nothing herein contained shall be held to subject the Commissioners to the Payment of any such Penalties as aforesaid if they shall *bonâ fide* and without Collusion have paid or deposited the Compensation agreed or awarded to be paid in respect of the said Lands to any Person whom the Commissioners may have reasonably believed to be entitled thereto, although such Person may not have been legally entitled thereto.

Decision of Justices not conclusive as to Commissioners Right.

LXXXV. And be it enacted, That on the Trial of any Action for any such Penalty as aforesaid, the Decision of the Justices under the Provision herein-before contained shall not be held conclusive as to the Right of Entry on any such Lands by the Commissioners.

Notice of Intention to take Lands.

LXXXVI. And be it enacted, That when the Commissioners shall require to purchase any of the Lands which by this Act they are authorized to purchase or take, they shall give Notice thereof to all the Parties interested in such Lands, or enabled by this Act to sell and convey or release the same, or such of them as shall be known to the Commissioners, and by such Notice shall demand from such Parties the Particulars of their Estate and Interest in such Lands, and of the Claims made by them in respect thereof; and every such Notice shall be in Writing, and shall state the Particulars of the Lands so required, and shall state that the Commissioners are willing to treat for the Purchase of the Interest of such Party in such Lands, and as to the Compensation to be made for the Damage that may be sustained by him by reason of the making of the said Works.

Parties interested in Lands to state their Claims.

LXXXVII. And be it enacted, That if for One Month after the Receipt of such Notice any such Party shall fail to state the Particulars of his Claim in respect of any such Land, or to treat with the Commissioners in respect of his Interest therein, or if such Party and the Commissioners shall differ as to the Amount of the Compensation

to

to be paid to such Party for any such Interest, or for any Damage that may be sustained by him by reason of the Execution of the said Works, the Amount of such Compensation shall be settled in the Manner herein-after provided for settling Cases of disputed Compensation.

LXXXVIII. And be it enacted, That where, according to the Provisions of this Act, the Commissioners are authorized to enter upon and take Possession of any Lands required for the Purposes of the said Works, if the Owner or Occupier of any such Lands, or any other Person, refuse to give up the Possession thereof, or hinder the Commissioners from entering upon or taking Possession of the same, it shall be lawful for the Commissioners to issue their Precept to the Sheriff to deliver Possession of the same to the Person appointed in such Precept to receive the same, and upon the Receipt of such Precept the Sheriff shall deliver Possession of any such Lands accordingly; and the Costs accruing by reason of the issuing and Execution of such Precept, to be settled by the Sheriff, shall be paid by the Persons refusing to give Possession, and such Costs, if not paid on Demand, shall be levied by Distress, and the Sheriff shall issue his Warrant accordingly.

Proceedings
in case of
Refusal to
deliver Pos-
session of
Lands.

LXXXIX. And for the Purpose of making Provision for settling Cases of disputed Compensation arising under this Act, be it enacted, That if any Difference shall arise, or if no Agreement can be come to, between the Commissioners and the Owners of any Lands or of any Interest in such Lands taken or required for or injuriously affected by the Execution of the said Works, (including among such Owners all Parties by this Act enabled to sell or convey Lands,) as to the Value of such Lands or of any Interest therein, or as to the Compensation to be made in respect thereof, or if, by reason of Absence, any such Owner be prevented from treating, or if any such Owner fail to disclose or prove his Title to any such Lands or any Interest therein, or if by reason of any Impediment or Disability any such Owner be incapable of making any Agreement, Conveyance, or Release necessary for enabling the Commissioners to take such Lands, or to proceed in making the said Works, or if any such Difference arise as to the Amount of the Damages occasioned to any Lands by the temporary Occupation thereof in the making the said Works, or otherwise in exercise of the Powers given by this Act, and for which any Party may be entitled to demand Compensation according to the Provisions of this Act, the Amount of the Compensation to be paid by the Commissioners in every such Case shall be settled by the Verdict of a Jury in manner herein-after mentioned.

Dispute as
to Compensa-
tion to be
settled by
a Jury.

XC. Provided always, and be it enacted, That if the Compensation claimed in any of the Cases mentioned in the preceding Enactment shall not exceed Fifty Pounds, the same shall be settled by Two Justices.

Claims not
exceeding 50*l.*
to be settled
by Two Jus-
tices.

XCI. And be it enacted, That where it shall be necessary to refer any such Question to the Determination of a Jury by reason of any such Difference as aforesaid, then One Month at the least before
[Local.] 24 N issuing

Notice by
Commis-
sioners of
Intention to

have a Jury
summoned.

issuing their Warrant for summoning a Jury, as herein-after provided, the Commissioners shall give Notice in Writing to the Party with whom such Difference shall have arisen of their Intention to cause such Jury to be summoned, and in such Notice the Commissioners shall state what Sum of Money they are willing to give such Party for his Interest in such Lands, and for the Damage to be sustained by him by the Execution of the said Works.

Requisition
by Party
claiming
Compensa-
tion to have
a Jury sum-
moned.

XCII. And be it enacted, That if any Party who shall be entitled to any Compensation in respect of any Lands or of any Interest therein taken for or injuriously affected by the making of the said Works, shall desire the Amount of such Compensation to be determined by a Jury, it shall be lawful for such Party to give Notice in Writing to the Commissioners of such his Desire, and he shall in such Notice state the Nature of the Interest claimed by him in such Lands, and the Amount of the Compensation claimed by him in respect thereof; and unless the Commissioners be willing to pay the Amount of Compensation so claimed, and shall enter into a written Agreement for that Purpose, then, within Twenty-one Days after the Receipt of any such Notice from any Party so entitled, they shall issue their Warrant to the Sheriff to summon a Jury accordingly in the Manner herein mentioned.

Warrant for
summoning
Jury to be
addressed to
the Sheriff.

XCIII. And be it enacted, That in every Case in which any such Question of disputed Compensation shall be required to be determined by the Verdict of a Jury, the Commissioners shall issue their Warrant to the Sheriff, requiring him to summon a Jury for that Purpose; and if such Sheriff be interested in the Matter in dispute, such Application shall be made to some Coroner of the County in which the Lands in question, or some Part thereof, shall be situate; and if all the Coroners of such County be so interested, such Application may be made to some Person having filled the Office of Sheriff or Coroner in such County, and who shall be then living there, and who shall not be interested in the Matter in dispute; and with respect to the Persons last-mentioned, Preference shall be given to one who shall have most recently served either of the said Offices.

Provisions
applicable to
Sheriff to
apply to
Coroner.

XCIV. And be it enacted, That throughout the Enactments contained in this Act relating to the Reference to a Jury, where the Term "Sheriff" is used the Provisions applicable thereto shall be held to apply to every Coroner or other Person lawfully acting in his Place; and in every Case in which any such Warrant shall have been directed to any other Person than the Sheriff, such Sheriff shall, immediately on receiving Notice of the Delivery of the Warrant, deliver over, on Application for that Purpose, to the Person to whom the same shall have been directed, or to any Person appointed by him to receive the same, the Jurors Book belonging to the County where the Lands in question shall be situate.

Summoning
of Jurymen.

XCV. And be it enacted, That upon the Receipt of such Warrant the Sheriff shall summon a Jury of Twenty-four indifferent Persons, duly qualified to act as Common Jurymen in the Superior Courts, to meet at the Time and Place named in the Warrant for that Purpose.

XCVI. And

XCVI. And be it enacted, That out of the Jurors appearing on such Summons a Jury of Twelve Persons shall be drawn by the Sheriff, in such Manner as Juries for Trials of Issues joined in the Superior Courts are by Law required to be drawn, and if a sufficient Number of Jurymen do not appear in obedience to such Summons, the Sheriff shall return other indifferent Men, duly qualified as aforesaid, of the Bystanders, or others that can speedily be procured, to make up the Jury to the Number aforesaid; and all Parties concerned may have their lawful Challenges against any of the Jurymen, but no such Party shall challenge the Array.

Impannelling
of Jury.

XCVII. And be it enacted, That Fourteen Days Notice of the Time and Place of the Inquiry shall be given in Writing by the Commissioners to the other Party.

Notice of
Inquiry.

XCVIII. And be it enacted, That the Sheriff shall preside on the said Inquiry, and the Party claiming Compensation shall be deemed the Plaintiff, and shall have all such Rights and Privileges as the Plaintiff is entitled to in the Trial of Actions at Law; and, if either Party so request in Writing, the Sheriff shall summon before him any Person considered necessary to be examined as a Witness touching the Matters in question; and on the like Request the Sheriff shall order the Jury, or any Six or more of them, to view the Place or Matter in controversy, in like Manner as Views may be had in the Trial of Actions in the Superior Courts.

Sheriff to
preside; Wit-
nesses to be
summoned.

XCIX. And be it enacted, That before the Jury proceed to inquire of and assess the Compensation or Damage in respect of which their Verdict is to be given, they shall make Oath that they will truly and faithfully inquire of and assess such Compensation or Damage; and the Sheriff shall administer such Oaths, as well as the Oaths of all Persons called upon to give Evidence.

Jurymen to
make Oath.

C. And be it enacted, That such Jury shall deliver their Verdict for the Sum of Money to be paid for the Purchase of the Lands required for the said Works, or of any Interest therein, belonging to the Party with whom such Questions of disputed Compensation shall so have arisen, and also the Sum of Money to be paid for the Injury done to the Lands of any such Party by the Severance from such Lands of the Lands required by the Commissioners; and also the Sum of Money to be paid by way of Compensation for the Damage occasioned to any such Lands by the Execution of the Works, whether it be for Damage sustained before the Time of the Inquiry, or for future Damage, either temporary or permanent, or for any recurring Damage of which the Cause is then only in part obviated, and which cannot or will not be further obviated by the Commissioners; and the Sums of Money to be paid for the Injury done by any such Severance as aforesaid, or by way of Compensation for any such Damage as aforesaid, shall in every Case be assessed separately from the Value of the Lands, or the Sum to be paid for the Purchase thereof, or of any Interest therein.

Verdict of
Jury to be
for Purchase
of Lands and
for Damage,
assessed se-
parately.

CI. And

Value of
Interests
previously
purchased to
be deducted.

CI. And be it enacted, That in assessing the Sum of Money to be paid for the Purchase of any such Lands the Value of any Interest in such Lands as shall have been theretofore rightfully purchased by the Commissioners shall be first deducted.

Verdict and
Judgment to
be recorded.

CII. And be it enacted, That the Sheriff before whom such Inquiry shall be held shall give Judgment for the Purchase Money or Compensation assessed by such Jury ; and the said Verdict and Judgment shall be signed by the Sheriff, and, being so signed, shall be kept by the Clerk of the Peace among the Records of the Quarter Sessions of the County in which the Lands or any Part thereof shall be situate, in respect of which such Purchase Money or Compensation shall have been awarded ; and such Verdicts and Judgments shall be deemed Records, and the same, or true Copies thereof, shall be good Evidence in all Courts and elsewhere ; and all Persons may inspect the said Verdicts and Judgments, and may have Copies thereof or Extracts therefrom on paying for each Inspection thereof One Shilling, and for every One hundred Words copied or extracted therefrom Sixpence.

Costs of the
Inquiry.

CIII. And be it enacted, That on every such Inquiry before a Jury, where the Verdict of the Jury shall be given for the same or a greater Sum than the Sum previously offered by the Commissioners, all the Costs of such Inquiry shall be borne by the Commissioners ; but if the Verdict of the Jury be given for a less Sum than the Sum previously offered by the Commissioners, one Half of the Costs shall be defrayed by the Owner of the Lands, and the other Half by the Commissioners : Provided always, that in every Case where, by reason of Absence in Foreign Parts, or of any Disability, the Owner of the Land shall have been prevented from treating with the Commissioners, all the Costs shall be borne by the Commissioners.

Particulars
of the Costs.

CIV. And be it enacted, That such Costs shall be settled by the Sheriff, and such Costs shall include all reasonable Costs, Charges, and Expences incurred in summoning, impannelling, and returning the Jury, taking the Inquiry, the Attendance of Witnesses, the Employment of Counsel, recording the Verdict and Judgment thereon, and otherwise incident to such Inquiry, and also the Expences of the Bond, if any, given by the Party at whose Instance the Inquiry shall have been taken, for prosecuting his Claim and securing the Costs of such Inquiry ; and with respect to any such Costs payable by the Commissioners, if within Seven Days after Demand such Costs be not paid to the Party entitled to receive the same, the same shall be recoverable by Distress, and on Application to any Justice he shall give his Warrant accordingly ; and with respect to any such Costs payable by the Owner of the Lands or of any Interest therein, the same may be deducted out of any Money awarded by the Jury to be paid to such Owner as so much Money advanced for his Use, and the Payment of the Remainder of such Money shall be a good Payment and Satisfaction of the whole thereof.

CV. And

CV. And be it enacted, That if the Sheriff make Default in any of the Matters herein-before required to be done by him in relation to any such Trial or Inquiry, he shall forfeit Fifty Pounds for every such Offence; and if any Person summoned and returned upon any Jury under this Act do not appear, or appear, but refuse to make Oath, or in any other Manner unlawfully neglect his Duty, he shall, unless he show reasonable Excuse to the Satisfaction of the Sheriff, forfeit a Sum not exceeding Ten Pounds; and every such Penalty payable by a Sheriff or Jurymen shall be applied in satisfaction of the Costs of the Inquiry, so far as the same will extend; and, in addition to the Penalty hereby imposed, every such Jurymen shall be subject to the same Regulations, Pains, and Penalties as if such Jury had been returned for the Trial of any Issue joined in any of the Superior Courts.

Penalty on
Sheriff and
Jury for De-
fault.

CVI. And be it enacted, That if any Person duly summoned to give Evidence upon any such Inquiry, and to whom a Tender of his reasonable Expences shall have been made, fail to appear at the Time and Place specified in the Summons without sufficient Cause, or if any Person, whether summoned or not, who shall appear as a Witness, refuse to be examined on Oath touching the Subject Matter in question, every Person so offending shall forfeit a Sum not exceeding Ten Pounds.

Penalty on
Witnesses
making de-
fault.

CVII. And with respect of any such Question of disputed Compensation, or other Matter of Difference by this Act authorized to be referred to the Determination of Two Justices, be it enacted, That either Party may apply to such Justices in respect to any such Matter, and thereupon such Justices, in Presence of the Parties, or such of them as shall appear, being duly summoned for that Purpose, shall examine into the Matter in dispute, and shall award such an Amount of Compensation, or shall make such Determination in respect of the Matter so referred to them, as to them shall seem fit; and the Costs of every such Inquiry shall be in the Discretion of such Justices, and they shall settle the Amount thereof; and in default of Payment of such Costs as directed by such Justices the same shall be levied by Distress, and the said Justices shall issue their Warrant accordingly.

Reference of
Dispute as to
Compensa-
tion to
Justices.

CVIII. And be it enacted, That if at any Time after the Commissioners shall have entered upon any Lands which under the Provisions of this Act they were authorized to purchase, and which shall be permanently required for the Purposes of the said Works, any Party shall appear to be entitled to any Estate, Right, or Interest in or Charge affecting such Lands, which the Commissioners shall have failed or omitted duly to purchase or to pay Compensation for, then, whether the Period granted for the Purchase of Lands shall have expired or not, the Commissioners shall remain in the undisturbed Possession of such Lands; provided, within Six Months after Notice of such Estate, Right, Interest, or Charge, in case the same shall not be disputed by the Commissioners, or in case the same shall be disputed, then within Six Months after the Right thereto shall have been finally established by Law in favour of the Party claiming the

Commis-
sioners em-
powered to
purchase the
Interest in
Lands the
Purchase
whereof may
have been
omitted by
Mistake.

[*Local.*]

24 O

same,

same, the Commissioners shall purchase or pay Compensation for the same, and shall also pay to such Party, or to any other Party who may establish a Right thereto, full Compensation for the Mesne Profits or Interest which would have accrued to such Parties respectively in respect thereof during the Interval between the Entry of the Commissioners thereon and the Time of the Payment of such Purchase Money or Compensation by the Commissioners, so far as such Mesne Profits or Interest may be recoverable in Law or Equity; and such Purchase Money or Compensation shall be agreed on or awarded and paid in like Manner as, according to the Provisions of this Act, the same respectively would have been agreed on, or awarded and paid, in case the Commissioners had purchased such Estate, Right, Interest, or Charge before their entering upon such Lands, or as near thereto as Circumstances will admit.

How Value
of such
Lands to be
estimated.

CIX. And be it enacted, That in estimating any Compensation to be given for any such last-mentioned Lands, or any Estate or Interest in the same, or for any Mesne Profits thereon, the Jury shall assess the same at such Price as they shall find to be the Value of such Lands, Estate or Interest, and Profits, without regard to any Improvements or Works made in the said Lands by the Commissioners, and as though the said Works had not been constructed.

Commis-
sioners to
pay the Costs
of Litigation
as to such
Lands.

CX. And be it enacted, That in addition to the said Purchase Money, Compensation, or Satisfaction, and before the Commissioners shall become absolutely entitled to any such Estate, Interest, or Charge, or to have the same merged or extinguished for their Benefit, they shall, when the Right to any such Estate, Interest, or Charge shall be disputed, pay the full Costs and Expences of any Proceedings at Law or in Equity for the Recovery of the same to the Parties with whom any Litigation in respect thereof shall have taken place; and such Costs and Expences shall, in case the same shall be disputed, be settled by the proper Officer of the Court in which such Litigation took place.

Power to
redeem
Mortgages.

CXI. And with respect to any such Lands which shall be subject to any Mortgage, be it enacted, That the Commissioners may purchase or redeem the Interest of the Mortgagee of such Lands, and that whether they shall have previously purchased the Equity of Redemption of such Lands or not, and whether the Mortgagee thereof be entitled thereto in his own Right or in Trust for any other Party, and whether he be in Possession of such Lands by virtue of such Mortgage or not, and whether such Mortgage affect such Lands solely, or jointly with any other Lands not required for the Purposes of this Act; and in order thereto the Commissioners may pay or tender to such Mortgagee the Principal and Interest due on such Mortgage, together with his Costs and Charges, if any, and also Six Months additional Interest, and thereupon such Mortgagee shall immediately convey his Interest in the Lands comprised in such Mortgage to the Commissioners, or as they shall direct; or the Commissioners may give Notice in Writing to such Mortgagee that they will pay off the Principal and Interest due on such Mortgage at the End of Six Months, computed from the Day of giving such Notice; and if they shall

shall have given any such Notice, or if the Party entitled to the Equity of Redemption of any such Lands shall have given Six Months Notice of his Intention to redeem the same, then at the Expiration of either of such Notices, or at any intermediate Period, upon Payment or Tender by the Commissioners to the Mortgagee of the Principal Money due on such Mortgage, and the Interest which would become due at the End of Six Months from the Time of giving either of such Notices, together with his Costs and Expences, if any, such Mortgagee shall convey or release his Interest in the Lands comprised in such Mortgage to the Commissioners, or as they shall direct.

CXII. And be it enacted, That if in either of the Cases aforesaid, upon such Payment or Tender, any Mortgagee shall fail to convey or release his Interest in such Mortgage as directed by the Commissioners, or if he fail to adduce a good Title thereto to their Satisfaction, then it shall be lawful for the Commissioners, at any Time after such Failure, to pay into the Bank of *England*, in the Manner provided by this Act in Cases of Money directed to be deposited in such Bank, the Principal and Interest, together with the Costs, if any, due on such Mortgage, and also, if such Payment be made before the Expiration of Six Months Notice as aforesaid, such further Interest as would at that Time become due; and thereupon, as well as upon such Conveyance by the Mortgagee, if any such be made, all the Estate and Interest of such Mortgagee, and of all Persons in Trust for him, or for whom he may be a Trustee in such Lands, shall vest in the Commissioners, and they shall be deemed to be in the actual Possession thereof in case such Mortgagee were himself entitled to such Possession.

Deposit of
Mortgage
Money on
Refusal to
accept Re-
demption.

CXIII. And with respect to any such mortgaged Lands which shall be of less Value than the Principal, Interest, and Costs secured thereon, be it enacted, That the Value of such Lands, or the Compensation to be made by the Commissioners in respect thereof, shall be settled by Agreement between the Mortgagee of such Lands and the Party entitled to the Equity of Redemption thereof on the one Part, and the Commissioners on the other Part; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Commissioners to the Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and upon Payment or Tender thereof the Mortgagee shall convey or release all his Interest in such mortgaged Lands to the Commissioners, or as they shall direct.

Sum to be
paid when
Mortgage ex-
ceeds Value
of Lands.

CXIV. And be it enacted, That if upon such Payment or Tender as aforesaid being made any such Mortgagee fail so to convey his Interest in such Mortgage, or to adduce a Title thereto to the Satisfaction of the Commissioners, then they may pay the Amount of such Value or Compensation into the Bank of *England* in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and every such Payment or Deposit shall be accepted by the Mortgagee in satisfaction of his Mortgage Debt so far as the same

Deposit of
such Money
when refused
on Tender.

same will extend, and shall be a full Discharge of such mortgaged Lands from all Money due thereon; and thereupon such Lands, as to all such Estate and Interest as were then vested in the Mortgagee or any Person in Trust for him, shall become absolutely vested in the Commissioners, and they shall be deemed to be in the actual Possession thereof in case such Mortgagee were himself entitled to the Possession thereof; nevertheless, all Rights and Remedies possessed by the Mortgagee against the Mortgagor, by virtue of any Bond or Covenant or other Obligation other than the Right to such Lands, shall remain in force in respect of so much of the Mortgage Debt as shall not have been satisfied by such Payment or Deposit.

Sum to be
paid where
Part only of
mortgaged
Lands taken.

CXV. And with respect to any such mortgaged Lands of which only a Part shall be required for the Purposes of this Act, be it enacted, That if the Part so required be of less Value than the Principal Money, Interest, and Costs secured on such Lands, and the Mortgagee shall not consider the remaining Part of such Lands a sufficient Security for the Money charged thereon, or be not willing to release the Part so required, then the Value of such Part, and also the Compensation (if any) to be paid in respect of the Severance thereof, or otherwise, shall be settled by Agreement between the Mortgagee and the Party entitled to the Equity of Redemption of such Land on the one Part, and the Commissioners on the other Part; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Commissioners to such Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and thereupon such Mortgagee shall convey or release to them, or as they shall direct, all his Interest in such mortgaged Lands, the Value whereof shall have been so paid; and a Memorandum of what shall have been so paid shall be indorsed on the Deed creating such Mortgage, and shall be signed by the Mortgagee, and a Copy of such Memorandum shall at the same Time (if required) be furnished by the Commissioners, at their Expence, to the Party entitled to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

Deposit of
such Money
when refused
on Tender.

CXVI. And be it enacted, That if upon Payment or Tender to any such Mortgagee of the Amount of the Value or Compensation so agreed upon or determined such Mortgagee shall fail to convey or release to the Commissioners, or as they shall direct, his Interest in the Lands in respect of which such Compensation shall so have been paid or tendered, or if he shall fail to adduce a good Title thereto to the Satisfaction of the Commissioners, it shall be lawful for the Commissioners to pay the Amount of such Value or Compensation into the Bank of *England* in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and such Payment or Deposit shall be accepted by such Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and shall be a full Discharge of the Portion of the mortgaged Lands so required from all Money due thereon; and thereupon such Lands shall

shall become absolutely vested in the Commissioners as to all such Estate and Interest as were then vested in the Mortgagee, or any Person in Trust for him, and in case such Mortgagee were himself entitled to such Possession they shall be deemed to be in the actual Possession thereof; nevertheless, every such Mortgagee shall have the same Powers and Remedies for recovering or compelling Payment of the Mortgage Money, or the Residue thereof, (as the Case may be,) and the Interest thereof respectively, upon and out of the Residue of such mortgaged Lands, or the Portion thereof not required for the Purposes of this Act, as he would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands originally comprised in such Mortgage.

CXVII. And with respect to any such Lands which shall be charged with any Rent Service, Rent-charge, or chief or other Rent, or other Payment or Incumbrance, be it enacted, That if any Difference shall arise between the Commissioners and the Party entitled to any such Charge respecting the Consideration to be paid for the Release of such Lands therefrom, or from the Portion thereof affecting the Lands required for the Purposes of this Act, the same shall be determined as in other Cases of disputed Compensation.

Release of
Lands from
Rent-
charges.

CXVIII. And be it enacted, That if Part only of the Lands charged with any such Rent Service, Rent-charge, chief or other Rent, Payment or Incumbrance, be required to be taken for the Purposes of this Act, the Apportionment of any such Charge may be settled by Agreement between the Party entitled to such Charge and the Owner of the Lands on the one Part, and the Commissioners on the other Part; and if such Apportionment be not so settled by Agreement the same shall be settled by Two Justices, but if the remaining Part of the Lands so jointly subject be a sufficient Security for such Charge, then, with Consent of the Owner of the Lands so jointly subject, such Owner not being under legal Disability or Incapacity, the Party entitled to such Charge may release therefrom the Lands required, on condition or in consideration of such other Lands remaining exclusively subject to the whole thereof.

Release of
Part of Lands
from Charge.

CXIX. And be it enacted, That upon Payment or Tender of the Compensation so agreed upon or determined to the Party entitled to any such Charge as aforesaid, such Party shall execute to the Commissioners a Release of such Charge, and if he fail so to do, or if he fail to adduce a good Title to such Charge to the Satisfaction of the Commissioners, they shall pay the Amount of such Compensation into the Bank of *England* in the Manner provided by this Act in the like Cases of Monies required to be deposited in such Bank, and thereupon the Rent Service, Rent-charge, chief or other Rent, Payment or Incumbrance, or the Portion thereof, in respect whereof such Compensation shall so have been paid, shall cease and be extinguished.

Deposit in
case of
Refusal to
release.

CXX. And be it enacted, That if any such Lands be so released from any such Charge or Incumbrance, or Portion thereof, to which they were subject jointly with other Lands, such last-mentioned

Charge to
continue on
Lands not
taken.

[Local.]

24 P

Lands

Lands shall alone be charged with the whole of such Charge, or with the Remainder thereof, as the Case may be, and the Party entitled to the Charge shall have all the same Rights and Remedies over such last-mentioned Lands for the Whole or for the Remainder of the Charge, as the Case may be, as he had previously over the whole of the Lands subject to such Charge; and if, upon any such Charge or Portion of Charge being so released, the Deed or Instrument creating or transferring such Charge be tendered to the Commissioners for the Purpose, they shall indorse a Memorandum of such Release on such Deed or Instrument, to be signed by Five or more of the said Commissioners, declaring what Part of the Lands originally subject to such Charge shall have been purchased by virtue of this Act, and, if the Lands be released from Part of such Charge, what Portion of such Charge shall have been released, and how much thereof continues payable, or if the Lands so required shall have been released from the whole of such Charge, then that the remaining Lands are thenceforward to remain exclusively charged therewith; and such Memorandum shall be made and executed at the Expence of the Commissioners, and shall be Evidence in all Courts and elsewhere of the Facts therein stated, but not so as to exclude any other Evidence of the same Facts.

Where Part
only of Lands
under Lease
taken, the
Rent to be
apportioned.

CXXI. And with respect to any such Lands which shall be comprised in a Lease for a Term of Years unexpired, Part only of which Lands shall be required for the Purposes of this Act, be it enacted, That the Rent payable in respect of the Lands comprised in such Lease shall be apportioned between the Lands so required and the Residue of such Lands, and such Apportionment may be settled by Agreement between the Lessor and Lessee of such Lands on the one Part, and the Commissioners on the other Part; and if such Apportionment be not so settled by Agreement between the Parties, such Apportionment shall be settled by Two Justices, and after such Apportionment the Lessee of such Lands shall, as to all future accruing Rent, be liable only to so much of the Rent as shall be so apportioned in respect of the Lands not required for the Purposes of this Act; and the Lessor shall have all the same Rights and Remedies for the Recovery of such Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to that Part of the Land which shall not be required for the Purposes of this Act in the same Manner as they would have done in case such Part of the Land had been included in the Lease.

Tenants to
be compen-
sated.

CXXII. And be it enacted, That every such Lessee as last aforesaid shall be entitled to receive from the Commissioners Compensation for Damage done to him in his Tenancy by reason of the Severance of the Lands required from those not required, or otherwise by reason of the Execution of any such Works.

Tenants at
Will or from
Year to Year
to cede Pos-

CXXIII. And with respect to any such Lands which shall be in the Possession of any Person having no greater Interest therein than as Tenant at Will, or Lessee for a Year, or from Year to Year, be it enacted,

enacted, That at the Expiration of Six Months after receiving Notice to that Effect from the Commissioners, or at any other Time when required after the Expiration of such Period, all such Persons shall respectively deliver up to the Commissioners, or to the Person appointed by them to take Possession thereof, any such Lands in their Possession required for the Purposes of this Act; and any such Notice shall be effectual, whether it be given with reference to the Time of the Commencement of such Tenant's holding or not, and whether such Notice be given before or after the Purchase of such Lands by the Commissioners.

session on
Six Months
Notice.

CXXIV. Provided always, and be it enacted, That if any such Person as last aforesaid be required to give up Possession of any Lands so occupied by him before the Expiration of his Term or Interest therein, he shall be entitled to Compensation for the Value of his unexpired Term or Interest in such Lands, or, if a Part only of such Lands be required, Compensation for the Damage done to him in his Tenancy by the Severance of the Lands required from those not required; and the Amount of such Compensation shall be determined by Two Justices in case the Parties differ about the same.

Compensa-
tion to such
Tenants.

CXXV. And be it enacted, That if any such Person refuse to give up such Possession, it shall be lawful for the Commissioners, after making Payment or Tender of such Compensation herein-before mentioned, but not otherwise, to issue their Precept to the Sheriff to deliver up Possession of such Lands to the Person in such Precept nominated to receive the same; and upon the Receipt of such Precept, the Sheriff shall deliver Possession of such Lands in obedience thereto; and the Party so refusing to give up Possession shall pay the Costs incurred in the issuing or Execution of such Precept, to be settled by the Sheriff; and if, on Demand, he fail to pay the same, they shall be levied by Distress, and the Sheriff shall issue his Warrant accordingly.

On Refusal,
Sheriff to
give Posses-
sion.

CXXVI. And be it enacted, That if any Party claim Compensation in respect of any unexpired Term or Interest under any Lease or Grant of any such Lands, the Commissioners may require such Party to produce the Lease or Grant in respect of which such Claim shall be made, or the best Evidence thereof in his Power, and if after Demand made in Writing by the Commissioners, such Lease or Grant, or the best Evidence thereof, be not produced within a reasonable Time, the Party so claiming Compensation shall be considered as a Tenant holding only from Year to Year, and be entitled to Compensation accordingly.

Production
of Leases.

CXXVII. And be it enacted, That nothing in this Act contained shall extend to enable the Mayor, Aldermen, and Burgesses of the Borough of *Neath* to sell, demise, or alienate for the Purposes of this Act, without the Approbation of the Lords Commissioners of Her Majesty's Treasury or any Three of them, any Lands, Tenements, or Hereditaments which they could not have sold, demised, mortgaged, or alienated without such Approbation before the passing

Corporation
Property not
to be alien-
ated without
the Consent
of the
Treasury.

passing of this Act, any thing in this Act contained to the contrary notwithstanding.

Compulsory
Purchase
limited to
Five Years.

CXXVIII. And be it enacted, That the Powers of the Commissioners for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing thereof.

Power to
purchase
Lands for
certain Pur-
poses.

CXXIX. And be it enacted, That for any of the following Purposes it shall be lawful for the Commissioners, in addition to the Lands authorized to be compulsorily taken by them as aforesaid, to contract with any Party willing to sell the same for the Purchase of any Land, not exceeding in the whole Thirty Acres; (that is to say,)

For the Purpose of erecting and maintaining Slips for repairing of Ships and Vessels using the said Port and Harbour:

For the Purpose of making and providing Yards, Wharfs, Quays, Jetties, Gates, and Places for the Accommodation of Vessels and Passengers, and for receiving, depositing, and loading or unloading Goods or Cattle, and for the Erection of Weighing Machines, Toll Houses, Offices, Warehouses, and other Buildings and Conveniences:

For the Purpose of making convenient Roads or Ways to the said Harbour and Works:

For any other Purpose connected therewith which the Commissioners may think beneficial to the Undertaking:

And it shall be lawful for all Parties who, under the Provisions herein-before contained, would be enabled to sell and convey Lands required for the said Works, to sell and convey Lands required for any such additional Purposes as aforesaid,

Authority to
Commis-
sioners to
sell and re-
purchase
such Lands.

CXXX. And be it enacted, That it shall be lawful for the Commissioners to sell the additional Lands which they at any Time shall have so acquired or any Part thereof, in such Manner, and for such Considerations, and to such Persons as the Commissioners may think fit, and again to purchase other Lands for the like Purposes, and afterwards sell the same, and so from Time to Time; but the total Quantity of Land to be held at any one Time by the Commissioners for the Purposes aforesaid shall not exceed Thirty Acres.

Restraint
on Purchase
from incapa-
citated Per-
sons.

CXXXI. And be it enacted, That the Commissioners shall not, by virtue of the Power to purchase Land for additional Purposes, purchase more than Fifteen Acres from any Party under legal Disability, or who would not be able to sell and convey such Lands, except under the Powers of this Act; and if the Commissioners purchase the said Quantity of Land from any Party under such legal Disability, and afterwards sell the Whole or any Part of the Land so purchased, it shall not be lawful for any Party being under legal Disability to sell to the Commissioners any other Lands in lieu of the Lands so sold or disposed of by the Commissioners.

Limits of the
Harbour.

CXXXII. And be it enacted, That this Act shall be put in force for maintaining, deepening, and improving the Port or Harbour of
Neath,

Neath, within the Limits following ; (that is to say,) commencing Three hundred Yards on the North-eastern Side of the River *Neath*, above the Bridge over the said River at the Town of *Neath*, measured in the Direction of the Channel of the said River, and continuing from thence between the Lines of High-water Mark at Neap Tides to the Sea ; and the Conservancy thereof shall be and is hereby vested in the Commissioners for executing this Act, subject to such Rights of Fishing as at the Time of the passing of this Act may belong to any Person or Persons whomsoever, notwithstanding any thing herein contained to the contrary.

CXXXIII. And whereas Plans of the said Harbour, with Books of Reference thereto, have been deposited in the Office of the Clerk of the Peace for the County of *Glamorgan* ; be it therefore enacted, That the Clerk of the Peace for the said County for the Time being shall keep the said Plans and Books of Reference, and shall permit all Persons to inspect the same at seasonable Times, and shall make out Copies or Extracts therefrom for all Persons requiring the same, on being paid One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of any such Copy or Extract ; and a Copy or Extract from any such Plan, Section, or Book of Reference, certified by such Clerk of the Peace, shall be received in Evidence in all Courts of Justice.

Deposited
Plans and
Books of Re-
ference to be
open for
Inspection.

CXXXIV. And for the Purpose of making Provision for correcting any Omission, Mis-statement, or erroneous Description of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plans, or in the said Books of Reference, and the Schedule hereto, be it enacted, That the Correction of any such Matter may be referred by the Commissioners to the Determination of Two Justices ; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly ; and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described ; and such Certificate shall be deposited with the Clerk of the Peace of the County, and Copies or Extracts thereof with the Clerks of the several Parishes, in which the Lands affected thereby shall be situate ; and such Certificate, and such Extracts or Copies respectively, shall be kept by such Clerk of the Peace and Clerks of the Parishes respectively along with the Documents to which they relate, and thereupon such Document, or the Schedule to this Act, shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Commissioners to execute the said Works in accordance with such Certificate.

Errors and
Omissions to
be corrected.

CXXXV. And be it enacted, That the said Commissioners in making and completing their said intended Works shall not deviate from the Situations thereof as described on the said Map or Plan, nor take or use any Lands other than those specified in Schedule (E.) to this Act, without the Consent in Writing of the Owners, Lessees, and Occupiers of such Lands.

Commis-
sioners not to
deviate, nor
to take other
Lands with-
out Consent.

Copies of
Plans to be
Evidence.

CXXXVI. And be it enacted, That true Copies of such Plans and Books of Reference, or of any Correction thereof or Extracts therefrom, certified by any such Clerk of the Peace, shall be received in all Courts of Justice, or elsewhere, as Evidence of the Contents thereof.

Commis-
sioners em-
powered to
execute
Works.

CXXXVII. And be it enacted, That it shall be lawful for the said Commissioners upon the Lands described in the said Plans and Book of Reference, and according to the Provisions herein contained, to make, alter, repair, and maintain the said Harbour within the Limits aforesaid, and such Piers, Quays, Jetties, and Works adjoining thereto or connected therewith, along each Side of the said Port or Harbour, as they shall deem expedient, with Power to erect and maintain a Lighthouse at or near the Entrance of the said Port or Harbour.

Power to
enter Lands.

CXXXVIII. And be it enacted, That it shall be lawful for the said Commissioners to provide and make and maintain proper Wharfs, Quays, Inclined Planes, Slips, Locks, Sluices, Drains, Sewers, Channels, Archways, Embankments, Approaches, Roads, Warehouses, and other Works, Erections, Buildings, or Conveniences connected therewith or adjoining thereto; and for these Purposes the said Commissioners are hereby authorized, subject to the Provisions contained in this Act, to enter upon the Lands and Grounds of any Persons which they are by this Act authorized to take, and to survey and take Levels of the same or any Part thereof, and to set out and ascertain such Parts thereof as they shall think necessary.

Depth of
Water at
Corporation
Quay.

CXXXIX. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to improve, deepen, and maintain the said Port and Harbour within the Limits in this Act specified, so and in such Manner that the Depth of Water at the Level of High-water Mark of ordinary Spring Tides at the Corporation Quay near to the *Neath* River Bridge shall be at least Three Feet beyond its present Depth.

Power to
enter upon
the Banks at
the Mouth of
the Harbour.

CXL. And with a view to the further Improvement of the said Port or Harbour, and the Removal of Obstructions at the Mouth thereof, be it enacted, That it shall be lawful for the said Commissioners, and they are hereby, by themselves, their Agents, Officers, Workmen, or Servants, and others, empowered to enter upon the several Sand Hills, Sand Banks, and Sand Shore or Shores situate at either or both Sides of the Mouth of the said Harbour along the Sea Coast on either or both Sides thereof, and also to make, erect, and maintain all such Sea Walls, Piers, Jetties, or other Erections as to them shall seem meet, without being in any way deemed Trespassers thereon.

No Works to
be com-
menced be-
low High-
water Mark
without the

CXLI. Provided always, and be it enacted, That it shall not be lawful for the said Commissioners, or any Person acting under their Authority or on their Behalf, to make or begin to make, construct, or carry on any Pier, Quay, or other Work below the Line of High-water Mark at ordinary Spring Tides without the previous Consent

of

of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty.

Consent of
the Ad-
miralty.

CXLII. And be it enacted, That it shall be lawful for the said Commissioners upon the said Lands, and according to the Provisions herein contained, to make, build, alter, and maintain such Warehouses, Storehouses, and other Buildings and Works as they shall deem necessary for the Security and Accommodation of any Goods, Merchandize, or Things shipped or unshipped within the said Harbour, or any of the Quays or Works made under the Authority of this Act.

Power to
erect Ware-
houses and
other Works;

CXLIII. And be it enacted, That it shall be lawful for the Commissioners to erect or provide such Cranes, Weighing and other Machines, Conveniences, Weights, and Measures upon the Piers or Quays made under this Act as they may think necessary for loading, unloading, measuring, and weighing any Goods, Articles, or Things exported from or imported into the said Harbour.

Cranes,
Weighing
Machines,
&c.

CXLIV. And be it enacted, That it shall be lawful for the Commissioners to lease or grant the Use or Occupation of any Quays, Wharfs, Houses, Warehouses, Landing Places, Buildings, Cranes, Machines, or other Conveniences provided by them for the Purposes of this Act, at such Rents, Terms, and Conditions as shall be agreed upon between the Commissioners and the Persons taking, using, or occupying the same; provided that no such Lease shall be granted for a longer Term than Three Years.

Power to
lease Wharfs,
&c.

CXLV. And be it enacted, That, subject to the Provisions in this Act contained, it shall be lawful for the Commissioners at any Time before the Expiration of the Period by this Act limited for the Completion of the said intended Works, and also at any Time thereafter, in case any of the said Works shall be damaged or destroyed by Floods or other unexpected Accidents, and shall require immediate Repair, without making any previous Payment, Tender, or Deposit, to enter upon any Lands not being more than Two hundred and fifty Yards distant from the said Harbour, and not being an Orchard, Plantation, planted Walk, Avenue, or Ground planted and set apart as a Nursery for Trees, and not being nearer than Five hundred Yards to the Mansion House of the Owner of any such Lands, and to occupy the said Lands during the Construction of, or for the Repair or Restoration of, the said Works, and to use the same for any of the following Purposes; that is to say, for the Purpose of taking Earth, Gravel, or Soil, or other Materials therefrom; and in the Exercise of the Power aforesaid it shall be lawful for the Commissioners to deposit and also to manufacture and work upon such Lands Materials of every Kind used in constructing the said Works, and also to dig and take out of any such Lands any Clay, Stone, Gravel, Sand, or other Things that may be found therein useful or proper in the Execution of such Works.

Power to
take tempo-
rary Posses-
sion of Land
without pre-
vious Pay-
ment of
Price.

CXLVI. And

Commissioners to give Notice previous to such temporary Possession.

CXLVI. And be it enacted, That the Commissioners shall, before entering thereon, (except in the Case of Accident requiring immediate Reparation,) give Six Weeks Notice in Writing to the Owners and Occupiers of such Lands of their Intention to enter upon the same for such Purposes, and the Commissioners shall in such Notice state the Substance of the Provisions herein-after contained respecting the Right of such Owner or Occupier to receive Compensation for the temporary Occupation thereof, as the Case may be.

Owner may object that other Lands ought to be taken.

CXLVII. And be it enacted, That it shall be lawful for the Owner or Occupier of such Lands, within Ten Days after Service of such Notice, to object to the Commissioners making use of such Lands, on the ground that other Lands lying contiguous thereto, and being such as the Commissioners are herein-before authorized to use for the Purposes aforesaid, might be more beneficially occupied for such Purposes by the Commissioners; and in such Case, if the Commissioners shall refuse to occupy such other Lands in lieu of those mentioned in the Notice, it shall be lawful for Two Justices, on the Application of such Owner or Occupier, to summon the Commissioners and the Owners and Occupiers of such other Lands to appear before them at any Time, not being more than Fourteen Days after such Application, nor less than Seven Days from the Service of such Summons; and on the hearing, pursuant to such Summons, it shall be lawful for such Justices to determine summarily which of the said Lands shall be occupied by the Commissioners for the Purposes aforesaid, and to authorize the Commissioners to occupy the same accordingly.

Power to the Justices to summon other Owners before them.

CXLVIII. Provided always, and be it enacted, That if it shall appear to such Justices, upon the Inquiry before them, that the Lands of any other Party not summoned before them, being sufficient in Quantity, and such as the Commissioners are herein-before authorized to take or use for the Purposes aforesaid, would be more suitable to be used by the Commissioners than the Lands of the Person who shall have been so summoned as aforesaid, it shall be lawful for the said Justices to adjourn such Inquiry, and to summon such other Person to appear before them at any Time, not being more than Fourteen Days from such Inquiry, nor less than Seven Days from the Service of such Summons, and on the hearing of such last-mentioned Summons to determine finally which Lands shall be occupied or used for the Purposes aforesaid, and to authorize the Commissioners to occupy the same accordingly.

The Commissioners to give Sureties, if required.

CXLIX. And be it enacted, That before entering upon any such Lands the Commissioners shall, if required by the Owner or Occupier thereof, Seven Days at least before the Expiration of the Notice to take such Lands as herein-before mentioned, find Two sufficient Persons, to be approved of by a Justice in case the Parties differ, who shall enter into a Bond to such Owner or Occupier, in a Penalty of the Amount of Fifty Pounds *per Acre*, conditioned for the Payment of such Compensation as may become payable in respect of the same in manner herein mentioned.

CL. And

CL. And be it enacted, That before the Commissioners shall use any such Lands for any of the Purposes aforesaid they shall, if required so to do by the Owner or Occupier thereof, separate the same by a sufficient Fence from the Lands adjoining thereto.

Commis-
sioners to
separate the
Lands before
using them.

CLI. And be it enacted, That it shall be incumbent on the Commissioners, within One Month after their Entry upon such Lands for temporary Purposes as aforesaid, upon being required so to do, to pay to the Occupier of the said Lands the Value of any Crop or Dressing that may be thereon, and to agree with the Owner and Occupier thereof for the Payment of an annual Sum by way of Rent during the Occupation thereof, and also, within Six Months after they shall have ceased to occupy the said Lands, to pay to such Owner and Occupier Compensation for any permanent Damage or Injury that may have been done to the said Lands in the Exercise of the Powers herein-before granted; and the Amount of such permanent Damage shall, in case of Difference, be determined as in other Cases of disputed Compensation under this Act; and the Value of any Crop or Dressing which may be on the said Lands, and the Rent payable in respect thereof during the Possession of the Commissioners, whatever the Amount of Claim in respect of the same may be, shall, in case of Difference, be determined as other Cases of disputed Compensation under Fifty Pounds are determined under this Act.

Compensa-
tion to be
made for
temporary
Occupation.

CLII. And be it enacted, That it shall be lawful for the said Commissioners to demand and receive for every Ship or Vessel which shall anchor, load, or unload within the said Port or Harbour, or which shall be made fast to any Pier and other Work within the same or any Part thereof, any Sum *per* Ton not exceeding Two-pence *per* Ton of the Register Tonnage of such Ship or Vessel, such Rate or Sum being over, besides, and in addition to all other Customs, Tolls, Rates, and Duties which the Mayor, Aldermen, and Councillors of the said Borough of *Neath* for the Time being are at present entitled to demand, collect, levy, recover, receive, and take from and upon any Vessel or Vessels frequenting the said Port or Harbour and River, under the Name of Customs, Keelage, Anchorage, Layage, or under whatsoever Denomination the same may be levied or received.

Tonnage
Rate on
Ships enter-
ing the
Harbour.

CLIII. Provided always, and be it enacted, That nothing herein contained shall extend to authorize the said Commissioners to levy any Rates, Tolls, and Dues from any Vessel which shall enter into the said Port or Harbour and River in Distress, or which shall enter into and depart from the same merely with Ballast, or which shall enter into and depart from the same without breaking Bulk, or which shall be navigated from any Place within the Limits of the said Port or Harbour to any other Place within such Limits without having departed beyond the same.

Exempting
Vessels
entering the
Harbour in
Distress, &c.;

CLIV. Provided also, and be it enacted, That if any Vessel for which the Rates herein-before mentioned shall have been paid shall, after leaving the said Harbour, be obliged, from Stress of Weather
[*Local.*]

and Vessels
returning
from Stress
of Weather,
or &c.

or other Cause, to return with the same Cargo, the Rates so paid shall not again be payable in respect of such Vessel.

Tonnage of British registered Vessels to be ascertained by the Register; that of other Vessels by Measurement, according to 5 & 6 W. 4. c. 56.

CLV. And be it enacted, That the Tonnage of every *British* Vessel liable to the Payment of any Tonnage Rate under this Act, and duly registered according to Law, shall be ascertained according to the certified Tonnage in the Register; and the Tonnage of all other Vessels shall be ascertained according to the Rules of Admeasurement established by an Act of Parliament passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Admeasurement of the Tonnage and Burden of the Merchant Shipping of the United Kingdom*, or any Law for the Time being regulating such Admeasurement.

Vessels of less than 20 Tons not liable to Tonnage Dues.

CLVI. Provided always, and be it enacted, That nothing herein contained shall be construed to extend to make any Lighter, Boat, or other Coasting Vessel of less than Twenty Tons Burden subject or liable to the Payment of the said Tonnage Rates by this Act imposed.

Rates on Goods.

CLVII. And be it enacted, That it shall be lawful for the said Commissioners to demand and receive for Goods, Articles, or Things in the Schedule (F.) to this Act mentioned, which shall be shipped or unshipped, received or delivered, within the Limits of the said Port or Harbour, any Sums not exceeding the several Rates in the said Schedule specified: Provided always, that all Goods, Wares, Merchandize, and Commodities which are not particularized and set forth in the said Schedule of Rates shall be charged and chargeable with and shall pay a Rate equal to the Rate rated and affixed on Goods, Wares, and Merchandize of a similar Nature, Package, and Quality in and by the said Schedule of Rates.

Rates on Foreign Vessels to be reduced where Reciprocity Treaties shall be entered into with Foreign Countries.

CLVIII. Provided always, and be it enacted, That any Duties, Rates, or Charges chargeable by this Act upon Vessels not entitled to the Privileges of a *British* Ship, or upon Goods imported or exported in such Vessels, shall not be applicable to Vessels belonging to Countries with which Treaties of Reciprocity have been concluded or may hereafter be concluded, so long as such Treaties shall continue in force, nor to the Goods imported or exported therein, but the same Duties, Rates, or Charges shall be levied upon the Vessels of such Countries during such Period as aforesaid, and upon the Goods imported or exported therein, as may be from Time to Time payable by this Act upon Vessels entitled to the Privileges of *British* Ships, or upon Goods imported or exported in such Vessels.

Rates to be charged equally.

CLIX. Provided always, and be it enacted, That the several Rates authorized to be taken by this Act, and referred to in Schedule (F.), shall at all Times be charged equally and after the same Rate in respect of the same Description of Goods.

Masters to report Arrival of Vessels

CLX. And be it enacted, That the Master or Commander of any Vessel liable to any of the said Rates shall, within Twelve Hours after

after the Arrival of such Vessel at her Place of discharging within the said Port or Harbour, report to the Harbour Master for the Time being the Arrival of such Vessel, and the Place from whence it came; and any Master or Commander of any such Vessel who shall fail to make such Reports within the Time aforesaid shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

CLXI. And be it enacted, That the Master or Commander of every registered Vessel shall, on Demand, produce the Certificate of the Registry of such Vessel to any Person authorized by the Commissioners to collect the Tonnage Rates in respect of such Vessel; and if any such Master or Commander shall refuse or neglect to produce such Certificate to any such Person, on Demand, he shall forfeit any Sum not exceeding Ten Pounds.

CLXII. And be it enacted, That if any Master or other Person having Command of any Vessel in respect of which any Rates shall be payable to the Commissioners shall refuse or neglect to pay the same, then it shall be lawful for the Person appointed by the Commissioners to collect such Rates to go on board of such Vessel and demand such Rates, and on Nonpayment thereof, or any Part thereof, to take and distrain such Vessel, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and to detain such Distress until the Rates shall be paid; and in case any of the said Rates shall remain unpaid for the Space of Fourteen Days next after any Distress so made, then it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more sworn Appraisers, and afterwards to sell the Distress, and therewith to satisfy the Rates so unpaid, and all the Expences of taking, keeping, and selling such Distress, rendering the Overplus (if any) to the Master or other Person having the Command of such Vessel, upon Demand.

CLXIII. And be it enacted, That when the Cargo of any Vessel arriving within the Limits of the said Port or Harbour, or any Part of such Cargo, shall be intended to be unshipped within the Limits of the said Port or Harbour, the Master or Commander of such Vessel shall, within Twelve Hours after the Arrival of such Vessel, deliver to the Person for the Time being appointed to collect the Rates mentioned in the said Schedule the following Particulars; (that is to say,)

The Name of the Consignee of the Cargo, or Part of the Cargo, of such Vessel intended to be unshipped within the Limits of the said Harbour;

And if the whole Cargo of such Vessel shall be intended to be unshipped within the Limits of the said Harbour, a Copy of the Bill of Lading or Manifest of the Cargo of such Vessel;

Or if Part only of the Cargo of such Vessel is intended to be so unshipped, a true Account in Writing of the Kinds, Weights, and Quantities of the several Goods, Articles, and Things intended to be so unshipped; and every such Master or Commander shall, if required by the Person appointed to collect the Rates aforesaid,

aforesaid, give to such Person Twelve Hours Notice of the Time at which the Cargo of such Vessel, or any Part of the same, is intended to be unshipped.

Penalty on Masters giving no Account or a false Account.

CLXIV. And be it enacted, That any Master or Commander of any Vessel, the Cargo or Part of the Cargo of which shall be intended to be unshipped within the Limits of the said Harbour, who shall fail to deliver or give any of the Particulars or the Notice herein-before required to be delivered or given by such Master or Commander, or shall deliver or give any false Particular or Notice, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Master of Vessel to give an Account of Goods intended to be shipped.

CLXV. And be it enacted, That the Master or Commander of any Vessel within the Limits of the said Harbour, on board of which any Goods, Articles, or Things shall be shipped, shall give to the Person for the Time being appointed by the Commissioners to collect the Rates a true Account, signed by the Consignor or Shipper, of the Kinds, Quantities, and Weights of such Goods, Articles, or Things before the same shall have been shipped in such Vessel; and any Master or Commander who shall fail to give such Account, or shall give a false Account, and any Consignor or Shipper who shall sign a false Account, of any such Goods, Articles, or Things, shall respectively for every such Offence be liable to a Penalty not exceeding Ten Pounds.

As to Steam Vessels belonging to the Port of Neath.

CLXVI. And be it enacted, That in all Cases of Rates payable under this Act in respect of Vessels belonging to the said Port and Harbour of *Neath*, and propelled by the Power of Steam, and in respect of Goods and Merchandize exported in such Vessels, all such Rates and Duties shall be paid to the Collector appointed by the said Commissioners within Twenty-four Hours after the sailing of such Steam Vessel; and that in case of Default of such Payment such Rates may be recovered in the same Manner as is directed by this Act with reference to the Rates upon Goods, Articles, and Things, or upon Vessels brought into the said Port and Harbour; and it shall be lawful for the Officers of Her Majesty's Custom House, with the Consent of the Commissioners of the Customs, to refuse to clear out or discharge such Steam Vessel on any succeeding Voyage till the same be fully paid and satisfied.

In case of Dispute, Goods to be weighed or measured.

CLXVII. And be it enacted, That if any Difference shall arise between the Person for the Time being appointed by the Commissioners to collect the said Rates and the Master or Commander of any Vessel, or the Owner, Consignor, or Consignee of any Goods, concerning the Weight or Quantities of any Goods, Articles, or Things in respect of which any Rates are payable by this Act, it shall be lawful for such Collector to cause all such Goods, Articles, or Things to be weighed or measured as the Case may require, and, if necessary, to detain the Vessel in which such Goods, Articles, or Things may be, until the same shall have been weighed or measured.

CLXVIII. And

CLXVIII. And be it enacted, That if the Goods, Articles, or Things so weighed or measured shall be of greater Weight or Measure than shown from the Manifest, Account, or Statement delivered or made by the Master or Commander of the Vessel in which the same may be, or by the Owner, Consignor, or Consignee thereof, the Expences of such weighing or measuring shall be paid to the Commissioners or their Collector, and shall be recovered by the Commissioners or their Collector by the same Means as herein provided for the Recovery of Rates due in respect of such Goods, Articles, and Things; but if such Goods, Articles, and Things shall be of the same or less Weight or Quantity than shown by the Manifest, Account, or Statement so delivered or made as aforesaid, the Commissioners shall pay all the Expences of such weighing or measuring, and shall also pay to the Master or Commander of the Vessel, or to the Owner, Consignor, or Consignee of such Goods, Articles, or Things, all Expences which may be occasioned to any such Person by reason of such weighing or measuring.

Expences of weighing or measuring Goods.

CLXIX. And be it enacted, That the Rates payable to the Commissioners in respect of any Goods, Articles, or Things shipped or unshipped within the Limits of the said Harbour shall be paid as follows; (that is to say,) if such Goods, Articles, or Things shall be shipped, such Rates shall be paid by the Owner or Consignor of such Goods, Articles, or Things previous to the Shipment of the same; or if such Goods, Articles, or Things shall be unshipped, such Rates shall be paid by the Owner or Consignee of such Goods, either before the Expiration of Two Calendar Months next after the same shall have been unshipped, or previous to the Removal of the same from the Premises upon which the same shall have been landed.

Rates on Goods, by whom and when payable.

CLXX. And be it enacted, That if Default be made in the Payment of any Rates payable under this Act in respect of any Goods, Articles, or Things, it shall be lawful for the Person for the Time being appointed by the Commissioners to collect such Rates to distrain any such Goods, Articles, or Things, or, if the same shall be removed without the Limits of the Harbour, to distrain any other Goods, Articles, or Things within the Limits of the said Port or Harbour belonging to the Person liable to pay such Rates, and to sell any such Distress, and out of the Proceeds of such Sale to pay the Rates due to the Commissioners; or it shall be lawful for the Commissioners to recover such Rates by Action in any of the Superior Courts; provided that the Person collecting any such Rates shall, before making any such Distress as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Goods, Articles, or Things so distrained, and may retain the Amount of Duties so paid out of the Proceeds arising from the Sale of such Distress.

Recovery of Rates on Goods.

CLXXI. And to the end that the Rates by this Act imposed may be effectually levied, be it enacted, That it shall be lawful for any Person appointed to collect any such Rates to enter, either alone or with any other Persons, into any Vessel within the Limits of the said Harbour, and to ascertain the Rates payable in respect of any such Vessel, or of any Goods, Articles, or Things therein.

Collector of Rates may enter Vessels.

[*Local.*]

24 S

CLXXII. And

Penalty on
evading Pay-
ment of
Rates.

CLXXII. And be it enacted, That if any Master or Commander of any Vessel shall evade the Payment of any Rates payable to the Commissioners, he shall pay to them Three Times the Amount of such Rates, and the same shall be recovered from such Master or Commander in the same Manner as Penalties imposed by this Act are directed to be recovered, or by Action in any of the Superior Courts.

Collector of
Customs may
withhold a
Discharge to
any Vessel
until Rates
paid.

CLXXIII. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs within the said Harbour, with the Consent of the Commissioners of Her Majesty's Customs, to refuse to receive any Entry, or give any Cocquet, Discharge, or Clearance, or to take any Report, inwards or outwards, for any Vessel liable to the Rates imposed by this Act, until the Master or Commander of such Vessel shall produce to such Collector or Officer a Certificate, under the Hand of the Person appointed by the Commissioners to collect such Rates, that the Rates payable under this Act in respect of such Vessel, and any Goods, Articles, or Things imported or exported by such Vessel, have been paid or satisfied.

Disputes
concerning
Rates and
Distress to be
settled by a
Justice.

CLXXIV. And be it enacted, That if any Dispute shall arise concerning the Amount of any Rates due or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Person distraining to detain such Distress until the Amount of the Rates due, or the Charges of such Distress (as the Case may be), shall be ascertained by some Justice of the Peace, who, upon Application made to him for that Purpose, shall determine the Amount of the Rates due, and award such Costs to be paid by either of the Parties to the other of them as he shall think reasonable; and such Costs, if not paid on Demand, shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

List of Rates
to be set up.

CLXXV. And be it enacted, That the Commissioners shall from Time to Time cause to be painted on Boards in large and legible Characters, and affixed in some conspicuous Part of the Quays of the said Harbour, a List of the several Rates which shall be from Time to Time payable in respect of the said Harbour; and no Rates shall be payable in respect of the said Harbour during such Time as such Lists shall not continue so affixed, or for any Matter or Thing not specified in such List: Provided always, that if any such List shall be destroyed, injured, or obliterated, the Rates shall continue to be payable during such Time as may be reasonably required for the Restoration or Reparation of such List in the same Manner as if such List had continued affixed, and in the State required by this Act.

Goods, &c.
may be re-
moved from
Quays.

CLXXVI. Provided always, and be it enacted, That it shall be lawful for the said Commissioners to remove or cause to be removed all Live Stock, Goods, Articles, and Things as shall be and remain upon the said Quays, Wharfs, Piers, and other Places beyond the Space of Twenty-four Hours, and to detain and keep the same till the Charges incurred by such Removal and Keeping, to be ascertained by any Justice of the Peace for the County of *Glamorgan*, shall be paid.

CLXXVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time, by Lease, to take effect in Possession within Three Months from the Letting thereof, to let such Rates or Duties in the Schedule mentioned, or any Part thereof, except the Tonnage Rates payable by Ships or Vessels, and the Tolls or Duties on the several Articles in such Schedule mentioned, of Black Jack, Copper Ore, Copper Coal, Culm, Spelter, and Zinc, to any Party for any Period not exceeding Seven Years from the Commencement of any such Lease : Provided always, that no such Letting shall take place unless public Notice of the Intention to let the Rates, or the Part thereof intended to be let, shall have been given by the Commissioners, by Advertisement in One public Journal usually circulated within the said County of *Glamorgan*, at least Fourteen Days prior to the Meeting at which it shall be intended to let the Rates.

Power to
lease the
Rates.

CLXXVIII. And be it enacted, That during the Continuance of any such Lease the respective Lessees named therein, and also all Persons appointed by them to collect the Rates so let, shall be deemed Collectors of the Rates so let, and they shall have the same Powers to collect and recover such Rates, and be subject to the same Rules, Duties, and Penalties in reference thereto, as if they had been appointed for that Purpose by the Commissioners.

Lessees to
be deemed
Collectors.

CLXXIX. And be it enacted, That if any such Lease shall have become void or voidable according to any Stipulations therein contained for that Purpose, by reason of the Failure on the Part of the Lessee to comply with any of the Terms of such Lease, or if all or any Part of the Rent thereby reserved shall be in arrear or unpaid for Twenty-one Days after the same shall become payable, then, upon Application made by the Commissioners to a Justice, it shall be lawful for such Justice to order any Constable, with proper Assistance, to enter upon any Toll House, Dwelling House, Office, Weighing Machine, or other Building, with the Appurtenances thereto belonging to the Commissioners, and remove from the same the Lessee or Collector or other Person found therein, together with his Goods, and take possession thereof, and of all Property found therein belonging to the Commissioners, and deliver the same to them or any Person appointed by them for that Purpose.

Lessees
making de-
fault to be
removed.

CLXXX. And be it enacted, That upon such Possession being obtained it shall be lawful for the Commissioners to determine the Lease (if any) previously subsisting, and the same shall accordingly be utterly void, except as to the Remedies of the Lessors for Payment of the Rent due, or in respect of unperformed or broken Obligations or Conditions on the Lessee's Part, all which Remedies shall remain in full Force ; and in every such Case, either during such Proceedings, or on the Termination thereof, the Commissioners may again let the Rates to the same or any other Person, or cause them to be collected in the same Manner as if no such former Lease had been made relative thereto.

Power of
re-letting
Rates.

CLXXXI. And be it enacted, That the Monies which have arisen or been received under the Provisions of the said recited Act, and all

Application
of Money
to be raised
from Rates.

all Money which may arise or be received by or from the Rates, Tolls, or Duties by this Act granted, or by or from other Property of the said Commissioners, shall be laid out and applied by the said Commissioners in paying the Interest which may accrue due upon or by virtue of any Mortgage, Assignment, or Bond hereafter to be made and granted by virtue of the Powers contained in this Act, and in the necessary Expences of regulating, preserving, maintaining, and improving the said Port or Harbour, and all other necessary Expences incidental to the Execution of this Act; in the next place, in discharge of the several Monies heretofore borrowed, and which may be hereafter borrowed, by the said Commissioners under the Provisions of this Act, and from and after Payment of all such Monies as aforesaid in reduction of the said Rates, Tolls, and Duties.

The Corporation of Trinity House to appoint Sub-Commissioners to examine Pilots.

CLXXXII. And whereas it is expedient that proper and skilful Persons should be licensed and appointed Pilots of the said Port and Harbour and the River of *Neath*, inclusive of *Neath* Bar; be it therefore declared and enacted, That it shall be lawful for the Corporation of *Trinity House* of *Deptford Strond* and they are hereby required to appoint from Time to Time (as often and for such Periods as they in their Discretion shall think fit) proper and competent Persons (not to exceed Five nor be less than Three) at the said Port to act as Sub-Commissioners of Pilotage, and who shall be and be called "Sub-Commissioners of Pilotage for the Port of *Neath*," and shall take the Oath prescribed by an Act passed in the Sixth Year of the 6 G. 4. c. 125. Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Law respecting Pilots and Pilotage, and also for the better Preservation of Floating Lights, Buoys, and Beacons*, and set forth in the Schedule marked (C.) to the said Act annexed, for the faithful Discharge of their Duty, and such Sub-Commissioners shall examine, and they are hereby authorized (so long as their Deputation or Appointment shall not be revoked or superseded) to examine, into the Qualification of Persons to act as Pilots for the said Port and Harbour and the River of *Neath*, inclusive of *Neath* Bar.

The Corporation on the Certificate of the Sub-Commissioners to license Pilots.

CLXXXIII. And be it enacted, That it shall be lawful for the said Corporation, upon receiving a satisfactory Certificate under the Hands of any Three of such Sub-Commissioners, if the whole Number shall consist of Four or Five, and of any Two if the whole Number shall consist of Three, that any Person, so examined as aforesaid, is duly qualified to act for such Port and Harbour and the River of *Neath*, inclusive of *Neath* Bar, to give a Licence to such Person to act as a Pilot within the particular Limits (describing the same) for which he shall have passed such Examination.

Notice to be given of the Appointment of Pilots.

CLXXXIV. And be it enacted, That when and so soon as the said Corporation shall have licensed any Pilots for the said Port and Harbour and the River *Neath*, inclusive of *Neath* Bar, they shall cause such Notice thereof to be given, and in such Manner and Form, and so to be published, as a Notice directed to be given by the said Act passed in the Sixth Year of His said late Majesty's Reign in the Case of Licences granted by the said Corporation, under the Authority of that Act, to Pilots for any particular Port and the Coasts near

near the same; and from and after a Time to be limited in the said Notice (which shall not in any Case, or in relation to any Vessels whatsoever, be less than Six Weeks from the Publication thereof as aforesaid, and shall be proportionably more at the Discretion of the said Corporation in relation to Vessels engaged in foreign Voyages at the Time of such Publication) all Vessels sailing, navigating, or passing in, to, or out of the said Port or Harbour, or upon the Coasts thereof, save and except under such Circumstances as saved and excepted in and by the said Act, shall be conducted and piloted by such Pilots only as shall be so licensed as aforesaid, and by no other Pilots or Persons whomsoever.

CLXXXV. And be it enacted, That the Licences to be granted by the said Corporation under the Authority of this Act shall be in such Form and for such Period, and subject to such Power of Renewal and Suspension, Amendment or Revocation, as the Licences granted under the said Act so passed in the Sixth Year of His said late Majesty's Reign, and all Pilots so licensed under the Authority of this Act shall, for all Purposes and to all Intents whatsoever, be deemed and taken to be Pilots licensed under the said Act so passed as last aforesaid; and all and every the Enactments, Protections, Provisions, Forfeitures, Penalties, Matters, and Things contained in that Act, or conferred or imposed thereby, and all Bye Laws made by the said Corporation in pursuance thereof, shall be deemed and taken to apply to Pilots so to be licensed as aforesaid under the Authority of this Act, and to all Masters and Owners of Vessels, and other Persons whatever, in the same Manner and to the same Extent, and the said Forfeitures and Penalties shall be recovered and applied in the same Way, as if the said last-mentioned Pilots had been duly licensed under the said Act so passed as aforesaid in the Sixth Year of the Reign of His said late Majesty.

Licences to be granted in the same Form as under 6 G. 4. c. 125., and the Provisions of that Act, and all Bye Laws made under the same, to apply to all Pilots, Masters, &c.

CLXXXVI. Provided always, and be it enacted, That all Pilots licensed under the Provisions of the said recited Act of the Thirty-ninth and Fortieth Years of the Reign of King George the Third hereby repealed may, whilst their Licenses continue in force, and until Pilots shall have been licensed by the said Corporation under the Authority of this Act, conduct Pilot Vessels within such Limits as such Pilots might have conducted and piloted the same immediately before the passing of this Act; and all Rates of Pilotage settled under the Provisions of the said repealed Act, and in force immediately before the passing of this Act, may be demanded and recovered until Rates of Pilotage shall have been established by the said Corporation under the Authority of the said Act of the Sixth Year of the Reign of King George the Fourth, and of this Act.

Pilots and Rates under repealed Act to continue until Licences are granted and Rates established under this Act.

CLXXXVII. Provided always, and be it enacted, That, save and except as is herein provided, nothing in this Act contained shall extend to alter, affect, or in any Manner interfere with the Powers and Provisions of an Act passed in the Forty-seventh Year of the Reign of His Majesty King George the Third, intituled *An Act for ascertaining and establishing the Rates of Wharfage, Cannage, Plantage, Anchorage, and Moorage to be received at the lawful Quays in the Port of* [Local.] 24 T Bristol,

Save as herein provided, nothing in this Act contained to extend to alter 47 G. 3. c. 33.

Bristol, for the Regulation of the Crane Keepers in the said Port, and for the better Regulation of Pilots and Pilotage of Vessels navigating the Bristol Channel.

Punishing
Persons ob-
structing the
Execution of
this Act.

CLXXXVIII. And be it enacted, That if any Person shall at any Time obstruct or hinder any of the said Commissioners, or any of their Officers or Servants, who are or shall be employed by virtue of this Act in the Performance or Execution of their Duty, any such Person so offending shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence.

Powers of
Harbour
Master.

CLXXXIX. And be it enacted, That it shall be lawful for the Harbour Master for the Time being to give Directions for all or any of the following Purposes ; (that is to say,)

For regulating the Time and Manner in which any Vessel shall enter into, go out of, or lie in the Limits of the said Port and Harbour, and the Position, mooring or unmooring, placing or removing, of any Vessel within the said Limits :

For regulating the Manner in which any Vessel shall take in or discharge its Cargo, or any Part thereof, or shall take in or deliver Ballast within the Limits of the said Harbour :

For regulating the Government of any Vessel within the said Limits.

Penalty on
Harbour
Master un-
reasonably
exercising
Powers.

CXC. And be it enacted, That in case any Harbour Master appointed or continued under this Act shall, without reasonable Cause, exercise any of the Powers or Authorities vested in him by this Act, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on
not comply-
ing with
Directions of
Harbour
Master.

CXCI. And be it enacted, That the Master or Commander of any Vessel within any Part of the Limits of the said Harbour shall regulate such Vessel according to the Directions of the Harbour Master for the Time being made in conformity with this Act ; and any Master or Commander of any Vessel who, after Notice in Writing signed by the said Harbour Master of any such Direction served upon him, shall not forthwith regulate such Vessel according to such Direction shall be liable to a Penalty not exceeding Five Pounds.

Power of
Harbour
Master to
remove
Vessels.

CXCII. And be it enacted, That if the Master or Commander of any Vessel within any Part of the Limits of the said Harbour shall not moor, unmoor, place, or remove such Vessel according to the Directions of the said Harbour Master for the Time being, in Writing, given to the said Master or Commander, it shall be lawful for any such Harbour Master to cause such Vessel to be moored, unmoored, placed, or removed according to the Directions aforesaid, and to employ a sufficient Number of Persons for that Purpose ; and the Expences attending such mooring, unmooring, placing, or removing shall be paid by such Master or Commander, and shall, together with the Costs of ascertaining and recovering the same, be ascertained and recovered from any such Master or Commander in the same Manner as any Damages for the ascertaining

and recovering of which no special Provision is contained in this Act are hereby directed to be ascertained and recovered.

CXCIII. And be it enacted, That if any Master or Commander of any Vessel within the Limits of the said Harbour, or any Person on board the same, shall hinder the said Harbour Master, or any Person employed by him, in mooring, unmooring, placing, or removing such Vessel in manner aforesaid, such Master or Commander or other Person shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Penalty for obstructing Harbour Master.

CXCIV. And be it enacted, That if any Master or Commander or other Person on board of any Vessel which shall be moored or fastened within the Limits of the said Harbour shall not, upon Demand of the said Harbour Master, unloose or slacken the Rope or Chain by which such Vessel shall be moored or fastened, or if there shall be no Person on board of any such Vessel so moored or fastened, it shall be lawful for the said Harbour Master to cut the Rope or slacken the Chain by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the said Harbour Master shall cut any Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel, and all Expences thereby incurred shall be paid by the Master or Commander of such Vessel.

Harbour Master may cut Ropes.

CXCV. And be it enacted, That it shall be lawful for the said Harbour Master to remove any Wreck or Obstruction to the said Port or Harbour within the Limits thereof; and the Expence of removing any such Wreck, Stone, Timber, or other Obstruction shall be repaid by the Owner of the same.

Power to remove Wrecks, &c.

CXCVI. And be it enacted, That if the Master or Commander of any Ship or Vessel which shall cast Anchor within the said Port or Harbour shall not immediately on so doing cause to be tied or fastened a Buoy to such Anchor in such Manner as that the said Buoy shall float, and in a conspicuous Manner, so that it may be plainly and easily seen in what Place such Anchor has been cast, such Master or Commander shall for every such Offence forfeit any Sum not exceeding Five Pounds, and shall for every Hour such Anchor shall remain after One Hour's Notice shall have been given without such Buoy being tied or fastened thereto as aforesaid forfeit a further Sum not exceeding Five Pounds.

Penalty for not having a Buoy to the Anchors of Vessels.

CXCVII. And be it enacted, That if the Master or Commander of any Ship or Vessel which shall cast Anchor within the said Port or Harbour, and shall afterwards sail and leave such Anchor in the Channel, such Master or Commander shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

Penalty on leaving Anchors in the Channel.

CXCVIII. And

Combustible
Matter on
Quays to be
removed.

CXCVIII. And be it enacted, That if any Tar, Pitch, Rosin, Spirituous Liquors, Turpentine, Oil, or combustible Thing being on any Quay or Wharf belonging to the Commissioners, or on the Deck of any Vessel within the Limits of the said Harbour, shall not be removed from the Place where the same may be to a Place of Safety within Two Hours after Notice in Writing for that Purpose signed by the said Harbour Master for the Time being shall have been served on the Owner or Person having the Charge of the same, every such Owner or Person shall for every such Offence forfeit a Sum not exceeding Five Pounds for every Hour such combustible Thing shall remain in any such Place as aforesaid after the Expiration of Two Hours from the Service of the said Notice.

Combustibles
to be guarded
during the
Night.

CXCIX. And be it enacted, That if any combustible Thing as aforesaid shall remain on any of the said Quays or Works, or on the Deck of any Vessel within the Limits of the said Harbour, after Day-light, the Owner or Person having charge of the same, or in his Default the Commissioners, at the Expence of such Owner or Person, shall provide a sufficient Number of Persons to guard the same from One Hour before Sunset to One Hour after Sunrise, and such Expence, if not paid to the Commissioners on Demand, shall be ascertained and recovered in the same Manner as Damages for the Recovery of which no special Provision is herein contained are by this Act directed to be ascertained and recovered.

Penalties
against Fire.

CC. And be it enacted, That every Person who shall commit any of the following Offences shall be liable to a Penalty not exceeding Five Pounds ; (that is to say,)

1. Every Person who shall boil or heat any Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter in any Vessel lying in the Limits of the said Port or Harbour, or in any Place within the said Port or Harbour, except in such Place and in such Manner as shall be specially appointed by the Commissioners for that Purpose :
2. Every Person who shall, without the Permission of the Commissioners, bring or suffer to remain any Gunpowder on the Quays or Works of the said Port or Harbour.

Punishing
Persons who
cast Ashes
or Dirt into
Harbour.

CCI. And be it enacted, That if any Person shall cast any Ashes, Ballast, Stones, Dirt, Filth, or Rubbish into the said Port or Harbour, or into any Part of the said River *Neath*, between the open Sea at the Mouth thereof, and the *Neath* River Bridge, or into any Part of any Stream lying and being within the Limits of this Act, and not beyond the same, or on any of the Quays, Jetties, or Landing Places in the said Port or Harbour, without the Consent in Writing of the said Harbour Master, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds ; and the said Commissioners are hereby required to proceed against every such Person so offending ; provided that any thing herein contained shall not prevent or hinder the said Commissioners from proceeding against any such Person either at Law or in Equity.

CCII. And

CCII. And be it enacted, That if any Person (other than the Harbour Master in execution of the Powers of this Act) shall wilfully cut, break, or destroy any Rope or other Thing by which any Vessel lying in the Limits of the said Harbour shall be moored or fastened, he shall for every Offence forfeit a Sum not exceeding Five Pounds.

Penalty for cutting Ropes.

CCIII. And be it enacted, That every Master, Pilot, or other Person having the Charge of any Vessel or Float of Timber, through whose wilful Act or Negligence any Damage shall be done to the said Harbour or the Quays or other Works of the Commissioners by means of such Vessel or Float of Timber, shall pay for and repair all such Damage; and all such Damage, if the Amount claimed does not exceed Fifty Pounds, shall be ascertained and recovered in the same Manner as any Damages for the Recovery of which no special Provision is contained in this Act are hereby directed to be recovered; and in addition to the Remedies hereby provided for the Recovery of the same, it shall be lawful for the Justices before whom the same is recovered to cause the Vessel or Float of Timber causing such Damage, and any Tackle and Furniture thereof, to be distrained and detained until the Amount of Damage and Costs awarded by him shall be paid, and if the same shall not be paid within Seven Days after the taking of such Distress, to cause the Property so distrained or any Part thereof to be sold, and out of the Proceeds of such Sale to pay the Amount of Damage and Costs awarded by such Justices, and all the Charges incurred by the Distress, Detention, and Sale of such Property.

Remedies for Damage to Quay, &c.

CCIV. And be it enacted, That the Owner or Master or Commander of every Vessel or Float of Timber shall be answerable to the Commissioners for any Damage done by such Vessel or Float of Timber, or any Person employed about the same, to the said Harbour, or any Quays, Works, or Property of the Commissioners; and all such Damage, in case the Amount claimed in respect thereof shall not exceed Fifty Pounds, shall be ascertained by and be recovered before any Two or more Justices; and it shall be lawful for the Harbour Master for the Time being appointed under this Act to detain any such Vessel until sufficient Security shall have been given for the Amount of the Damage done by the same or by any Person employed therein.

Owner or Master of Vessels answerable for Servants.

CCV. And be it enacted, That if the Owner, Master, or Commander of any Vessel shall make Satisfaction for any such Damage as aforesaid done by any Person employed in such Vessel, the Person doing such Damage shall repay to the said Owner, Master, or Commander the Amount of the Damage so paid, together with the Costs (if any) incurred by him in respect of such Damage; and the Amount of such Damage, together with the Costs, shall, if such Damage does not exceed Fifty Pounds, be ascertained by and recovered before any Two or more Justices of the Peace having Jurisdiction.

Masters may recover from Servants.

CCVI. And be it enacted, That it shall be lawful for the said Commissioners to build or provide Vessels to be propelled by Steam or otherwise, or to provide a Dredge, for the Purpose of cleansing,

Vessels for cleansing the Harbour and

[*Local.*]

24 U

scouring,

Towing
Ships, &c.
to be kept.

scouring, and deepening the said Port or Harbour, or any Part thereof, and also Steam Tugs for towing or hauling Ships, Barks, or other Vessels, or Rafts of Timber, into or out of the said Port or Harbour, or for either of such Purposes; and any Person requiring the Assistance of such Towing Vessels, Steam Tugs, or Dredges shall pay to the said Commissioners such reasonable Rates or Compensation for the Use thereof as shall from Time to Time be established by the said Commissioners.

Bye Laws.

CCVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws as they shall think fit for regulating the carrying on of their Business and the Business of their Committees, and for the Government of their Officers, Servants, or other Persons in their Employ; as also,

For governing or regulating the Use of the Piers, Quays, Slips, and other Works hereby authorized to be made:

For regulating the placing and removing of Vessels entering in, lying in, or going out of the said Harbour, within the Limits aforesaid, and for the good Order and Government of all such Vessels:

For regulating the Exercise of the several Powers hereby vested in the Harbour Master to be appointed by the Commissioners respectively:

For regulating the Admission of Vessels into the said Port and Harbour, and their Removal out of the same:

For regulating the shipping, unshipping, landing, warehousing, stowing, depositing, and removing of all Goods, Articles, or Things from, in, or on the Piers, Quays, Wharfs, or Warehouses of the Commissioners:

For regulating the Duties and Conduct of all Persons, as well the Servants of the Commissioners as others, who shall be employed on the Quays and Premises of the Commissioners:

For regulating the Use of Fires, Candles, and Lamps within the said Port and Harbour and the Premises belonging thereto, and within any Vessels being within One hundred Yards of the Piers, Quays, or Works of the Commissioners:

For preventing Damage or Injury to any Vessel, Goods, Articles, or Things in or on the Premises belonging to the Commissioners:

For regulating the Use of the Cranes, Weighing Machines, Weights and Measures belonging to the Commissioners, and the Duties and Conduct of all Weighers and Meters appointed by them:

For regulating the Duties and Conduct of the Carriers employed on the Premises of the Commissioners, and fixing the Rates to be paid to them for carrying any Goods, Articles, or Things from or to the same:

And it shall be lawful for the Commissioners, from Time to Time as they shall think fit, to repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Laws of *England*, or the Provisions of this Act, and be reduced into Writing, and have affixed thereto the Names of any Seven of the Commissioners, and, if affecting other Persons than the Officers or Servants of the Commissioners, be printed and published as herein provided.

CCVIII. And

CCVIII. And be it enacted, That it shall be lawful for the Com- Enforcing
missioners, by the Bye Laws so to be made by them, to impose such Bye Laws.
reasonable Penalties as they shall think fit, not exceeding Five
Pounds for each Offence: Provided always, that such Bye Laws be
so framed as to allow the Justices before whom any Penalty imposed
thereby is sought to be recovered to order the Whole or Part only
of such Penalty to be paid.

CCIX. And be it enacted, That no Bye Law which shall be made Bye Laws
by the Commissioners under the Authority of this Act, except such to be con-
as may relate solely to the Commissioners or their Officers or Ser- firmed.
vants, shall be valid or binding, unless the same shall be allowed by
some Judge of One of the Superior Courts, or by the Justices assem-
bled at some General or Quarter Sessions of the Peace for the County
of *Glamorgan*; and it shall be incumbent on such Justices, on the
Request of the Commissioners, to inquire into any Bye Laws which
may be tendered to them for that Purpose, and to allow or disallow
the same if they shall think fit: Provided always, that no such Bye
Law shall be confirmed unless Notice of the Intention to apply for a
Confirmation of the same shall have been given in One or more
Newspapers of the County of *Glamorgan* One Month at least before
the Hearing of such Application; and any Person aggrieved by any
such Bye Law, on giving Notice of the Nature of his Objection to
the Commissioners Ten Days before the Hearing of such Applica-
tion, may by himself or his Attorney or Agent be heard thereon, but
not so as to allow more than One Party to be heard on the same
Matter of Objection.

CCX. Provided always, and be it enacted, That for One Month A Copy of
at least previous to any such Application a Copy of such proposed proposed
Bye Laws shall be kept at the principal Office of the said Commis- Bye Laws
sioners; and it shall be lawful for all Persons at all seasonable Times to be open
to inspect such Copy without Fee or Reward, and to be furnished by to Inspec-
the Commissioners with a Copy thereof, or of any Part thereof, on tion.
Payment of Sixpence for every One hundred Words.

CCXI. And be it enacted, That such Bye Laws, when confirmed, Publication
shall be printed on Paper and pasted on Boards, or be painted on of Bye Laws.
Boards, and hung up, affixed, and continued on the Front or in the
Office of the Customs of the said Port, according as such Bye Laws
may relate to the said Port and Harbour; and such Boards shall be
from Time to Time renewed as often as the same or any Part
thereof may be obliterated or destroyed.

CCXII. And be it enacted, That such Bye Laws, when so con- Bye Laws
firmed, shall be binding upon and be observed by all Parties, and to be bind-
shall be sufficient to justify all Parties acting under the same. ing on all
Parties.

CCXIII. And be it enacted, That the Production of a written or Evidence of
printed Copy of the Bye Laws of the Commissioners, authenticated Bye Laws.
by the Signatures of Three of the Commissioners, shall be Evidence
of the Existence and of the due making of such Bye Laws in all
Prosecutions under the same; and with respect to the Proof of the
Publication thereof, it shall be sufficient that a printed or painted
Copy

Copy thereof were affixed or continued in the Manner by this Act directed; and in case of any of such Boards being afterwards destroyed or obliterated, it shall be sufficient to prove that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such Boards did not contain a Copy of the Bye Law under which he shall be prosecuted, or that Boards were not affixed or continued to be affixed as required by this Act.

Penalty on pulling down Boards on which Bye Laws are stated.

CCXIV. And be it enacted, That any Person who shall destroy, pull down, injure, or deface any Board on the Premises of the Commissioners on which any Bye Law of the Commissioners, or any Rate to be taken under this Act, shall be stated, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Provision for Recovery of Damages not otherwise provided for.

CCXV. And be it enacted, That in all Cases where any Damages or Charges are by this Act directed or authorized to be paid, and the Method of ascertaining the Amount thereof is not provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by Two or more Justices; and when by this Act any Damages or Charges are directed to be paid in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Justices by whom the Offender shall be convicted of such Offence; and on Nonpayment of the Damages or Charges in any of the Cases aforesaid, on Demand, the same shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

For ascertaining Compensation.

CCXVI. And for the Purpose of ascertaining and determining any such Compensation, Expences, Charges, or Damages, be it enacted, That any Justice of the Peace may summon any Person liable to pay the same to appear before him at a Time mentioned in such Summons, and at such Time, either on the Appearance or Default of the Party summoned to appear, to enquire into any such Compensation, Expences, Charges, or Damages, and to determine the same.

Recovery of Money from Commissioners, or their Treasurer.

CCXVII. And with respect to any Money under the Provisions of this Act adjudged to be paid by the Commissioners, for which no other Mode of proceeding is hereby prescribed, be it enacted, That if such Money be not paid by the Commissioners to the Party entitled to receive the same within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justices for the Payment of such Money, the Amount shall be recovered by Distress of the Goods of the Commissioners, and if no sufficient Goods of the Commissioners can be found, by Distress of the Goods of the Treasurer of the Commissioners, but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, shall have been given to such Treasurer or left at his usual Place of Abode.

Reimbursement of the Treasurer.

CCXVIII. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid, it shall be lawful for him

him to retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Commissioners coming into his Custody or Control, or to sue the Commissioners for the same in the same Manner as other Parties are by this Act enabled to sue the said Commissioners.

CCXIX. And for the Purpose of providing for the Recovery of Penalties to be summarily recovered before One or more Justices. Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance thereof, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before any Two or more Justices having Jurisdiction; and on the Complaint being made to any Justice or Justices he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance, or upon the Default to appear, of the Party offending, it shall be lawful for any Two or more Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any such Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices shall think fit.

CCXX. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture and of such Costs as aforesaid be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any such Justice or Justices shall issue his or their Warrant of Distress accordingly. Penalties to be levied by Distress.

CCXXI. And be it enacted, That it shall be lawful for the Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justice or Justices, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Justices, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, then such Justices shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, Imprisonment in default of Distress.

[Local.]

24 X

unless

unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Application
of Penalties.

CCXXII. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Informer, and the other Half to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish; or if the Place wherein the Offence shall have been committed shall be extra-parochial, then such Justices shall direct such Half to be applied for the Benefit of the Poor of such extra-parochial Place or of any adjoining Parish or District, and shall order the same to be paid over to the proper Officer for that Purpose.

Penalties to
be sued for
within Three
Months.

CCXXIII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before One, Two, or more Justices, unless the Complaint respecting such Offence shall have been made before such Justice or Justices within Three Months next after the Commission of such Offence.

Penalty on
Witnesses
making de-
fault.

CCXXIV. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act, at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person who shall be summoned as a Witness before any Justice or Justices touching any Offence committed against this Act, or any Matter in which such Justice shall have Jurisdiction by the Provisions of this Act, shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath, or to give Evidence before such Justices, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Transient
Offenders.

CCXXV. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Commissioners, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act; and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Form of
Conviction.

CCXXVI. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the

the Conviction to be drawn up according to the Form in the Schedule (G.) to this Act annexed.

CCXXVII. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed, by Certiorari or otherwise, into any of the Superior Courts. Informalities.

CCXXVIII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained. Distress, how to be levied.

CCXXIX. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case. Distress not unlawful for Want of Form.

CCXXX. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justices under the Provisions of this Act he may appeal to the General Quarter Sessions of the Peace for the County in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon. Parties may appeal to Quarter Sessions on giving Security.

CCXXXI. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant or levied by Distress upon his Goods to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable. Court to make such Order as they think reasonable.

CCXXXII. And Costs.

For Collec-
tion of Layer-
age and Keel-
age Dues.

CCXXXII. And be it enacted, That it shall be lawful for the Collectors or other Officers of Her Majesty's Customs at the Port of *Neath*, with the Consent of the Commissioners of Her Majesty's Customs, to refuse to permit or suffer any Ship or other Vessel to be cleared Outwards for Foreign Ports or Coastwise, unless and until the Master or other Person having Charge of such Ship or Vessel shall produce to and leave with the said Collector or other Officer of the Customs a Certificate, under the Hand of a Person duly appointed by the Mayor, Aldermen, and Burgesses of the Borough of *Neath* for the Time being, of the Layerage and Keelage of the said River *Neath*, to collect and receive the Layerage and Keelage Dues in respect of such Ship or Vessel, purporting that such Dues in respect of such Ship or Vessel have been paid and satisfied.

Collector to
file such
Certificates.

CCXXXIII. And be it enacted, That every such Collector or other Officer of Her Majesty's Customs as aforesaid shall and they are hereby authorized and required, by and with such Consent as aforesaid, to file and preserve all and every such Certificates as aforesaid, and from Time to Time to produce the same when thereto required by the said Commissioners or their Clerk, or by the Mayor, Aldermen, and Burgesses of the said Borough, or by any other Person or Persons appointed by them to collect and receive the said Layerage and Keelage Dues.

Not to ex-
tend to Ves-
sels in Her
Majesty's
Service, &c.

CCXXXIV. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, or any Vessel employed in the Service of Her Majesty, or of the Ordnance, Customs, or Excise, or of Her Majesty's Postmaster General, or of the Master, Wardens, and Assistants of the Corporation of *Trinity House of Deptford Strond*: Provided always, that if any Person shall claim or take the Benefit of any such Exemption as aforesaid without being entitled thereto, every such Person for every such Offence shall forfeit any Sum not exceeding Five Pounds.

Saving the
Rights of the
Trinity
House.

CCXXXV. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice or derogate from the Jurisdiction or Authority or any of the Rights or Privileges of the said Corporation of *Trinity House*.

Lights,
Beacons, or
Sea Marks
not to be
exhibited or
altered with-
out the Sanc-
tion of the
Trinity
House.

CCXXXVI. Provided always, and be it enacted, That nothing in this Act contained shall extend to authorize or empower the said Commissioners to erect, maintain, exhibit, or alter any Lighthouse, Light, Beacon, or other Sea Mark for the Guidance of Vessels navigating to or from the said Harbour, without having from Time to Time first obtained the Sanction in Writing of the said Corporation of *Trinity House* as to the Character of any such Lighthouse or Light, or of any such Beacon or Sea Mark, and the Mode of exhibiting the same respectively.

Rights of
Lord Jersey
reserved.

CCXXXVII. Provided also, and be it enacted, That nothing in this Act shall extend to take away, alter, abridge, lessen, interrupt, or affect the Rights, Powers, Privileges, Jurisdiction, or Property of the Right Honourable *George Earl of Jersey*, his Heirs or Assigns,
in

in the ancient Ferry or Passage over the said River of *Neath* at *Britonferry*, or any customary or other Tolls and Payments arising to him or them in respect thereof, but that the same shall continue strictly to him and them as if this Act had not been passed.

CCXXXVIII. Provided also, and be it enacted, That nothing in this Act contained shall extend to alter, abridge, diminish, or take away the Rights of the Mayor, Aldermen, and Burgesses of the said Borough of *Neath* which they have or claim to be entitled unto before the passing of this Act, or to alter, abridge, diminish, or take away the Rights, Titles, Estates, Jurisdictions, and Authorities whatsoever which any other Person or Persons, Body Politic or Corporate, had and enjoyed or might have had and enjoyed before the passing of this Act, but nevertheless so that the Exercise and Enjoyment of the same do not infringe, intermeddle, or interfere with any of the Powers vested in the said Commissioners under and by virtue of this Act, any thing herein contained to the contrary notwithstanding.

Rights of the Corporation of *Neath* reserved.

Rights of all other Persons reserved.

CCXXXIX. Provided also, and be it enacted, That nothing in this Act contained shall prejudice, alter, diminish, or take away any Royalties, Rights, Privileges, Liberties, and Franchises whatsoever of his Grace the Duke of *Beaufort*, his Heirs, Assigns, or Successors, in the Seignories of *Gower* and *Kilvey*, and of the Manors thereon dependent, as Lord or Lords thereof and otherwise, or of any future Lords or Ladies thereof, or as Admiral and Admirals of the Seas, Bays, Havens, Creeks, Ports, Waters, and Rivers within, bordering on, or surrounding the same, but that the same shall remain as if this Act had not been passed.

Rights of the Duke of *Beaufort* reserved.

CCXL. Provided also, and be it enacted, That nothing in this Act contained shall prejudice, alter, affect, or take away any Royalties, Rights, Privileges, Liberties, and Franchises whatsoever of the Right Honourable Lord *Dynevor* as Lord of the Manor of *Cadoxton*.

Rights of Lord *Dynevor* reserved.

CCXLI. Provided also, and be it enacted, That nothing in this Act contained shall prejudice, alter, affect, or take away any Royalties, Rights, Privileges, Liberties, and Franchises whatsoever of *Henry John Grant* Esquire, his Heirs, Assigns, or Successors, as Lords of the Manors of *Avon Wallia*, the Borough of *Avon*, and the Manor of *Neath Citra* and *Briton*, or either of them.

Rights of H. J. Grant reserved.

CCXLII. Provided also, and be it enacted, That nothing in this Act contained shall in any Manner prejudice or affect any Controversy, Difference, or Dispute now existing or which may at any Time or Times hereafter arise or depend between any Person or Persons whomsoever.

Not to prejudice Disputes between Parties.

CCXLIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpretation of Act.

[*Local.*]

24 Y

Words

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

Words importing the Masculine Gender shall include Females :

The Word " Person " shall include Corporation, whether Aggregate or Sole :

The Word " Month " shall mean Calendar Month :

The Expression " Superior Courts " shall mean Her Majesty's Superior Courts of Record at *Westminster* :

The Word " Oath " shall include Affirmation in the Case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of Persons exempted by Law from the Necessity of taking an Oath :

The Word " Secretary " shall include the Word Clerk :

The Word " Lands " shall extend to Lands, Tenements, and Hereditaments of any Tenure :

The Word " Justices " shall mean Justice of the Peace for the County or Place where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter :

The Expression " the Commissioners " shall mean the Commissioners for the Improvement of the said Port and Harbour of *Neath* :

The Word " Vessel " shall include Ship, Lighter, Vessel, Barge, and Boat.

Expences of
this Act how
to be de-
frayed.

CCXLIV. And be it enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing this Act, and incurred preparatory thereto, and in the Execution thereof, together with Interest on any Monies advanced for that Purpose, shall be paid, discharged, and defrayed out of the first Monies to arise or be raised by virtue of this Act in preference to all other Payments whatsoever.

Public Act.

CCXLV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Mortgage.

The Neath Harbour Commissioners.

We, _____ of the Commissioners for improving the Port and Harbour of Neath, by virtue of an Act passed in the _____ Year of the Reign of Queen Victoria, intituled [*here set forth the Title of this Act*], in consideration of the Sum of _____ advanced and lent by _____ of _____ upon the Credit and for the Purposes of the said Act, do hereby grant and assign to the said _____ *or to his Trustees [as the Case may be]*, his Executors, Administrators, and Assigns, such Proportion of the Rates and Duties payable to us by virtue of the said Act as the said Sum of _____ doth or shall bear to the whole Sum which may at any Time be borrowed or become due or owing or be charged upon the Credit of the said Act, to be holden from this _____ Day of _____ until the said Sum of _____ with Interest at the Rate of _____ per Centum per Annum for the same, shall be repaid and satisfied. In witness whereof we the said Commissioners have hereunto set our Hands and Seals the _____ Day of _____ in the Year of our Lord _____.

And every such Security shall be good, valid, and effectual, and shall entitle the Person to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profits and Advantages therein, according to the true Intent and Meaning of this Act, and as so expressed in such Security.

SCHEDULE (B.)

Form of Bond.

The Neath Harbour Commissioners.

Bond,

£

By virtue of an Act passed in the _____ Year of the Reign of Queen Victoria, intituled [*here set forth the Title of this Act*], we, _____ of the Commissioners of the Port and Harbour of Neath, in consideration of the Sum of _____ Pounds to us in hand paid by *A.B.* of _____ do bind ourselves and our Successors unto the said *A.B.*, his Executors, Administrators, and Assigns, in the penal Sum of _____ Pounds.

The

The Condition of the above Obligation is such, that if the said Commissioners shall pay to the said *A. B.*, his Executors, Administrators, or Assigns, on the _____ Day of _____ which will be in the Year One thousand eight hundred and _____ the Principal Sum of _____ Pounds, together with Interest for the same at the Rate of _____ Pounds per Centum per Annum, payable half-yearly on the _____ Day of _____ and the _____ Day of _____ then the above-written Obligation is to become void, otherwise to remain in full Force. Given under our Hands and Seals this _____ Day of _____ One thousand eight hundred and _____

SCHEDULE (C.)

Form of Transfer of Mortgage or Bond.

I _____ being entitled to the Sum of _____ secured to _____ his Executors, Administrators, and Assigns, by virtue of an Assignment or Bond [*as the Case may be*] bearing Date the _____ Day of _____ from the Commissioners for improving the Port and Harbour of Neath, do hereby transfer all my Right, Title, and Benefit in the said Sum, and all Interest and other Money now due and owing thereon, unto _____ his Executors, Administrators, and Assigns. In witness whereof I have hereunto set my Hand and Seal this _____ Day of _____ in the Year of our Lord _____

SCHEDULE (D.)

Form of Conveyance.

I _____ of _____ in consideration of the Sum of _____ paid to me [*or, as the Case may be,*] into the Bank of England in the Name and with the Privity of the Accountant General of the Court of Chancery ex parte "The Commissioners for improving the Port and Harbour of Neath," (*or to A. B. of _____ and C. D. of _____ Two Trustees appointed to receive the same,*) pursuant to an Act passed in the _____ Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], by the Commissioners appointed by the said Act, do hereby convey to the said Commissioners, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereto belonging, and all such Estate, Right, Title, and Interest in and to the same, as I am or shall become seised or possessed of, or am by the said Act empowered to convey, to hold the Premises to the said Commissioners, their Successors and Assigns for ever, according to the true Intent 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 _____

SCHE-

SCHEDULE (E.)

Name of Parish.	No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Neath -	17	Quay - -	Corporation of Neath - - }	- - - {	Corporation of Neath.
Ditto -	48	Chemical Works, Yard, Garden, Stores, Road, Quay, and Agent's House }	Rebecca Gibbins -	- - -	Rebecca Gibbins.
Ditto -	55	Part of a Brook -	Henry John Grant, Esquire - - }	- - - {	Henry John Grant, Esquire.
Briton Ferry }	56	Ditto - -	Earl of Jersey -	- - -	Earl of Jersey.
Ditto -	70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81 }	Offices, Quays, unoccupied Land, Pill, used as Shipping Places, Wharfs, frontage Land to River, and Shipping Stages - }	Earl of Jersey -	Neath Canal Company; William Jevons; Townshend, Wood, and Company; the Marquis of Bute; Strange and Parsons; and Motley, Fussell, and Company -	70, 71. Penrose and Starbuck; Rees, Williams, and Company; Earl of Jersey; Strange and Parsons; William Jevons; Townshend, Wood, and Company; Neath Abbey Coal Company; and David Davis and Company, and Penrose and Evans.
Briton Ferry and Baglan }	82, 83, 84 }	Frontages to River and Marsh - }	Earl of Jersey -	- - -	Earl of Jersey.

SCHEDULE (F.)

Rates of Duties in and out of Port.

	s.	d.	
Apples - - - - -	0	0½	per Bushel.
Bark - - - - -	0	6	per Ton.
Barley - - - - -	2	0	per 100 Bushels
Beans - - - - -	2	0	Ditto.
Butter - - - - -	0	2	per Cwt.
Bacon - - - - -	2	0	per Ton.
Beer (every Hogshead of Sixty-three Gallons) - - - - -	0	4	
— (every Barrel) - - - - -	0	2	
— (every Kilderkin) - - - - -	0	1	
Biscuits, hard - - - - -	0	6	per Ton.
Bricks, Building - - - - -	0	3	per 1,000.
Bricks, Fire - - - - -	0	4	Ditto.
Block Tin - - - - -	0	3	per Ton.
Black Jack - - - - -	0	0½	Ditto.
Beef (every Tierce of salted Barrel) - - - - -	1	0	
— (every Barrel ditto) - - - - -	1	0	
Bacon (every Tierce ditto) - - - - -	1	0	
— (every Barrel ditto) - - - - -	1	0	
Bottles - - - - -	1	0	per Gross.
Bellows, Smiths - - - - -	0	4	each.
— Ditto, House - - - - -	0	1	per Bundle.
Brushes and Mops - - - - -	0	1	Ditto.
Bags or Shoe Thread, Sacking and Bags - - - - -	0	2	per Bag.
Baskets - - - - -	0	1	per Dozen.
Bran - - - - -	0	10	per Ton.
Copper Ore - - - - -	0	0½	per Ton.
Copper - - - - -	0	3	per Ton.
Coal - - - - -	0	0¾	Ditto.
Culm - - - - -	0	0¾	Ditto.
Coke - - - - -	0	0¾	Ditto.
Coal Tar - - - - -	0	1	Ditto.
Clay - - - - -	0	1	Ditto.
Cheese - - - - -	0	2	per Cwt.
Cordage - - - - -	0	2	Ditto.
Charcoal - - - - -	0	4	per Ton.
Currants - - - - -	0	2	per Cwt.
Carrots - - - - -	0	6	per Ton.
Cattle - - - - -	1	0	per Head.
Carboys (full) - - - - -	0	6	per Dozen.

	s.	d.	
Candles - - - - -	0	2	per Box.
Carriages and Carts, &c. - - - - -	0	6	per Wheel.
Chairs - - - - -	0	6	per Dozen.
Earthenware - - - - -	0	6	per Crate.
Elm Boards - - - - -	0	3	per 100 Feet.
Flax - - - - -	1	0	per Ton.
Flour (2½ Cwts.) - - - - -	0	2	per Sack.
Flour - - - - -	0	1½	per Barrel.
Fish - - - - -	0	2	per Cwt.
Frail Fruit - - - - -	0	1	per Chest.
Fruit - - - - -	1	0	per Ton.
Glass - - - - -	1	0	per Crib.
Gates, Wooden - - - - -	0	2	each.
Glue - - - - -	0	1	per Bag.
Glue, Pieces - - - - -	1	0	per Ton.
Herrings - - - - -	0	3	per Barrel.
Hops - - - - -	0	6	per Pocket.
Hay - - - - -	0	8	per Ton.
Hemp - - - - -	1	0	Ditto.
Horses - - - - -	2	0	per Head.
Hurdles, Wooden - - - - -	0	4	per Dozen.
Horse Hair - - - - -	0	1	per Bag.
Hampers, large - - - - -	0	3	each.
Ditto. small - - - - -	0	1½	Ditto.
Hats, Crates of - - - - -	0	3	each Crate.
Hats, Hogsheads - - - - -	0	6	each.
Iron, Pig, and Finers Metal - - - - -	0	1	per Ton.
Iron, Bar - - - - -	0	2	Ditto.
Iron Castings - - - - -	0	2	Ditto.
Iron Ore - - - - -	0	0½	Ditto.
Iron, small Castings, such as Ovens, } Grates, Iron Pots, and other } light Castings - - - - - }	0	6	Ditto.
Ironmongery and hollow Ware, } Hogsheads of - - - - - }	0	6	each.
Ditto, Tierces - - - - -	0	4	Ditto.
Iron, old - - - - -	0	2	per Ton.
Indigo - - - - -	0	8	per Chest.
Leather - - - - -	0	3	per Cwt.
Lambs - - - - -	0	2	per Head.
Linseed - - - - -	0	1	per Cwt.
Lead, Pig - - - - -	0	3	per Ton.
Lead, Pipe - - - - -	0	6	Ditto.
Lead, White - - - - -	1	0	Ditto.
Lead, Sheet - - - - -	0	6	Ditto.

	s.	d.	
Malt, per Hundred Bushels	2	0	
Molasses	0	6	per Hogshead.
Mangel Wurzel	0	6	per Ton.
Nails	0	1	per Bag.
Oats, and other Grain	1	0	per 100 Bushels.
Oatmeal	0	2	per Cwt.
Oakum	0	6	Ditto.
Oil	0	6	per Puncheon.
Oil	0	5	per Hogshead.
Oil, Palm	0	6	per Ton.
Oil Dregs, and Blubber	0	3	per Hogshead.
Oranges	0	1	per Chest.
Onions	0	6	per Ton.
Peas	2	0	per 100 Bushels.
Porter (every Hogshead of Sixty- three Gallons)	0	4	
— (every Barrel)	0	2	
— (every Kilderkin)	0	1	
Pantiles and Crests	0	8	per 1,000.
Potatoes	0	6	per Ton.
Pork (every Tierce of salted Barrel)	1	0	
— (Barrel, ditto)	1	0	
Pitch and Tar	0	2	per Barrel.
Pigs	0	4	per Head.
Ploughs, Breast	0	1	per Dozen.
Powder	0	1	per 100 lbs.
Paper	0	10	per Ton.
Rotten Stone	0	4	per Ton.
Reap Hooks	0	1	per Dozen.
Rice	0	1	per Bag.
Rags, Junk, and Bones	0	6	per Ton.
Rye Grass	0	1½	per Bag.
Salt	0	6	Ditto.
Seed, Clover	0	1	per Cwt.
— Rape	0	1	Ditto.
Salt and dried Fish	0	2	Ditto.
Spirits (Hogshead of Sixty-three Gallons, and in like Proportion for a smaller Quantity)	1	6	
Stones, Flag	0	2	per 12 Yards.
— Bath and Portland	1	0	Ditto.
— Building	0	1	per Ton.
— Mill	2	0	per Pair.
Slates	0	4	per Ton.
Straw and Reeds	0	4	Ditto.
Sheep	0	4	per Head.

	s.	d.	
Saltpetre and Sulphur	0	4	per Ton.
Steel	0	6	Ditto.
Scythes	0	2	per Dozen.
Spades and Shovels	0	1	per Dozen.
Sieves	0	1	per Bundle.
Sugar of Lead	0	6	per Ton.
Sugar	0	10	per Hogshead.
Sugar	0	6	per Tierce.
Sugar	0	1	per Loaf.
Sugar	0	0½	per Titler.
Sugar, every Bag of	0	1	per Cwt.
Soap	0	2	per Cwt.
Spelter and Zinc	0	3	per Ton.
Tin Plates	0	3	per Ton.
Tallow	1	0	Ditto.
Tobacco	0	6	per Cwt.
Tea	0	3	per Chest of 84 lbs.
Trees in Mats	0	4	per Bundle.
Timber	0	4	per Load.
Ditto, Deals	0	4	per Hundred.
Ditto, Planks	0	1	{ per 100 Feet of 1½ or 2 Inch Plank. for every Mast not
Ditto, Masts	0	6	{ exceeding One Foot in diameter.
Ditto, ditto	0	2	{ not exceeding 9 Inches.
Ditto, Spars	0	2	per Dozen Spars.
Ditto, Lathwood	0	4	{ per Fathom of Lath- wood.
Wheat	2	0	per 100 Bushels.
Wool	0	1	per Sheet.
Woollen and Linen Drapery	0	2	per Cwt.
Wood Dye	0	1	per Bag.
Wire	0	0½	per Cwt.

SCHEDULE (G.)

Form of Conviction.

County of } BE it remembered, That on the Day of
 } in the Year of our Lord A.B. of
 is this Day convicted before us C.D. and E.F., Her Majesty's Justices
 of the Peace for the County of Glamorgan, of having [*specifying
 the Offence, and Time and Place when and where the same was com-
 mitted, as the Case may be*], contrary to the Form of the Statute
 passed in the Year of the Reign of Her Majesty Queen
 Victoria, intituled [*here set forth the Title of this Act*], and we do
 adjudge him, her, or them to pay or forfeit for the same a Sum
 of or be committed to [*Place of Imprisonment*] for the
 Term of [*Time of Imprisonment*]. Given under our Hands and
 Seals the Day and Year aforesaid.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
 Printers to the Queen's most Excellent Majesty. 1843.