



ANNO QUINTO

# GULIELMI IV. REGIS.

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## Cap. xii.

An Act for constructing and maintaining a Harbour  
at *New Quay* in the County of *Cardigan*.  
[12th June 1835.]

WHEREAS the constructing and maintaining of a Pier, Harbour, and other Works at *New Quay* in the Parish of *Llanllwchaiarn* in the County of *Cardigan* will not only afford Protection to the Trade carried on in *Cardigan Bay* and other Places in the Neighbourhood, but will also be of great public Utility, by providing a Place of Safety for Vessels employed in Foreign and Home Trade entering *Saint George's Channel* from the *Western Ocean*, and generally affording an Asylum to Ships in Distress: And whereas the several Persons hereinafter named, with other Persons, are willing at their own Expence to carry into execution the said Undertaking; 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 by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Thomas Lloyd, Edward Pryse Lloyd, Charles Richard Longcroft, David Evans Clerk, David Saunders Davies, Francis David Saunders, John Beynon, John William Lewis, John Philip Phillips, Alban Thomas Jones Gwynne, Charles Arthur Prichard, William Edward Powell, John Hughes of Alltllwyd, Jenkin Beynon, James Richard Lewes Lloyd, William Owen Brigstocke, Thomas Lewes Lloyd, John Lloyd, John Lloyd Williams, Thomas Winwood, David Thomas*

Proprietors  
incorporated.

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Bowen

*Bowen Davies, Benjamin Edward Hall, Llewelyn Lewellin Clerk, James Hughes, John Hughes of Aberystwith, Horatio Hughes, Griffith Evans, Daniel Thomas, Abraham Thomas, John Jordan Jones, William Evans, Evan Evans, Thomas Evans, David Evans of Penrhiwgaled, John Evans, Evan Timothy, Solomon Williams, John Phillips, David Owen, John Owen, David Evans of New Quay, Stephen Turner, Thomas Jones, and all other Persons and Corporations who have subscribed or who shall hereafter subscribe towards the said Undertaking, and their several and respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for constructing and maintaining the said Harbour and other Works by this Act authorized, according to the Provisions and Restrictions herein-after contained, and for that Purpose shall be One Body Corporate by the Name and Style of "The New Quay Harbour Company," and by that Name shall have perpetual Succession, and shall have a Common Seal, and by that Name shall and may sue and be sued, and also shall have Power and Authority to purchase and hold Lands to them and their Successors and Assigns without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and shall also have Power to sell and demise or otherwise dispose of the said Lands in manner by this Act directed.*

Style of the Company.

Meaning of certain Words in this Act.

II. And be it further enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall extend and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure; and the Word "Corporation" shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; unless in any of the Cases aforesaid it be otherwise pecially provided, or there be something in the Subject or Context repugnant to such Construction.

Power to construct Harbour.

III. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered, by themselves, their Deputies, Agents, Officers, Servants, and Workmen, to make, construct, deepen, form, and maintain a Harbour at *New Quay* in the Parish of *Llanllwchaiarn* in the County of *Cardigan*, and for those Purposes the said Company, their Deputies, Agents, Servants, Surveyors, and Workmen, are hereby authorized and empowered to erect, build, and maintain such Piers, Jetties, Breakwaters, Quays, Wharfs, Slips, and other Works as may be deemed necessary, and to enter into and upon the Lands and Grounds of any Person, or Body Politic, Corporate, or Collegiate whatsoever, according to the Provisions of this Act, and to survey the same or any Part thereof, and to set out, ascertain, and appropriate such Parts thereof, and do, execute, and perform all such other Acts, Matters, and Things as they shall think necessary and proper for making, constructing, and maintaining the said Harbour and other Works; and for those Purposes to bore, dig, cut, trench, sough, get, raise, remove, take, carry away, lay, use, and manufacture any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things which can

can or may be dug, raised, or gotten in making, deepening, scouring, improving, or maintaining the said Harbour and other Works, out of the Lands or Grounds of any Person, or Body Politic, Corporate, or Collegiate, adjoining or contiguous to such Harbour, and which may be proper, requisite, or necessary for making, deepening, scouring, improving, or maintaining the said Harbour and other Works, or which may hinder or obstruct the making, using, completing, scouring, improving, or maintaining the same respectively; and to make, build, and erect upon the Lands and Sea-shore adjoining to the said Harbour such and so many Piers, Jetties, Breakwaters, Basins, Buoys, Beacons, Posts, Ropes, and Chains, and such and so many Wharfs, Quays, Houses, Warehouses, Yards, Landing Places, Cranes, and other Machines, and such and so many Ways, Roads, and Conveniences, where and when and at such Time and in such Manner as the said Company shall think necessary and convenient for the Construction and Improvement of the said Harbour; and also from Time to Time to alter, repair, and amend or discontinue the same; and also to place, lay, work, or manufacture the Materials necessary for making, deepening, scouring, improving, erecting, and maintaining the said Harbour and other Works, on the Lands or Grounds adjoining to the Place where the said Works or any of them shall be or are intended to be made or executed; and to construct, erect, make, and do all other Works, Buildings, Matters, and Things which they shall think convenient or necessary for the making, deepening, scouring, improving, maintaining, and using of the said Harbour and other Works; they the said Company, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction in manner herein-after mentioned to the Owners and Proprietors of and all Persons interested in any Lands which shall be taken, used, or removed, diverted or injured, for all Damages to be by them sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Company, their Deputies, Agents, Servants, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted, subject nevertheless to such Provisoos and Restrictions as are herein-after mentioned and contained.

IV. And be it further enacted, That for the Purposes of this Act the Limits and Boundaries of the said Harbour shall extend over and include the whole Coast between a certain Point of Land or Rock called *Canregina*, to the Eastward of *New Quay* aforesaid, situate in the Parish of *Llanina* in the said County of *Cardigan*, and a certain Mound, Hillock, or Bank called *Panbead*, to the Westward of *New Quay* aforesaid, situate in the Parish of *Llangranog* in the same County. Limits of the Harbour.

V. And whereas a Map or Plan of the said Harbour and other Works, with a Book of Reference thereto describing the same, has been made, and deposited with the Clerk of the Parliaments; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain deposited with the Clerk of the Parliaments, to which Map or Plan and Book of Reference all Persons shall have Liberty to resort, and to examine and make Extracts from or Copies of the same, as Occasion shall require, paying Plan and Book of Reference to remain with Clerk of the Parliaments.  
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to the said Clerk of the Parliaments for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Map or Plan and Book of Reference, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Not to deviate more than 100 Yards from Plan.

VI. And be it further enacted, That the said Company, in making, improving, and maintaining the said Harbour and other Works, shall not deviate more than One hundred Yards from the Course or Direction delineated in the said Map or Plan, without the Consent in Writing of the Owners or reputed Owners of the Land or Ground through which such Deviation is to be made first had and obtained.

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

VII. And be it further enacted, That the said Company may make the said Harbour and other Works into, through, across, or over the Lands or Grounds of any Person or Persons whomsoever, Body or Bodies Politic, Corporate, or Collegiate, whose Name or Names shall appear to the Satisfaction of any Two or more Justices of the Peace for the County of *Cardigan*, and be by them certified under their Hands, to be by Mistake omitted or inaccurately described in the said Book of Reference, or that instead thereof the Name or Names of some other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, to whom such last-mentioned Lands or Grounds do not belong, have or hath been by Mistake inserted therein; any thing herein contained to the contrary thereof in anywise notwithstanding.

Houses and Gardens not to be used without the Consent of Owners and Occupiers.

VIII. And be it further enacted, That nothing herein contained shall authorize or empower the said Company, or any Person acting by or under their Authority, to take, use, injure, or damage, for the Purposes of this Act, any House or other Building, or any Land or Ground set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners and Occupiers thereof and Persons interested therein respectively, other than and except such as are set forth in the First Schedule annexed to this Act.

Company may contract for the Works.

IX. And be it further enacted, That the said Company, or such Person as they shall for that Purpose appoint, is hereby authorized to contract and agree with any Person for any of the Works hereby authorized to be made or done by the said Company, in such Manner and for such Sum of Money and under such Regulations and Restrictions as the said Company shall think proper; and all Contracts in Writing for any of the Purposes aforesaid shall be binding upon the said Company and all other the Parties thereto, and their respective Successors, Heirs, Executors, or Administrators, and Actions and Suits may be maintained thereon, and Damages and Costs recovered against the said Company or any of the Parties failing in the Execution thereof.

Bodies Politic, &c. empowered to sell Lands.

X. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Lords of Manors, Tenants in Tail or for Life, or for any other partial or

qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, Administrators, and all other Tenants and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right or entitled to any Interest therein, and to and for every other Person whomsoever who is or shall be seised, possessed of, or interested in any Lands or Grounds required for the Purposes of this Act or any of them, to contract for, sell, and convey the same, and every or any Part thereof, unto the said Company; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all other Persons, so conveying as aforesaid, are hereby indemnified for what they shall respectively do by virtue hereof; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company, and shall be made in the Form or to the Effect following, or as near thereto as the Number of the Parties and the Circumstances of each Case will admit; that is to say,

I *A. B.* of \_\_\_\_\_ in consideration Form of  
of the Sum of \_\_\_\_\_ to me paid by "The *New Quay* Conveyance.  
Harbour Company," do hereby, by virtue of the Powers contained in an  
Act passed in the Fifth Year of the Reign of King *William* the Fourth,  
intituled [*here set forth the Title of this Act*], grant and release [*or*  
assign, as the Case may require,] to the said Company all [*describing the*  
*Premises to be conveyed*], with the Appurtenances, and all my Right,  
Title, and Interest in and to the same and every Part thereof, to hold to  
the said Company and their Successors for ever, by virtue and 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 \_\_\_\_\_

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

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

XII. And be it further enacted, That all Bodies Politic, Corporate, or Collegiate, Trustees and other Persons herein-before enabled to sell or convey Lands, Tenements, or Hereditaments, and any other Owner and the Satisfaction to be made for Lands taken.  
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the Occupier of any Lands through, in, or upon which the said Harbour and other Works hereby authorized shall be made, may accept and receive Satisfaction for the Value of such Lands, and also a Compensation for the Damages to be sustained by making or completing the said Improvements and Works herein-before directed to be made, such Satisfaction and Compensation respectively to be made and given in gross Sums ; and in case the said Company and the Parties interested in such Lands cannot agree as to the Amount or Value of such Satisfaction and Compensation, the same shall be ascertained and settled by the Verdict of a Jury, if required, as herein-after directed.

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

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

Array ; and the said Sheriff or Coroner is hereby empowered and required to summon or call before the said Justices every Person who shall be thought necessary to be examined as a Witness touching the Matter in question, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Matter in controversy ; and such Jury upon their Oaths (which Oaths, as well as the Oaths to such Persons as shall be called upon to give Evidence, the said Justices are hereby empowered to administer,) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands, or the Recompence to be made for the Damage which shall or may be sustained as aforesaid ; and the said Justices shall accordingly give Judgment for such Purchase Money or Recompence so to be assessed by such Jury ; which said Verdict and the Judgment thereupon shall be binding and conclusive to all Intents and Purposes against all Bodies Politic, Corporate, or Collegiate, Trustees and all other Persons whomsoever : Provided always, that in all Proceedings before any Jury the Person or Persons claiming Compensation shall be deemed Plaintiffs, and shall be entitled to all the Rights, Privileges, and Advantages to which Plaintiffs are entitled.

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

Penalty on Sheriff, Jurors, or Witnesses making default.

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

Jurors to be under the same Regulations as those of the Superior Courts.

XVI. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously

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

previously offered by or on behalf of the said Company as a Recompence or Satisfaction for any such Lands as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person as aforesaid, all the Costs and Charges incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Company out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Person entitled to receive the same within Ten Days after Demand made thereof from the said Company, then the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company, or of any Goods and Chattels of the Treasurer of the said Company, (unless such Treasurer shall pay such Costs and Charges out of any Monies received by him by virtue of this Act, which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by the Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Company as such Recompence or Satisfaction as aforesaid, then the said Costs and Expences shall be borne in equal Proportions by the Person refusing or neglecting to treat or agree as before mentioned and by the said Company; but in Cases where any Person shall have been prevented by Absence from treating with the said Company the Costs and Charges so incurred shall be borne by the said Company; and in all Cases where any Difference shall arise touching the Amount of the Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where any Costs shall be payable by the Person having had any such Disagreement or Dispute with the said Company as aforesaid, the Amount thereof, having been first paid by the said Company, may be deducted by them out of the Monies awarded to be paid to such Person as so much Money advanced for his Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and Purposes whatsoever to be a Payment or Tender of the whole Money awarded and adjudged to such Person; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Company from the Person liable to the Payment thereof by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

Persons requesting Juries to enter into Bonds to prosecute.

XVII. And be it further enacted, That every Person with whom the said Company shall have any such Difference or Dispute as aforesaid shall, before the said Company shall be obliged to issue out their Warrant or Warrants for the summoning such Jury, first enter into a Bond with Two sufficient Sureties to the Treasurer of the said Company in a Penalty of Two hundred Pounds to prosecute his Complaint, and to bear and pay his Proportion of the Costs and Expences of summoning and returning such Jury, and taking such Inquest, and of the Attendance of Witnesses;



in case such Costs and Expences shall fall upon him, her, or them, to be paid according to the true Intent and Meaning of this Act.

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

Compensation Money to be apportioned by the Jury.

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

Verdicts to be recorded.

XX. And be it further enacted, That if any Person shall sustain any Damage in his Lands by reason of the Execution of any of the Powers given by this Act, and through or by means not herein provided for, then and in every such Case such Damages shall be settled by the said Company or by a Jury as herein-before mentioned, and the Amount of such Damages may be recovered and applied in manner herein directed with regard to other Damages; and in every such Case the said Company are hereby empowered and required to issue a Warrant or Warrants to the Sheriff, of the said County, or other such Person as aforesaid, commanding him to summon a Jury in manner herein-before mentioned.

For settling Damages not provided for.

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

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

XXII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties or assessed by such Juries in manner aforesaid, for the Purchase of any such Lands, or as a Compensation for Damages, or of the Balance of such Purchase Money or Compensation which shall remain after the Deduction of any such Proportion of Costs and Charges which shall be payable by such Party, and shall have been so ascertained as aforesaid, to the Proprietor of such Lands, or to such other Person as shall be interested therein, or entitled or enabled as aforesaid to receive such Money or Compensation respectively, at any Time within Six Calendar Months after the same shall have been so agreed for, determined, or awarded, or in case of Refusal to accept the same, then upon Payment

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

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of the said Sum of Money into the Bank of *England*, as herein-after directed and required, for the Use of the Person entitled thereto, it shall and may be lawful to and for the said Company, and their Agents, Workmen, and Servants, immediately to enter upon such Lands respectively, and then and thereupon such Lands, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person therein, shall thenceforth be vested in and become the sole Property of the said Company to and for the Purposes of this Act for ever; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion or Remainder of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment as aforesaid it shall not be lawful for the said Company or any Person acting under their Authority to dig, cut, take, or use the Lands of the Person entitled to such Payment, for the Purposes of this Act, without the Consent in Writing of such Person or of the Person herein-before enabled to receive the same respectively.

Tenants at Will or for Years to quit Lands, &c. after Notice.

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

Interest of such Tenants may be settled by a Jury.

XXIV. Provided always, and be it further enacted, That where any such Tenant or Lessee, being Tenant or Lessee from Year to Year, shall be required to deliver up the Possession of any Premises so occupied by him to the said Company, or to the Person authorized by them to take Possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Premises, the said Company shall and they are hereby directed to make or tender unto such Tenant or Lessee Satisfaction or Compensation for the Value of his unexpired Term or Interest in the Premises; which Satisfaction or Compensation,

tion, in case of Difference, shall be settled and ascertained in manner hereinbefore directed with regard to any other Satisfaction or Compensation in and by this Act provided for and directed to be made and assessed.

XXV. And be it further enacted, That every Person who shall have any Mortgage on such Lands or any of them or any Part thereof, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon by the said Company or by such Person as they shall appoint, immediately convey, assign, and transfer such Mortgage to the said Company or to such Person as they shall appoint; or in case such Mortgagee shall have Notice in Writing from the said Company or from such Person as they shall appoint that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee shall convey, assign, and transfer his Interest in the Premises to the said Company or to such Person as shall be appointed in Trust for them; and in case such Mortgagee shall refuse to convey and assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Principal Sum due upon any Mortgage, with all Interest due thereon, shall amount to more than the real Value of the Premises to be taken and made use of for the Purposes of this Act, and which shall be ascertained in manner hereinbefore directed, then the said Company shall not be liable to pay to the said Mortgagee more than the real Value of such Premises so ascertained as aforesaid, or the Residue thereof after such Allowance and Payment thereout to any Lessee or Tenant as hereinbefore directed: Provided also, that in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England*, for the Use of the Mortgagee, the Cashier of the Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee and of every Person in Trust for him shall vest in the said Company, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage to all Intents and Purposes whatsoever.

Mortgages to be conveyed to the Company after Tender.

XXVI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for the Purchase of any Lands purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, Cestuique Trust, or to any Person whose Lands are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer,

Application of Compensation Money when amounting to 200*l.*

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1 G. 4. c. 35.

to be placed to his Account there “*ex parte* the *New Quay* Harbour Company,” pursuant to the Method prescribed by an Act passed in the First Year of the Reign of King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred to the said Court in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Lands, either in the Purchase or Redemption of the Land Tax, or in the Discharge of any Debt or other Incumbrance, or Part thereof, affecting the same Lands, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, and Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or where such Money shall not be so applied, then the same shall be invested and laid out, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands which shall be so purchased, taken, or used as aforesaid stood settled or limited, or to, for, or upon such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Proceeds of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands to be purchased by virtue of this Act in case such Purchase and Settlement were made.

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

XXVII. And be it further enacted, That if any Money so agreed or assessed to be paid for any Lands purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the said Lands so purchased, taken, or used, or of his Guardian or Committee, in case of Infancy, Idiocy, Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees, to be nominated by the Person making such Option and approved of by the said Company, such Nomination and Approbation to be signified in Writing under the Hands of

of the nominating and of the Seal of the approving Parties, in order that such Principal Money and the Dividends arising therefrom may be applied in manner herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court touching the Application thereof.

XXVIII. And be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in every such Case the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands so purchased, taken, or used for any of the Purposes of this Act, in such Manner as the said Company shall think fit, or in case of Infancy or Lunacy or other Incapacity, then to his Guardian, Committee, or Trustee, to and for the Use and Benefit of such Person so entitled respectively.

Application where less than 20l.

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

In case of not making out Titles.

XXX. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, or of any Estate or Interest therein, to be purchased,

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

[Local.]

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taken,

taken, or used in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person who shall have been in Possession of such Lands at the Time of such Purchase, and all Persons claiming under such Person or under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Lands according to such Possession until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, until it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, or to some Estate or Interest therein, when the said Court shall be empowered to make such Order as to the Capital, Dividends, and Interest thereon as the said Court shall deem proper.

Court of Exchequer may order Expences to be paid by the Company.

XXXI. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Corporation entitled to any Lands to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, and to be applied in the Purchase of other Lands to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Exchequer to order the reasonable Expences of all Purchases from Time to Time to be made in pursuance of this Act, and of the Re-investment of the Purchase Money in Land, or other Disposition of the same, together with the necessary Costs and Expences of obtaining the proper Orders for such Purposes, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Enabling the Company to sell Lands not wanted.

XXXII. And whereas by means of the Purchases which the said Company are empowered to make by virtue of this Act they may happen to be seised or possessed of more Land or Ground than will be necessary for effecting the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Company to sell and dispose of any Piece or Pieces of such Land or Ground, either together or in Parcels, by public Auction or private Contract, as they shall find most convenient and advantageous, to such Person as shall be willing to contract for and purchase the same, and to convey the same accordingly, and such Conveyances from the said Company shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom, to the contrary notwithstanding: Provided always, that the said Company, before they shall sell and dispose of any such Piece or Pieces of Land or Ground, shall first offer to resell the same to the Person or Persons from whom such Land or Ground was purchased by the said Company; and in case such Person shall have died, or cannot be found, or shall refuse or neglect to repurchase such Land or Ground, then the Offer to resell the same shall be made to the Owner of the adjoining Land or Ground; and an Affidavit made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said County, by some Person not

interested in the said Piece or Pieces of Land or Ground, stating that such Offer was made by or on behalf of the said Company, and that such Offer was then and thereupon not agreed to or was refused by the Person to whom the same was so offered, shall in all Courts whatever be sufficient Evidence and Proof that such Offer was made, and was not agreed to or was refused by the Person to whom such Offer was made, as the Case may be; and in case such Person shall be desirous of purchasing or repurchasing the same, and he and the said Company shall differ and not agree with respect to the Price thereof, in such Case the Price thereof shall be ascertained by a Jury in manner herein-before directed with respect to the disputed Value of Premises to be purchased by the said Company in pursuance of this Act; and the Expences of hearing and determining such Difference shall be borne and paid in like Manner as herein-before directed with respect to Purchases made by the said Company, *mutatis mutandis*; and the Money produced by the Sale which may be made by the said Company of such Piece of Land or Ground as aforesaid shall be applied to the Purposes of this Act, but the Purchaser thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

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

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

XXXIV. And whereas by reason of the Exercise of the Powers by this Act granted there may be Deficiencies in the Assessments for Land Tax in the Parishes herein mentioned, be it therefore enacted, That for preventing the same the said Company shall, from and after the said Company shall become seised and possessed of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax (unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax), be subject and liable from Time to Time to pay and make good, to or in aid of any such Parish, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within such Parish by reason or means of taking down or using for the Purposes of this Act any Houses, Buildings, or Premises liable to such Assessments,

Provision for Deficiencies of Land Tax.

ments, according to the Rental at which the same were valued or rated at the Time of passing this Act; and the Treasurer, Collector, or Receiver to be appointed under this Act shall be and is hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax Assessments.

Whole of the Estimate to be subscribed before the Act is proceeded with.

XXXV. And whereas the probable Expence of improving the said Harbour, and constructing the Pier or Breakwater and other Works hereby authorized to be made and provided, will amount to the Sum of Five thousand one hundred and eighty Pounds, more than Four Fifth Parts whereof have been already subscribed for by several Persons under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed respectively; be it therefore enacted, That the whole of the said Sum of Five thousand one hundred and eighty Pounds shall be subscribed for in like Manner before any of the Powers given by this Act in relation to the compulsory taking of Land for the Purposes of the Pier or Breakwater, Harbour and other Works, shall be put in force.

Company empowered to raise 7,000*l.* among themselves.

XXXVI. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves any Sum of Money for improving the said Harbour, and constructing such Pier or Breakwater and other Works herein-before mentioned, not exceeding in the whole the Sum of Seven thousand Pounds; and the same shall be divided into Seven hundred Shares of Ten Pounds each, and such Shares shall be numbered in regular Progression, and every such Share shall always be distinguished by the Number to be applied to the same; and the said Shares shall be and are hereby vested in the several Persons so raising and contributing to the same, and their several and respective Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sum they shall severally raise and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share, or such Sum of Money as shall be demanded in lieu thereof, towards carrying on and completing the said Undertaking and other the Purposes of the said Subscription, shall be entitled to and receive, at such Time and Times as the said Company shall direct and appoint, the entire and net Distribution of an equal proportionable Part, according to the Money so by them respectively paid, of the net Profits and Advantages that shall and may arise and accrue by the Tolls or other Sums of Money to be raised, recovered, or received by the said Company by the Authority of this Act; and every Body Politic, Corporate, or Collegiate, and all other Persons having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same in manner herein directed and appointed.

Application of Monies to be raised.

XXXVII. And be it further enacted, That all the Money to be raised or received by the said Company by virtue of this Act, whether by way of Capital or Profits or otherwise, shall be laid out and applied, in the first place, in paying and discharging all Costs and Expences incurred in applying for and obtaining and passing this Act, and all other Expences preparatory or relating thereto, together with legal Interest for such Sums

as



as shall have been advanced for any of those Purposes ; and the Remainder of such Money shall be applied in and towards purchasing Land, and constructing and maintaining the said Harbour and other Works, and otherwise in carrying this Act into execution.

XXXVIII. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, or Collegiate, and all other Persons, of and in the said Undertaking or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and be transmissible as such, and not be of the Nature of Real Property.

Shares to be deemed Personal Estate.

XXXIX. And be it further enacted, That the several Persons who have subscribed or who shall hereafter subscribe or advance any Money for or towards the said Undertaking shall and they are hereby required to pay the Sums by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Company, under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Company in manner herein-after mentioned ; and in case any Person shall refuse or neglect to pay the same at the Time and in the Manner required for that Purpose it shall and may be lawful for the said Company to sue for and recover the same in any Court of Law or Equity, together with Interest on such Sum or Sums of Money at the Rate of Five Pounds *per Centum per Annum* from the Time when the same was directed by the said Company to be paid as aforesaid.

To compel Payment of Subscriptions.

XL. And be it further enacted, That the said Company shall and they are hereby required, at their First or some subsequent Meeting, to cause the Names and proper Additions of the several Persons who shall then be entitled to Shares in the said Undertaking, with the Number of the Shares and the Amount of all the Subscriptions which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the said Company, and after such Entry made to cause their Common Seal to be affixed thereto ; and the said Company shall also cause a Ticket or Instrument, with their Common Seal affixed thereto, to be delivered to every such Subscriber, on Demand, specifying the Share to which he is entitled in the said Undertaking, every such Proprietor paying to the said Company Two Shillings and Sixpence and no more for every such Ticket or Instrument ; and such Ticket or Instrument shall be admitted in all Courts whatsoever as Evidence of the Title of such Subscriber, his Executors, Administrators, and Assigns, to the Share therein specified, but the Want of such Ticket or Instrument shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof ; and which said Ticket or Instrument may be in the Words or to the Effect following ; that is to say,

Names of Proprietors to be entered, and Tickets of their Shares to be delivered to them.

‘ THESE are to certify, That *A. B.* of \_\_\_\_\_ is a Proprietor  
 ‘ of the Share Number \_\_\_\_\_ in the *New Quay* Harbour  
 ‘ Company, subject to the Rules, Regulations, and Orders of the said  
 ‘ Company, and that the said *A. B.*, his [*or her*] Executors, Adminis-  
 ‘ trators [*or Successors*], and Assigns, is and are entitled to the Profits  
 ‘ and Advantages of such Share. Given under the Common Seal of the  
 ‘ [Local.] \_\_\_\_\_ 4 Q \_\_\_\_\_ said

Form of Ticket.



considered at any Meeting of the said Company shall be determined by the Majority of Votes and Proxies then present; and the Appointment of which Proxies may be made according to the following Form; that is to say,

I *A. B.* of \_\_\_\_\_ one of the Proprietors of the *New* Form of  
*Quay* Harbour Company, do hereby nominate, constitute, and appoint Proxy.  
*C. D.* of \_\_\_\_\_ to be my Proxy, in my Name and in my  
Absence to vote or give my Assent to or Dissent from any Business,  
Matter, or Thing relating to the said Undertaking that shall be men-  
tioned or proposed at any Meeting of the said Company of Proprietors  
of the said Undertaking, in such Manner as the said *C. D.* shall think  
proper, according to his Opinion and Judgment. In witness whereof  
I have hereunto set my Hand the \_\_\_\_\_ Day of \_\_\_\_\_

XLIII. And be it further enacted, That in case the Money hereby Power to  
authorized to be raised shall be found insufficient for improving the said raise an ad-  
Harbour, and constructing such Pier or Breakwater and other Works ditional Sum  
hereby authorized to be made, and for defraying all necessary Charges by Mortgage.  
and Expences relating thereto, then and in such Case it shall be lawful  
for the said Company to borrow and take up at Interest any further or  
other Sum of Money for completing and perfecting the said Undertaking,  
not exceeding the Sum of Three thousand Pounds, by Mortgage of the  
said Undertaking, as to them shall seem meet and convenient; and the  
said Company, after an Order has been made for that Purpose by any  
General Meeting, are hereby authorized and empowered to assign the  
Property of the said Undertaking, and the Tolls or Duties arising or to  
arise by virtue of this Act, or any Part thereof, the Costs and Charges of  
assigning the same to be paid out of such Tolls or Duties, as a Security  
for any such further Sum to be borrowed as aforesaid, with Interest, to  
such Person who shall advance the same, or to his Trustee; all which said  
Mortgages or Assignments shall be made under the Common Seal of the  
said Company in the Words or to the Effect following; that is to say,

(Number \_\_\_\_\_ )  
BY virtue of an Act passed in the Fifth Year of the Reign of King Form of  
*William* the Fourth, intituled [*here set forth the Title of this Act*], Mortgage.  
we, the *New Quay* Harbour Company, incorporated by the said Act, in  
consideration of the Sum of \_\_\_\_\_ to us in hand  
paid by \_\_\_\_\_ of \_\_\_\_\_ do  
assign unto the said \_\_\_\_\_ his [*or her*] Executors,  
Administrators, and Assigns, all and singular the Tolls arising by virtue  
of the said Act, and all the Estate, Right, Title, and Interest of us the said  
Company of, in, and to the same, to hold unto the said  
his [*or her*] Executors, Administrators, and Assigns, until the said  
Sum of \_\_\_\_\_ together with Interest for  
the same after the Rate of \_\_\_\_\_ for every One hundred  
Pounds for a Year, shall be fully paid and satisfied. Given under our  
Common Seal this \_\_\_\_\_ Day of \_\_\_\_\_ in the  
Year of our Lord \_\_\_\_\_

And every Person to whom such Mortgage shall be made shall be equally  
entitled one with another to his Proportion of the said Tolls and Pre-  
mises according to the respective Sums in such Mortgages mentioned to  
be



Interest and Costs shall be paid and satisfied the Power and Authority of such Receiver or Receivers for the Purposes aforesaid shall cease and determine; or otherwise the said Interest so due and unpaid as aforesaid shall be sued for and recovered, with Costs, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

XLV. And be it further enacted, That the First Meeting of the said Company for putting this Act into execution shall be held within Three Calendar Months next after the passing of this Act, either at *New Quay* or *Aberayron*, or at some other convenient Place within the County of *Cardigan*, of which Meeting Fourteen Days Notice at the least shall be given by public Advertisement in some one Newspaper usually circulated in the said County, and by Notice in Writing delivered to each Proprietor in the said Undertaking, or left at or sent by Post to his last known or usual Place of Residence; and the Second and every other Meeting shall be held at such Places in the said County and at such Times as shall at such First or any subsequent Meeting, or in or by any Advertisement in such Paper and Notice in Writing as aforesaid, by the said Company be appointed; and One Annual Meeting shall be holden in the Month of *July* in every Year, of which Meeting not less than Fourteen Days Notice shall be given by public Advertisement and Notice in Writing as herein-before mentioned; and the said Company shall and may meet and adjourn from Time to Time in such Manner as they shall deem expedient and proper; and at every such Meeting a Chairman shall be appointed by the Majority of Persons then present, who shall, in addition to his own Vote, have a casting Vote in case of an Equality of Votes on any Question; and the said Company shall at all such their Meetings proceed to put the several Powers and Authorities hereby given and granted into execution, and do all Things hereby authorized to be done and executed by the said Company, and shall also have Power and Authority to make such Rules, Bye Laws, and Orders for the good Government of the said Company, and for regulating all Officers, Pilots, Hoblers, Workmen, Agents, and Servants to be employed in or about the Affairs or Business of the said Company, and for the well and orderly using of the said Port and Harbour and other Works thereto belonging, and the conveying of all Goods, Wares, and Merchandize which shall be conveyed into the said Port and Harbour, or landed upon the said Piers, Quays, Wharfs, and other Works, and for the orderly Behaviour of all Persons who shall be employed in carrying, landing, or conveying any such Goods, Wares, or Merchandize, or in managing, piloting, or conducting Ships, Boats, or Vessels using such Port and Harbour, and for the Superintendence and Management of the said Port and Harbour and other Works in all other respects whatsoever, and from Time to Time to alter and repeal and again to renew the said Rules, Bye Laws, Orders, and Regulations, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against the same as to the said Company shall seem meet, not exceeding the Sum of Five Pounds for any Offence; which said Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the said Company, shall be painted on Boards, and affixed on the Piers or Wharfs of the said Harbour, and shall be renewed whenever the same shall become obliterated or defaced; and such Rules, Bye Laws, and Orders shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons

First and  
other Meet-  
ings.

[*Local.*]

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who shall act under the same, provided they be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any Directions in this Act contained; and all such Rules, Bye Laws, and Orders shall be subject to Appeal in manner hereinafter mentioned.

Persons holding Offices, &c. disqualified from acting.

XLVI. Provided always, and be it further enacted, That no Person holding any Office under or any Contract with the said Company, or concerned or interested either directly or indirectly in such Contract otherwise than as a Member of the said Company, shall be capable of acting or voting during the Time of his Continuance in such Office, or holding or being concerned or interested in such Contract.

Meetings may audit Accounts.

XLVII. And be it further enacted, That every such Meeting of the said Company shall have Power to call for, audit, and settle all Accounts for Money received, laid out, and disbursed on account of the said Port and Harbour and other Works by the Treasurers, Receivers, or Collectors of the Tolls and Duties, and other Officers appointed, or by any Person employed by or concerned for or under them in and about the said Port and Harbour and other Works thereto belonging.

Meetings to consist of 300 Shares.

XLVIII. And be it further enacted, That if at any Meeting there shall not be Persons who shall be possessed of or entitled to or hold at least Three hundred Shares in the said Undertaking, either as Principals or Proxies, no Proceedings shall take place at such Meeting, but in such Case the said Meeting shall stand adjourned to that Day Three Weeks next following, to be advertised in One or more of the Newspapers usually circulated in the said County of *Cardigan*, and so on until a Number of Proprietors entitled to or holding a sufficient Number of Shares as Principals or Proxies in the said Undertaking shall attend.

Meetings of Company may be specially convened.

XLIX. And be it further enacted, That if it shall at any Time appear that for the more effectually putting of this Act into execution a Special Meeting of the said Company is necessary to be held, it shall be lawful for any Proprietor who shall be possessed of or entitled to Ten Shares at the least in the said Undertaking to cause Fourteen Days Notice at the least to be given in some one Newspaper usually circulated in the said County of *Cardigan*, and also to give to each Proprietor, or leave at his usual Place of Abode, a Notice in Writing signed by such Proprietor or by the Clerk of the said Company for the Time being, or in such other Manner as the said Company shall at any Meeting direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special Meeting, and the Time when and the Place where the same shall be held; and the said Company are hereby authorized to meet in pursuance of such Notice, and such of them as shall be present shall proceed in the Execution of the Powers by this Act given to the said Company with respect to the Matters which shall be specified in such Notice; and all such Acts of the Proprietors or the major Part of them met together at every such Special Meeting shall be as valid, with respect to the Matter specified in such Notice, as if the same had been done at a Meeting at the Time herein-before appointed for holding the same, but no Business shall be done at any Special Meeting other than the Business for which it shall have been called.

L. And

L. And be it further enacted, That the said Company shall enter or cause to be entered in a Book or Books to be provided for that Purpose, and to be kept by the Clerk or other Officer of the said Company, a full and true Account of all Monies received and also of all Monies disbursed and Payments made by them, and of the several Articles, Matters, and Things for which such Monies shall have been disbursed and paid, and also a full and true Account and proper Notes and Minutes of every Contract, Bargain, and Agreement which shall be entered into by them respectively for or on behalf of the said Company, and of all and singular their respective Orders, Transactions, and Proceedings whatsoever in and about the Affairs and Business of the said Company; and every such Book, and all other Books, Papers, and Writings belonging to the said Company, shall at all seasonable Times be open to the Inspection of all the said Proprietors, who may take Copies thereof or Extracts therefrom without Fee or Reward; and if any such Clerk or other Officer shall refuse to permit or shall not permit any Proprietor to inspect and peruse such Book at all seasonable Times, or take Copies thereof or Extracts from the same, every such Clerk or other Officer shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Proceedings  
and Accounts  
to be entered.

LI. And be it further enacted, That the said Company shall have Power from Time to Time to make such Calls for Money from the Subscribers to and Proprietors of the said Undertaking to defray the Expences of or to carry on the same as they from Time to Time shall think necessary for those Purposes, so that no such Call shall exceed the Sum of Two Pounds and Ten Shillings upon each Share of Ten Pounds each which any Person shall or may be possessed of or entitled unto in the said Undertaking; and such Calls shall not be made but at the Distance of Two Calendar Months at the least from each other, and Fourteen Days Notice at the least shall be given of all such Calls as aforesaid by Advertisement in some one Newspaper usually circulated in the said County of *Cardigan*, and by Notice in Writing delivered to each Proprietor in the said Undertaking, or left at or sent by Post to his last known or usual Place of Residence, which Monies so called for shall be paid to such Person at such Time and Place and in such Manner as the said Company shall from Time to Time appoint and direct; and if any Person shall neglect or refuse to pay his rateable or proportionable Part or Share of the Money so called for as aforesaid at the Time and Place to be appointed as aforesaid, it shall be lawful for the said Company to sue for and recover the same in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, or Information, or the said Company may and they are hereby authorized to declare the Shares belonging to any Person neglecting or refusing to pay any Calls in manner aforesaid to be forfeited; and all Shares so forfeited shall be sold at a public Sale by the said Company for the most Money that can be gotten for the same, and shall be assigned by Writing under the Common Seal of the said Company unto the Purchaser thereof, and the Produce thereof shall be applied and disposed of for the Purposes of this Act; but no Advantage shall be taken of any Forfeiture of any Share in the said Undertaking until Notice in Writing under the Hand of the Clerk or Treasurer of the said Company shall have been given to or left at the usual Place of Abode of the Owner of such Share respectively, nor until such Share shall have been declared to be forfeited at some stated or

Company  
empowered  
to make  
Calls.

Special

Special Meeting of the said Company which shall be held after the End of Two or more Calendar Months from the Day on which such Notice of Forfeiture shall have been given: Provided always, that in case the Money produced by the Sale of any such Share shall be more than sufficient to pay any such Arrears as aforesaid and legal Interest thereon, together with the Penalties incurred by Nonpayment, and the Expences attending the Sale thereof, the Surplus arising from such Sale shall be paid to the Person to whom such Share shall have belonged: Provided also, that the said Company shall not by virtue of this Act at any Time sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter than shall be sufficient, as near as may be at the Time of such Sale, to pay the Arrears due from such Defaulter for or on account of such Calls, and the Interest, Penalties, and Expences attending the same; and from and after the Payment of all Calls to be made by virtue of this Act, and the Interest, Penalties, and Expences as aforesaid, any Share vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person, Body Politic, Corporate, or Collegiate, to whom such Share shall have before belonged, in such Manner as if such Calls had been duly and regularly paid.

Proceedings  
in Actions  
for Calls.

LII. And be it further enacted, That in any Action to be brought by the said Company against the Owner of any Share in the said Undertaking to recover any Sum of Money due and payable to the said Company for or by reason of any Call made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant, being the Proprietor of a Share in the said Undertaking, is indebted to the said Company in such a Sum of Money as the Call in arrear shall amount to for so many Calls of so many Sums of Money upon so many Shares belonging to the said Defendant (as the Case shall happen to be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant at the Time of making such Call was a Proprietor of a Share in the said Undertaking, and that such Call was in fact made, and that such Notice thereof was given as is directed by this Act, without proving any other Matter whatsoever; and the said Company shall thereupon be entitled to recover what shall appear due, unless it shall appear that any such Call exceeded Two Pounds and Ten Shillings for every Sum of Ten Pounds, or was made within the Distance of Two Calendar Months from the last preceding Call, or without Notice given in any Newspaper and by Letter as aforesaid.

After a Call  
no Share to  
be sold until  
the Call shall  
be paid.

LIII. And be it further enacted, That after any such Call of Money shall have been made no Person shall sell or transfer any Share which he shall possess in the said Undertaking unless he, she, or they, at the Time of such Sale or Transfer, shall have paid or discharged to the Treasurer of the said Company the whole and entire Sum of Money which shall have been called for in respect of each Share so sold or transferred.

Proprietors  
in arrear not  
to vote.

LIV. And be it further enacted, That no Proprietor in arrear for any Call shall at any Meeting be allowed to vote or give his Voice in the Agitation of any Question respecting the Concerns of the said Proprietors, either personally or by Proxy, until such Time as he shall have  
paid



paid to the Treasurer all such Arrears as may be due from him in respect of such Calls.

LV. And be it further enacted, That the said Company of Proprietors at their First General Meeting to be held as herein-before is mentioned, or at some Adjournment from such First General Meeting, shall choose and elect Thirteen of the said Proprietors, each of whom at the Time of such Election shall be possessed in his own Right of Ten or more Shares in the said Undertaking, to be Directors to manage the Affairs of the said Company, and of the Thirteen Directors so nominated and elected as aforesaid Four shall be competent to act; and the several Persons so to be nominated and elected the first Directors shall continue in Office and be respectively Directors until the Annual General Meeting of the said Company which shall be held in the Month of *July* in the Year of our Lord One thousand eight hundred and thirty-six, and until others shall be nominated and elected in their Stead in pursuance of this Act; and the said Company at any General Meeting shall have Power to fix what Remuneration shall from Time to Time be allowed to the Directors of the said Company: Provided always, that such Remuneration shall not in any One Year exceed the Sum of Thirty Pounds, to be divided amongst such Directors.

First General Meeting to choose Directors.

LVI. And be it further enacted, That at every succeeding General Meeting to be held in the Month of *July* in each Year, or at some Adjournment thereof respectively, Four new Directors shall be elected and appointed out of the Proprietors of Ten or more Shares in the said Undertaking to be the Directors for managing the Affairs of the said Company, who shall continue in their Offices for the Space of Twelve Calendar Months, to be computed from the Day of Election, or until others or another shall be duly elected in their or any of their Places.

Directors to be annually elected.

LVII. Provided always, and be it further enacted, That if any Person who shall be elected a Director shall take or contract to take or shall participate in any Manner in any Work to be done for the said Company, or in any Profit to be obtained by any such Work, every such Person so offending shall forfeit and pay to the said Company the Sum of One hundred Pounds, and shall thereupon cease to be a Director, and shall be disqualified from being a Director, and thereupon another Proprietor shall be elected in the Stead of such Person so ceasing and being disqualified as aforesaid to be a Director.

Directors contracting for Work, &c. to cease to have a Voice in the Direction.

LVIII. Provided also, and be it further enacted, That at every annual Election or Appointment of Directors any of the former Directors shall be re-eligible to the Office again immediately or at any Time or Times afterwards, notwithstanding his Time of Service shall have expired, or notwithstanding his having forfeited his Office by reason of Disqualification, in case he shall have again become duly qualified.

Former Directors may be re-elected.

LIX. And be it further enacted, That every Vacancy in the Direction by Resignation or Disqualification shall be filled up at a Special Meeting of the said Company to be held for that Purpose within Forty Days next after such Vacancy shall happen or be known (Fourteen Days previous Notice being given by the Clerk to the said Company in manner next

Election of Directors in case of Vacancies.

[Local.]

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herein.

herein-after mentioned), and the Person or Persons who shall be chosen to fill such Vacancy or Vacancies (being duly qualified) shall continue in Office upon the same Terms and only for the same Period as the Person whose Place he shall supply would have continued if his Office had not been vacated before the Time at which he must, according to the Provisions of this Act, have gone out of Office.

Meetings of  
Directors.

LX. And be it further enacted, That the said Directors shall or may hold their First Meeting within Thirty Days after their Appointment at such Time and Place within the said County of *Cardigan* as they shall think proper, and shall have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time and from Place to Place within the said County as they shall think fit; and the said Directors shall at each Meeting appoint One of the Directors to preside as Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors at any of their Meetings shall be decided and determined by a Majority in Number of the Directors present (the Number present not being less than Four, and each Director having but One Vote); and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman, such Chairman shall have the decisive or casting Vote; and if on the Day appointed for any Meeting of the said Directors Four Directors qualified to vote shall not attend, then and in every such Case the Meeting shall be adjourned till such Time as the Director or Directors then present, or if none be present as the Clerk of the said Company, or such other Person as shall attend in his Place, shall appoint; and any Two or more Directors may at any Time when they shall think fit call a Meeting of the Directors by Notice in Writing signed by such Two or more Directors, or by the Clerk to the said Company, to be sent by the Post or otherwise to the Residence or Address of every Director.

Power of  
Directors.

LXI. And be it further enacted, That the Directors for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power to meet and adjourn from Time to Time and from Place to Place, and also at any Time to call Special Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places in the said County of *Cardigan* of holding General and Special Meetings, and to direct the Affairs and Business of the said Company, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued and received, laid out and disposed of, for the Purposes of the said Company, as in contracting for and purchasing Lands, Tenements, and Hereditaments, Materials, Goods, and Chattels, for the Use of the said Undertaking, and in nominating, electing, appointing, placing, or displacing any Officer, Agent, or Servant of the said Company, or in paying or rewarding any such Officers, Agents, or Servants with Salaries, Gratuities, or other Recompence, as to the said Directors shall seem proper, and in ordering, directing, and employing the Works and Workmen, and in making, enforcing, rescinding, compounding, and compromising all Contracts and Bargains touching or in anywise concerning the same, subject to such Rules, Orders, Bye Laws, and Regulations as shall at any Time be duly made by the said Company in Restraint, Control, or Regulation of the Powers and Authorities by this Act granted; and the said Directors may require such Security  
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to be given to the said Company from any Officer or Officers or other Person, for the faithful Execution of their respective Duties, as they may think proper or reasonable.

LXII. And be it further enacted, That it shall be lawful for the said Directors and they are hereby authorized from Time to Time to nominate or appoint a Harbour Master, Treasurer, and a Receiver or Collector of the Tolls or Duties hereby imposed, and also a Clerk to the said Company, and such other Officers as they shall think proper; and the said Directors shall and they are hereby required to take sufficient Security from such Treasurer, Receiver, Collector, and other Officer having the Care or Custody of any Money to be raised or received by virtue of this Act, for the due Execution of their respective Offices, as the said Directors shall think proper, and from Time to Time to remove any such Harbour Master, Treasurer, Receiver, Collector, Clerk, or other Officer, or any of them; and such Clerk shall attend the Meetings of the said Company and of the said Directors, and shall, in proper Books to be provided by the said Company for that Purpose, enter and keep a true and perfect Account of the Names and Places of Abode of the several Persons who shall from Time to Time become Owners and Proprietors of or entitled to any Shares in the said Undertaking, and of all Acts, Proceedings, and Transactions of the said Company and of the said Directors; and in case any such Treasurer, Receiver, Collector, or Clerk shall die, be removed from or quit the Service of the said Company, it shall be lawful for the said Directors to appoint any other fit Person to execute such Office in the Place of such Person who shall so die, be removed from or quit the Service of the said Company.

Directors to  
appoint  
Officers.

LXIII. And be it further enacted, That it shall not be lawful for the said Directors to appoint any Person who may be appointed the Clerk to the said Company, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, to be the Clerk to the said Company; and if any Person shall accept the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk, or shall act as Deputy of the Clerk, or in any Manner officiate for the Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Trust or Profit under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer  
and Clerk  
not to be the  
same Person.

LXIV. And

Treasurer  
and other  
Officers to  
account.

LXIV. And be it further enacted, That every Treasurer, Clerk, Collector and other Officer or Person to be appointed by virtue of this Act shall, under his respective Hand, and at such Time or Times and in such Manner as the said Directors shall direct, deliver to the said Directors, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Person received by virtue of or for the Purposes of this Act, and of how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments; and every such Officer or Person shall pay all such Monies as shall remain due from him to the Treasurer for the Time being, or to such Person or Persons as the said Directors shall appoint to receive the same; and if any such Treasurer, Clerk, or Collector, Officer or other Person, shall refuse or wilfully neglect to make and render such Accounts, or to produce and deliver up the Vouchers relating to the same; or to make Payment as aforesaid; or shall refuse or wilfully neglect to deliver to the said Directors, or to such Person or Persons as they shall appoint to receive the same, within Three Days after being thereunto required by the said Directors by Notice in Writing under the Hands of any Two or more of them given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Information and Satisfaction to the said Directors, or such other Person or Persons as aforesaid, respecting the same, then and in every such Case, upon Complaint being made by the said Directors, or by any Person or Persons whom they the said Directors shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer or Person so refusing or neglecting to appear before such Justice, and upon the said Officer or Person appearing, or having been so summoned and not appearing without some sufficient or reasonable Excuse, or not being found, it shall be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath or Affirmation (which Oath or Affirmation such Justice is hereby empowered to administer), it shall appear to such Justice that any Monies remain due from such Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if sufficient Goods and Chattels of such Officer or Person shall not be found to answer and satisfy the said Money and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer or Person had refused or wilfully neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Hands or in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice shall commit such Offender to the  
Common

Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Directors for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Directors are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, or Writings, or have given Satisfaction in respect thereof, to the said Directors or to such other Person or Persons as aforesaid; but no such Offender shall be kept or detained in such Common Gaol or House of Correction for Want of sufficient Distress by virtue of this Act for any longer Space of Time than Six Calendar Months.

LXV. And be it further enacted, That no Prosecution or Commitment under the Provisions of this Act of any Treasurer, Clerk, Collector, or other Officer or Person to be appointed under the Powers of this Act, shall acquit or discharge any Security or Securities that shall or may have been taken by or given to the said Directors for the due and faithful Execution of his or their Office, or the Payment of the Monies received or to be received by him or them respectively.

Commitment of Officer not to discharge his Sureties.

LXVI. And be it further enacted, That the Directors to be appointed in pursuance of this Act shall keep or cause to be kept a regular Minute or Entry of their Proceedings, and from Time to Time to make Reports to and be subject to the Examination and Control of the General and Special Meetings of the said Proprietors, and shall pay due Obedience to all such Orders and Directions in and about the Premises as shall from Time to Time be made by the said Proprietors at any such General or Special Meetings, such Orders and Directions not being contrary to any express Directions or Provisions in this Act contained.

Directors to be under the Control of General Meetings.

LXVII. And be it further enacted, That none of the Directors for the Time being shall become personally answerable for the Performance of any Agreement into which he shall or may have entered as one of such Directors on behalf of the said Company, but all Persons with whom any Contracts or Agreements shall from Time to Time be entered into by the said Directors shall have full Power to resort to and proceed against the said Company either at Law or in Equity for the Performance of every such Contract and Agreement, or for Damages occasioned by any Breach or Nonperformance thereof; and the Joint Stock and Property of the said Company shall from Time to Time be answerable and accountable for the due Performance of every Contract entered into by the said Directors, and for all Damages which shall be recovered by reason of any Breach or Nonperformance thereof.

Directors not personally liable.

LXVIII. And be it further enacted, That when and so soon as the Sum of Three thousand four hundred and fifty-three Pounds Six Shillings and Eight-pence, being Two Thirds of the estimated Expence of constructing the said Harbour, shall have been expended therein, it shall be lawful for the said Company, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered, from Time to Time and at all Times to ask, demand, take, receive, collect, recover, and levy, for the

Power to take Tonnage Duties.

[Local.]

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Use

Use of the said Company, upon all and every of the Ships, Vessels, and Boats, of whatever Description, which shall come into or use the said Harbour, or shall ride or be at anchor within the Limits of this Act, or within One Mile of the Pier Head, any Sums not exceeding the several Rates and Duties specified in the Second Schedule hereunto annexed.

Ships re-entering the Harbour within 24 Hours not to be again liable to the Duties.

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

The Lords of the Treasury may reduce the Rates on Foreign Ships.

LXX. Provided also, and be it further enacted, That it shall be lawful for the Lords of the Treasury or any Two of them, by their Order in Writing, to reduce the Rates and Duties hereby directed to be levied upon Foreign Ships to such Sum as they shall think fit, so as the same is not less than hereby directed to be levied upon *British* Vessels belonging to Inhabitants of *New Quay*.

Rates may be fixed on Articles not enumerated in the Schedule.

LXXI. And be it further enacted, That over and above the Tonnage Duty herein-before authorized to be taken on Ships, Vessels, or Boats entering into and using the said Harbour, or being at anchor within One Mile of the Pier Head, there shall be paid to the said Company on all Goods, Wares, Merchandize, or other Commodities or Things which shall be landed or shipped within the aforesaid Limits, extending from *Carregina* to *Panhead*, or be there exported or imported in such Ships, Vessels, or Boats, the several Rates or Duties specified in the Third Schedule hereunto annexed.

Rates on Goods.

LXXII. And be it further enacted, That it shall be lawful for the said Company to fix such reasonable Rates upon Commodities not specified in the said Schedule as they shall think fit, provided such Rates shall not exceed One Twentieth Part of the Freight of such Commodities.

Exempting Vessels in His Majesty's Service, &c.

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

For ascertaining the Tonnage or Admeasurement of Ships.

LXXIV. And be it further enacted, That the Tonnage or Admeasurement of all Ships and Vessels required to be registered by any Act of Parliament, and liable to the Payment of the Tolls or Duties by this Act imposed, shall be ascertained according to the certified Tonnage in the Ship's Register, and the Master or other Person having the Command of

any

any Ship or Vessel is hereby required to produce such Certificate of Register at the Time of Payment of the said Tolls or Duties to the Person duly authorized to collect and receive the same; and in case of any Dispute about the same, or in case of any Dispute in respect of the Tonnage of any Ship or Vessel not required to be registered, or of any Foreign Ship or Vessel, then the Tonnage of any such Ship or Vessel shall be ascertained in the Manner and according to the Directions of any Act for the Time being in force for ascertaining the Tonnage of *British* Vessels.

LXXV. And for the more effectually securing the Payment of the said Rates, Tolls, and Duties, be it further enacted, That it shall be lawful for the Collector or Comptroller and every other Officer whatsoever of His Majesty's Customs to refuse to give or make out any Cocquet or other Discharge, or take any Report Outwards or Inwards, for any Ship, Vessel, or Boat using the said Harbour, until the Rates, Tolls, or Duties by this Act made payable, according to the true Intent and Meaning hereof, shall be paid unto the Collector or other Person from Time to Time appointed to receive the same, and such Collector or Comptroller or other Officer of His Majesty's Customs shall and he is hereby required to obey all such Orders and Directions as he shall from Time to Time receive from His Majesty's Commissioners of Customs relating thereto.

Collectors of Customs may refuse to discharge any Ship until the Duties are paid.

LXXVI. And be it further enacted, That it shall be lawful for the said Company, from Time to Time and as often as they shall think fit, to lessen, reduce, discontinue, and vary the Tolls and Duties granted by this Act, or any Part thereof, and again to raise, advance, revive, and vary the said Tolls and Duties respectively, so as not at any Time to exceed the Amount herein-before authorized to be collected and paid.

Power to reduce the Tolls or Duties.

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

List of Tolls to be affixed in conspicuous Places.

LXXVIII. And be it further enacted, That the Tolls or Duties hereby authorized to be demanded and taken shall be paid to such Person, at such Place at or near the said Port and Harbour, in such Manner, and under such Regulations as the said Company shall by Notice to be annexed to the List of Tolls or Duties by this Act imposed direct or appoint; and in case of Refusal or Neglect of Payment of such Tolls or Duties or any Part thereof, on Demand, to the Person appointed to receive the same as aforesaid, the said Company may sue for and recover the same by Action of Debt or upon the Case in any of His Majesty's Courts of Record, or the Person to whom such Tolls or Duties ought to have been paid may and he is hereby authorized to seize the Ship, Vessel, or Boat for or

Recovery of Tolls.

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in respect of which any such Tolls or Duties ought to have been paid, or any Part of the Stores, Tackle, Apparel, or Furniture of such Ship, Vessel, or Boat, and detain the same until such Payment shall be made, together with reasonable Charges for such Seizure and Detention; and if such Goods shall not be redeemed within Five Days next after the taking thereof, the same shall be appraised and sold as the Law directs in Cases of Distress for Rent.

For settling  
Disputes  
concerning  
Tolls.

LXXIX. And be it further enacted, That if any Disputes shall arise concerning the Amount of the Tolls or Duties due, or Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to detain such Distress or the Money arising from the Sale thereof (as the Case may happen) until the Amount of the Tolls or Duties due, and the Charge of seizing, distraining, keeping, or selling such Distress (as the Case shall happen), shall be ascertained by a Justice of the Peace for the said County, who, upon Application made to him for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses, and determine the Amount of the Tolls or Duties due; and it shall be lawful for such Justice to assess and award such Costs to be paid by either of the Parties to the other of them as he shall think just and reasonable; and in case of Nonpayment thereof on Demand such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Parties liable to pay the same by Warrant under the Hand and Seal of such Justice; and which Warrant may be in the Form or to the Effect following; that is to say,

Form of  
Warrant.

‘ County of } To the Constable [*or other Officer*] of  
‘ to wit. }  
‘ **WHEREAS** in pursuance of an Act passed in the Fifth Year of the  
‘ Reign of King *William* the Fourth, intituled [*here set forth the Title*  
‘ *of this Act*], I *A. B.*, one of His Majesty’s Justices of the Peace for the  
‘ said County, on the Complaint of *C. D.*, have ascertained and determined  
‘ that certain Tolls or Duties payable by *E. F.* of to the  
‘ said *C. D.*, by virtue of the said Act, amount to the Sum of  
‘ which the said *C. D.* is by the said Act empowered to raise by Distress  
‘ in manner therein mentioned; and I have also assessed and awarded  
‘ the Sum of as the Costs relative thereto, to be paid by  
‘ the said to the said These are  
‘ therefore in His Majesty’s Name to command you, in case of Nonpayment  
‘ thereof on Demand, to levy the said Sum of by Distress  
‘ of the Goods and Chattels of the said and if within  
‘ the Space of Days next after such Distress by you taken the said  
‘ Sum of with the reasonable Charges of taking and  
‘ keeping the same, shall not be paid, that then you do sell the Goods and  
‘ Chattels by you distrained, and out of the Money arising by such Sale  
‘ that you do pay the said Sum of to the said  
‘ returning the Overplus, on Demand, to the said  
‘ the reasonable Charges of taking, keeping, and selling the said Distress  
‘ being first deducted. Given under my Hand and Seal the  
‘ Day of *A. B.*’

Company  
empowered  
to lease the  
Tolls.

LXXX. And be it further enacted, That it shall be lawful for the said Company to let to farm the Tolls or Duties hereby made payable, or any Part thereof, unto any Person, for any Term or Time which they shall think proper,



proper, not exceeding Three Years; and the Lessee thereof, and also such Person as such Lessee shall appoint to collect and receive the Tolls and Duties so let, shall, during the Continuance of any such Lease, be deemed Collectors thereof, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by the said Company: Provided always, that public Notice of the Intention to let the said Tolls and Duties, or any Part thereof, be given by the Clerk to the said Company by Advertisement published in some Newspaper usually circulated in the said County at least Ten Days prior to any Meeting at which the said Tolls or Duties, or any Part thereof, are proposed to be let.

LXXXI. And be it further enacted, That in case all or any of the Tolls or Duties arising by virtue of this Act shall be demised or let to farm to any Person in any Manner whatsoever, and the Lessee or Farmer thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent agreed to be paid by such Lessee or Farmer, or any Part thereof, shall be in arrear or unpaid for the Space of Fourteen Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Agreement, or Contract for demising or letting such Tolls or Duties, or in case any such Lease, Agreement, or Contract shall in any other Manner become void, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the said County, upon Application made by One or more of the said Proprietors or by the Clerk or Treasurer for the Time being of the said Company, by Warrant under their respective Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to remove such Lessee, Farmer, or other Person from the Collection of such Tolls or Duties, and to put the said Company or any of them, or their new Lessee, Farmer, or Collector, into Possession, and thereupon it shall be lawful for the said Company, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement, if any, which was previously subsisting, and the same shall accordingly be utterly void to all Intents and Purposes (save as to the Covenants and Agreements for Payment of the Rent thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part,) as if such Lease, Contract, or Agreement had never been made; and it shall be lawful for the said Company in every such Case again to demise or let to farm the said Tolls or Duties to any other Person, or cause them to be collected, in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

Power to re-enter in case of Default of Payment of Rent by Lessee.

LXXXII. And be it further enacted, That the Owner of every Ship, Boat, or Vessel using the said Port and Harbour shall be and he is hereby made answerable for any Trespasses, Damages, Spoil, or Mischief that shall be done by his Ship, Boat, or Vessel, or by any of the Seamen or Boatmen or other Persons belonging to or employed in or about the same respectively, to the Breakwaters, Piers, Jetties, and other Works or Conveniences made by virtue of this Act, by any Means whatsoever, or to the Owners or Proprietors of any Building or other Erection on the Lands adjoining or lying near the same, or any other Trespass whatsoever; and such Owner of such Ship, Boat, or Vessel shall for every such Damage, upon Conviction of such Person before One Justice of the Peace,

Owners of Ships to be accountable for Damages done by their Servants.

[Local.]

4 U

either

either by Confession of the Party offending, or upon the Oath of One or more credible Witness or Witnesses (which Oath such Justice is hereby empowered and required to administer), pay to the Person injured the Damages, to be ascertained by such Justice, provided that such Damages do not exceed the Sum of Five Pounds, and also shall, over and above such Damages, forfeit and pay all the Costs, Charges, and Expences attending such Conviction; which Damages, Penalties, and Costs shall be levied by Distress and Sale of the Goods and Chattels of the Owner of any such Ship, Boat, or Vessel, by Warrant, under the Hand and Seal of such Justice; and the Overplus (if any), after such Penalty, Damages, and the Costs and Charges of such Distress and Sale are deducted, shall be returned, upon Demand, to the Owner of such Goods and Chattels; or if the Damages shall exceed the Sum of Five Pounds, then and in such Case the Owner of such Ship, Boat, or Vessel may be sued and prosecuted for the same in any of His Majesty's Courts of Record; and if a Verdict shall be given against him either on Proof made or by Default or upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained, with full Costs of Suit.

Servant to  
repay his  
Master  
Amount paid  
for Damages.

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

Penalty on  
Persons caus-  
ing Obstruc-  
tion in the  
Harbour.

LXXXIV. And be it further enacted, That if any Person shall suffer the Cargo or Loading of any Ship, Boat, or Vessel using the said Port and Harbour to be over the Sides thereof, or shall overload any Ship, Boat, or Vessel, or shall leave or place, or suffer any Ship, Boat, or Vessel to be left or remain, in any Part of the said Port and Harbour so as to obstruct the Passage of any other Ship, Boat, or Vessel, and shall not immediately upon Notice given of such Obstruction remove the same so as to make a free Passage for other Ships, Boats, or Vessels respectively, or shall float any Timber within the said Port and Harbour (except with the Permission of the Harbour Master), or shall throw any Ballast, Gravel, Stones, Rubbish, or other Matter or Thing into the said Port and Harbour (except in such Places as shall be set out and fixed by the said Harbour Master), or shall wilfully prevent, obstruct, or hinder any Person acting in execution of this Act, every Owner, Master, or other Person having the Care or Command of such Ship, Boat, or Vessel, or offending in any of the Matters aforesaid, shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power for  
the Harbour  
Master to  
direct the  
placing and  
mooring of  
Vessels in  
the Harbour.

LXXXV. And be it further enacted, That it shall be lawful for any Person appointed in pursuance of this Act to act as Harbour Master within the said Port and Harbour of *New Quay* to direct any Person having the Command of any Vessel entering into or being within the said Port and Harbour to moor, anchor, and place the same in such Situation within the said Port and Harbour as the said Harbour Master shall think

think fit; and in case the Master of such Vessel shall refuse or neglect to remove the same as soon as may be after being required, and to moor, anchor, and place the same as the said Harbour Master shall direct, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and it shall be lawful for the said Harbour Master and such other Persons as he shall call to his Assistance to remove or cause to be removed the said Vessel in such Manner as he shall deem necessary or proper; and such Master shall pay all the Charges and Expences attending the removing such Vessel after such Direction, Refusal, or Neglect as aforesaid, such Charges and Expences to be recovered in manner herein directed with respect to the Recovery of Penalties and Forfeitures; and if any Person shall prevent or impede the Removal of any such Vessel, such Person shall forfeit and pay any Sum not exceeding Ten Pounds.

LXXXVI. And be it further enacted, That it shall be lawful for the said Company and they are hereby empowered to provide One or more Steam Vessels commonly called Steam Tugs, for the Purpose of towing and assisting Ships and Vessels entering into or using the said Port and Harbour, and of conveying Persons on board such Ships or Vessels, and to receive, demand, and recover such Sums of Money for the Use of such Steam Vessels as shall from Time to Time be fixed by the said Company, in addition to the other Rates or Duties by this Act authorized to be taken, and to be recovered in the same Manner as the other Rates and Tolls by this Act imposed.

Company  
empowered  
to employ  
Steam Ves-  
sels.

LXXXVII. And whereas it may tend to the Public Advantage and Accommodation if the said Company be empowered to purchase, in addition to the Land hereby authorized to be purchased, used, or taken, any Quantity of Land not exceeding Twenty Statute Acres, for depositing Ballast, and for making, erecting, forming, and providing any Wharfs, Yards, Messuages, Warehouses, and other Buildings and Conveniences, for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, to contract with any Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, for the Purchase of any Parcel of Land (not exceeding in the whole Twenty Statute Acres) in such Place as shall be deemed eligible or convenient for depositing of Ballast, and for making, erecting, forming, and providing any Wharfs, Yards, Messuages, Warehouses, and other Buildings and Conveniences, or for any other Purposes whatsoever connected with the said Port, Harbour, and other Works which the said Company shall judge requisite and necessary, and to levy, for the Use and Occupation of such Wharfs, Yards, Messuages, Warehouses, and other Buildings and Conveniences, such Dues, Rents, or Sums of Money as may from Time to Time be agreed upon between the Persons using and occupying the same and the said Company; and it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, and all other Persons whomsoever, to sell and grant or convey to the said Company any Parcel of Land whatsoever for the Purposes aforesaid or any of them, in the same Manner as is herein-before directed concerning Lands to be taken or used for the Purpose of making and constructing the said Harbour and other Works: Provided always, that nothing herein contained shall extend or be construed to extend to authorize or empower the said Company to take or use for any such Purposes any  
Lands

Power to  
purchase  
Lands for  
Wharfs, &c.

Lands without the Consent in Writing of the Owners or Occupiers of such Lands, or to oblige the Owners thereof to sell to the said Company any Lands or Buildings for such Purposes.

Limiting the Quantity of additional Land to be purchased from incapacitated Persons.

LXXXVIII. Provided always, and be it further enacted, That in case the said Company shall purchase the said Twenty Statute Acres of or from any Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, or Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and shall at any Time afterwards sell the Whole or any Part of what shall have been so purchased from any such incapacitated Parties or Persons, it shall not be lawful for the said Company again to purchase any Lands in lieu of the Lands so sold as last aforesaid of or from the same or of or from any other Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, nor shall it be lawful for the said Company to purchase of or from the same or any other Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Company any other Lands, Tenements, or Hereditaments in lieu or instead of such Twenty Statute Acres or any Part thereof so sold or disposed of by the said Company.

Wharfingers not to give Preference.

LXXXIX. And be it further enacted, That if any Wharfinger or any Servant belonging to the said Company shall give any undue Preference or show any Partiality in loading or unloading any Goods or other Things at any of the Wharfs, Yards, or Warehouses, Weighbeams, Cranes, or other Machines belonging to the said Company, any Person so offending shall forfeit and pay any Sum not exceeding Five Pounds.

Compelling Witnesses to attend.

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

XCI. And

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

Damages and Charges, in case of Dispute, to be settled by Justices.

XCII. And be it further enacted, That when and so often as any Sum of Money shall be directed or ordered by any Justice of the Peace to be paid, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Company, or any Person acting under or by their Authority, and such Sum of Money shall not be paid by the said Company to the Party entitled to receive the same within Ten Days after Demand in Writing shall have been made from the said Company or their Treasurer in pursuance of the Direction or Order made by such Justice, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Company by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice, which Warrant any such Justice is hereby authorized and required to grant under his Hand and Seal, on Application to him made for that Purpose by the Party entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Company, or to their Treasurer for the Time being, as the Case may be.

In case of Nonpayment of Compensation for Damages, &c.

XCIII. And be it further enacted, That all Penalties and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offenders is not particularly mentioned or directed, or against any Rules, Bye Laws, or Orders made in pursuance of this Act, shall be adjudged by and recovered before any Justice of the Peace for the County of *Cardigan* in a summary Way, who is and are hereby authorized and empowered to convict the Offender upon Information by the Oath or Affirmation of any Person, or on the Confession of the Party offending (which Oath and Affirmation any One such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any), on Demand, to the Party whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted); and the Penalties and Forfeitures, when recovered, shall be paid to the said Company, unless such Penalties and Forfeitures shall be incurred by the said Com-

Recovery and Application of Penalties.

pany, in which Case one Moiety thereof shall be paid to the Informer, and the other Moiety shall be paid to the Overseers of the Poor of the Parish wherein the Offence shall be committed, to be applied to the Use of the Poor of such Parish; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justice, and he is hereby authorized and required, to order the Offender so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before such Justice on such Day as shall be appointed for the Return of such Warrant of Distress (such Day not being more than Seven Days from the taking of any such Security), and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender or otherwise, that he hath or have not sufficient Goods and Chattels whereon such Penalties, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture shall be sooner paid and satisfied, together with all the Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, or until such Offender shall be otherwise discharged by due Course of Law.

Justices may proceed by Summons in the Recovery of Penalties.

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

Distress not unlawful for Want of Form.

XCV. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor the 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 Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by the Party distraining, but the Person aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

XCVI. And

XCVI. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Harbour Master, Collectors, Surveyors, and other Officers under this Act; be it further enacted, That it shall and may be lawful to and for the said Harbour Master, Collectors, Surveyors, and other Officers respectively to seize and detain any unknown Persons guilty of any Offence against this Act, and to convey them before any Justice of the Peace for the said County, without any other Warrant or Authority than this Act for so doing; and such Justice is hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender.

For securing  
transient  
Offenders.

XCVII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That every Justice before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the following Form, or any other Form to the same Effect, as the Case shall happen; (that is to say,)

Form of  
Conviction.

to wit. } BE it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_  
in the Year of our Lord \_\_\_\_\_  
A. B. is convicted before me C. D., one of His Majesty's Justices of the Peace for the County of *Cardigan*, [*specifying the Offence, and the Time and Place when and where committed, as the Case may be,*] contrary to an Act passed in the Fifth Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*]. Given under my Hand and Seal the Day and Year first above written.

XCVIII. And be it further enacted, That any Person thinking himself aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Company, or by any Order, Judgment, or Determination of any Justice relating to any Matter or Thing in this Act mentioned or contained, may, within Six Calendar Months next after such Order, Judgment, or Determination shall have been made or given, (first giving Ten Days Notice of such Complaint and of the Nature thereof to the Person against whom such Complaint is intended to be made, or to the said Company, as the Case may be, and forthwith after such Notice entering into Recognizance before some Justice, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the Court thereon,) appeal to the Justices of the Peace at the next General or Quarter Sessions to be held in and for the said County of *Cardigan*, who shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or if they think proper adjourn the Hearing thereof to the next following General or Quarter Sessions of the Peace to be held for the said County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, or Determination, and may also order and award such further Satisfaction and Costs to be made and paid to the Party injured as they shall judge reasonable; but no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Persons ag-  
grieved may  
appeal to the  
Quarter Ses-  
sions.

XCIX. And

Plaintiff not  
to recover  
without No-  
tice, or after  
Tender of  
Amends.

XCIX. And be it further enacted, That no Plaintiff shall recover in any Action to be commenced against any Person for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant, or left at his last or usual Place of Abode, Fourteen Days before such Action shall be commenced; of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover in such Action if Tender of good and sufficient Amends shall have been made to him or his Attorney by or on behalf of the Defendant before such Action brought, nor if such Tender of Amends shall be made at any Time after such Action brought, and before the Trial thereof, with Costs of Suit to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff shall be nonsuited, and shall pay full Costs, to be recovered in the same Manner as any Defendant may recover Costs in any Case by Law; or, in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court wherein any such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation  
of Actions.

C. And be it further enacted, That no Action, Suit, or Information shall be brought, commenced, or prosecuted against any Person for any thing done or to be done in pursuance of this Act, or in the Execution of the Powers or Authorities or any of the Orders made, given, or directed in, by, or under this Act, unless Fourteen Days previous Notice shall be given by the Person intending to commence and prosecute such Action, Suit, or Information to the said Company, nor unless such Action, Suit, or Information shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards, and shall be laid and brought in the County where the Matter in dispute or Cause of Action shall arise, and not elsewhere; and the Defendant in such Action, Suit, or Information shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action, Suit, or Information shall have been brought or commenced before or after the Time to be limited for bringing the same, or in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant, and he shall have his Costs and such Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Case by Law.

Notices on  
Company  
how to be  
served.

CI. And be it further enacted, That all Notices, and all Writs and other legal Proceedings, and Proceedings in Equity, against the said Company shall and may be served on the Clerk or Treasurer for the Time being to the said Company, or left at his last or usual Place of Abode, or on any Member of the said Company, or left at his last or usual Place of Abode, or at the Office of the said Company, or upon any Agent or Officer of the said Company, or left at his last or usual Place of Abode,  
and



and such Service shall be deemed and taken to be good and valid Service of such Notices, Writs, and other Proceedings at Law or in Equity on the said Company.

CII. And be it further enacted, That in all Cases in which it may be necessary for the said Company to serve any Summons or Demand, or any Notice, or any Writ, or other Proceeding at Law or in Equity, upon any Corporation or any Person whomsoever, under the Provisions or Directions contained in this Act, the same shall be in Writing or in Print, or partly in Writing and partly in Print, and be signed by the Clerk for the Time being of the said Company, without being required to be under the Common Seal of the said Company.

Declaring what shall be good Service of Notice by the Company.

CIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company to exhibit or alter any Light or Beacon for the Guidance of Ships and Vessels resorting to or using the said Port and Harbour, without having from Time to Time first obtained the Sanction in Writing of the Corporation of Trinity House of *Deptford Strond* as to the Description and Power of any such Light, and the Character of any such Beacon, and the Mode of exhibiting the same respectively.

Lights or Beacons not to be exhibited or altered without the Sanction of the Trinity House of Deptford Strond.

CIV. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges of the Corporation of Trinity House of *Deptford Strond*.

Saving the Rights of the Trinity House.

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

Public Act.

## The FIRST SCHEDULE to which the foregoing Act refers,

## SPECIFYING

## The Land required for the Purposes of this Act.

Nature of Property.	Quality of Property.	Situation.	Owners.	Occupiers.
Leasehold for a Term of One thousand Years from April 1833.	Cliff and Waste Ground Twelve Yards wide from Spring Tides High-water Mark.	Extending along the Shore from Pen-y-wig Point to the Brook which bounds Mr. David Thomas's Land.	Messrs. Jenkin Davies, Evan Timothy, Solomon Williams, and John Phillips.	Same Parties.
In Tail General -	Waste Ground, now used as a Timber Yard.	Adjoining the above	Mr. William Evans	Self.
Ditto -	A small Garden -	Adjoining -	Ditto -	Mr. Daniel Rees.
Ditto -	Ditto -	Ditto -	Ditto -	Mr. William Evans.
Ditto.	Ditto -	Ditto -	Ditto -	Mr. John Jenkins.

## The SECOND SCHEDULE to which the foregoing Act refers,

## CONTAINING

## A List of Tolls or Duties to be levied on Ships and Vessels.

	s.	d.
All Foreign Vessels loading or unloading within the Limits to pay for every Ton of their Burthen	0	8
All such Vessels coming in for Shelter, and not loading or unloading, per Ton	0	6
All British Vessels not belonging to Inhabitants of New Quay, loading or unloading, per Ton	0	4
All such Vessels coming in for Shelter, and not loading or unloading, per Ton	0	3
All Vessels belonging to Inhabitants of New Quay, loading or unloading, per Ton	0	3
All such Vessels coming in for Shelter only, per Ton	0	2
For every Vessel or Boat that shall be laid up in ordinary for the Winter, per Ton	0	3
For every Pleasure Boat or Yacht that shall be so laid up, per Ton	0	6
Excepting always Ships Boats.		
For every Vessel that shall be laid up in ordinary at other Times, per Ton yearly	0	3
And Pleasure Boats or Yachts, per Ton yearly	0	6

The

## The THIRD SCHEDULE to which the foregoing Act refers,

## CONTAINING

A List of Tolls or Duties to be levied upon the under-mentioned Goods imported into or exported from any Place within the Limits of the Harbour.

	s.	d.
For every Ton of Ballast taken up in the Harbour	0	0½
For every Ton of Culm, provided the same has not been previously charged	0	2
For every Ton of Coal	0	4
For every full Twenty-four Hours that Coal or Culm shall be left upon the Pier or Quay, per Ton	0	2
For every Ton of Limestone that shall be left upon the Pier or Quay for Twenty-four Hours, or upon the Beach for Seven Days	0	2
For every other full Twenty-four Hours or Seven Days, per Ton	0	2
For every Ton of Slates	1	0
For every Ton of Bricks or Tiles	1	0
For every Ton of Portland, Purbeck, or other Stone	0	6
For every Ton of rough Marble	2	6
For every large Millstone	2	0
And small	1	0
For every Grindstone	0	3
For every common Tombstone or Monument	1	6
For every Marble Ditto	5	0
For every Marble Chimney-piece or Hearth	3	0
And common Ditto	0	6
For every Hundred Weight of Brass Ordnance	0	3
For every Hundred Weight of Iron Ordnance	0	2
For every Hundred Weight of Gunpowder	1	0
For every Hundred Weight of wrought Iron	0	2
And unwrought	0	1
For every Hundred Weight of Copper, Brass, or Bronze, wrought	0	6
And unwrought	0	3
For every Hundred Weight of new Lead	0	2
And old	0	1
For every Ton of Lead Ore	1	6
For every Hundred Weight of wrought Pewter	0	6
For every Hundred Weight of Zinc or Spelter	0	4
For every Seaman's Chest	0	6
For every Chest of Carpenter's Tools (large)	1	0
And small	0	6
For every other Trunk or Box	0	6
For every Coffin not covered with Cloth	2	0
For every Coffin covered with Cloth	5	0
For every Coffin covered with Velvet	10	0
For every Corpse	10	0

For

	<i>s.</i>	<i>d.</i>
For every Load (of Fifty Cubic Feet) of rough Deal Balk	2	0
For every Load of Oak, Ash, Elm, Beech, Birch, Locust, Teak, or other hard Wood	3	0
Except the following :		
Lignum-vitæ, per Hundred Weight	0	4
Ebony, per Hundred Weight	0	6
Box, per Foot	0	3
Rosewood, per Foot	0	2
Mahogany (Spanish), per Foot	0	2
And Honduras, or common	0	1½
All Timber sawn into Boards, Plank, or Scantlings to pay Double the above Rates.		
Young Trees for planting, per Mat containing not more than 2,000, and so in proportion	0	6
For every Thousand of Barrel Staves	2	0
For every Bundle of Wooden Hoops	0	2
For every Bundle of Laths	0	0½
For every Hundred of Faggots	1	0
For every Cord of Firewood	0	6
For every Barrel of Pitch or Tar	0	6
For every Hundred Weight of Tallow	0	2
For every Barrel of Train or Fish or Seed Oil	1	0
And so in proportion.		
Paints, per Hundred Weight	0	6
Horn, per Hundred Weight	0	6
Ivory, per Hundred Weight	2	6
Dyewoods, per Hundred Weight	0	2
Indigo, per Hundred Weight	0	4
Tobacco, raw, per Hundred Weight	0	6
And manufactured	1	0
Cigars, per Box	0	6
Figs, per Hundred Weight	0	6
Raisins, per Hundred Weight	0	4
Currants, per Hundred Weight	0	3
French Plums or Prunes, per Box	0	2
Rice, per Bag	0	3
For every Chest of Tea	1	0
For every Hundred Weight of Coffee	0	8
For every Hundred Weight of Cocoa or Chocolate	1	0
For every Hundred Weight of Brown Sugar	0	3
For every Hundred Weight of Treacle or Molasses	0	1½
For every Hundred Weight of Refined or Loaf Sugar	0	6
For every Hundred Weight of Soap	0	3
For every Box of Candles	0	3
For every Hundred Weight of Cheese	0	4
For every Cask of Butter	0	2
For every Side of Bacon	0	4
For every Ham	0	2
For every Barrel or Cask of salted Beef or Pork	1	0
For every Barrel of Herrings	0	6
For every Hundred of Herrings, loose	0	2
For every Hundred of salted Cod	1	0
For every Bushel of Oysters exported	0	2
For every Ton of Salt	1	6
For every Ton of Saltpetre, and in proportion	7	6

For

	s.	d.
For every Ton of Soda	5	0
For every Hide, raw	0	3
For every Ditto, tanned	0	4
For every Dozen of Goat, Calf, Sheep, or Lamb Skins	1	0
Seals Skins, each	0	2
For every Horse or Mule	2	6
For every Ass	0	6
For all horned Cattle, per Head	1	0
For every Calf, Sheep, or Pig	0	4
For every Dog or Fox	0	6
For all Game, per Head	0	3
For all Poultry, per Head	0	1
For every Hundred of Eggs	0	1½
For every Hundred Weight of Feathers	2	0
For every Butt, Pipe, Puncheon, or Piece of Wine, Spirits, or Sweet Oil, and so in proportion	5	0
For every Butt of Ale, Beer, Porter, Cider, or Vinegar, and so in proportion	2	0
For every Box or Chest of Sweet Oil in Flasks	0	3
For every Barrel (wet or dry), and so in proportion	0	6
For every Bale or Truss of Goods, per Foot	0	1
For every Hamper or Basket, per Foot	0	1
For every Ton of Hemp or Flax	2	0
For every Quarter (of Eight Bushels) of Wheat, Wheat Meal, or Flour, Malt, Pease, Tares, Mustard Seed, and other Seeds, except Clover, Grass, and Tree Seeds	0	6
For every Quarter of Beans, Barley, and Rye	0	4
For every Quarter of Oats	0	2
For every Bushel of Clover and Grass Seeds	0	3
For every Bushel of Tree Seeds	1	0
For every Bushel of Potatoes	0	1
For every Bushel of Apples and Pears	0	4
For every Bushel of Nuts, Chesnuts, Walnuts, &c.	0	6
For every Chest of Oranges	2	0
For every Hundred of Cocoa Nuts	2	0
For every Bushel of Bran	0	1
For every Bushel of Onions	0	3
For every Ton of Carrots or Parsnips	1	6
For every Ton of Turnips	1	0
For every Hundred Weight of Hops	1	0
For every Ton of Hay	2	6
For every Ton of Straw	2	0
For every Ton of Oilcake	3	0
For every Waggon or Cart	2	0
For every Plough or Harrow	0	6
For every other Agricultural Implement	1	0
For every Crate of China or Glass, per Foot	0	0½
For every Crate of Earthenware, per Foot	0	0¼
Wine Bottles, per Dozen	0	1
Stone Bottles, per Dozen	0	0½
Wine or Spirits in Bottles, per Dozen	0	3
Ale, Porter, Cider, or Perry	0	2
For every Stove, Range, or Grate (large)	1	0

[Local.]

4 Z

For

	s.	d.
For every Ditto (small)	-	-
For every Chest of Drawers or Wardrobe	0	6
For every large Mahogany Dining Table	1	6
And small	2	0
For every Billiard Table	1	0
For every Card Table	5	0
For every other Table	2	0
For every Mahogany or Rosewood Chair	0	6
For every common Chair	0	2
For every Sofa	0	1
For every Pianoforte	1	0
For every large Organ	5	0
For every Barrel Organ	10	0
For every Harp	5	0
For every small musical Instrument	5	0
For every Four-wheeled close Carriage	0	6
For every Four-wheeled open Carriage	10	0
For every Two-wheeled Carriage	5	0
For every Sedan Chair	3	0
For every Bath Chair	2	0
For every Passenger, Sixpence in the Pound on the Amount of	1	0
the Fare; or per Head	0	3

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