



## CHAPTER cxli.

An Act to authorise the Swansea Harbour Trustees to further extend the West Pier of Swansea Harbour and to construct a breakwater on the eastern side of the entrance channel of the said harbour and for other purposes. A.D. 1907.  
[21st August 1907.]

**W**HEREAS the Swansea Harbour Trustees (in this Act called "the Trustees") have completed the enlargement and extension of the half-tide basin of the South Dock and extension of the West Pier authorised by the Swansea Harbour Act 1901 (hereinafter referred to as "the Act of 1901") and are proceeding with the construction of the dock and lock and other works also authorised by the same Act:

And whereas it is expedient that the Trustees be authorised to further extend the West Pier and to construct a breakwater on the eastern side of the entrance channel of Swansea Harbour:

And whereas it is expedient to revive and extend the period limited by the Act of 1901 for the purchase of lands for the purposes of the said Act:

And whereas it is expedient in the interests of the trade of the port and harbour of Swansea to grant further powers to the Trustees and to authorise them to make and maintain or to join with others in making and maintaining dry docks warehouses and buildings and to extend their power of leasing lands and buildings and to exercise the further powers and authorities hereinafter mentioned:

And whereas it is expedient to authorise the Trustees and the corporation of Swansea to grant to and take from each other leases of quays and other property:

And whereas it is expedient to authorise the Trustees to grant leases of any of the lands belonging to them for a period

A.D. 1907. of ninety-nine years instead of for the period of sixty years as provided by section 37 of the Act of 1901 :

And whereas it is expedient in the interests aforesaid to extend the power conferred on the Trustees by section 31 of the Act of 1901 as to the setting apart and appropriation of berths wharves and other accommodation :

And whereas it is expedient to make provision as to the period within which rates on perishable and other goods shall be paid :

And whereas it is expedient to make further provision and to confer further powers upon the Trustees as regards the removal of wrecks and sunken or stranded vessels within the harbour :

And whereas it is expedient for the purposes of this Act and for other purposes to which capital is properly applicable to increase the amount which the Trustees may borrow under the Act of 1901 :

And whereas in pursuance of the Swansea Harbour Act 1886 (hereinafter referred to as "the Act of 1886") the Trustees have borrowed money by the issue of Swansea Harbour four per cent. stock issued under that Act :

And whereas the Trustees were by the Act of 1894 the Act of 1895 and the Act of 1896 empowered to raise the moneys which by the said Acts respectively they were authorised to borrow either by the issue of mortgages or by the issue of stock and they have borrowed upon mortgages under the Act of 1894 the sum of £105,000 under the Act of 1895 the sum of £63,000 and under the Act of 1896 the sum of £200,000 but no stock has as yet been created or issued by the Trustees under any of those Acts :

And whereas the Trustees in pursuance of the Act of 1901 have issued mortgages to the amount of three hundred and fifty thousand pounds and stock called "Swansea Harbour four per cent. ('A') stock" to the amount of five hundred thousand pounds and by the Act of 1901 it was provided that all stock whether created or to be created under the powers of the Act of 1886 and the interest thereon should have priority over any stock or mortgages created or to be created under the powers of any Act passed after the passing of the Act of 1886 and the interest thereon and that all stock created under the powers of the Act of 1901 and the interest thereon should rank equally.

without any priority or preference with any stock which might be created under the powers of the Act of 1894 the Act of 1895 and the Act of 1896 and the interest thereon :

And whereas it is desirable that all stock to be created under the Act of 1894 the Act of 1895 and the Act of 1896 and all stock created or to be created under the Act of 1901 as amended by this Act should have the one name of Swansea Harbour four per cent. ("A") stock :

And whereas it is desirable that the priority afforded to certain mortgages by section 43 of the Act of 1901 should cease except as to the mortgages to which the same is now applicable :

And whereas it is expedient to repeal section 110 of the Swansea Harbour Act 1854 (hereinafter referred to as "the Act of 1854") the marginal note of which is "Application of Swansea Harbour fund" and in lieu thereof to provide for the application of all moneys from time to time carried to the credit of the Swansea Harbour fund whether under the Act of 1854 or under any Act passed subsequent to the Act of 1854 :

And whereas it is expedient to amend the provisions of the Act of 1854 as regards the qualifications of proprietary Trustees and of electors of proprietary Trustees and the preparation of lists of certain electors :

And whereas it is expedient to confirm an agreement between the Trustees and the Midland Railway Company for the leasing by the Trustees to that company of frontage at the King's Dock and also to confirm an agreement with the English Crown Spelter Company Limited as to the purchase by the Trustees of certain lands for the purposes of the Act of 1901 :

And whereas plans and sections of the further extension of the West Pier and of the breakwater and a book of reference to the plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands required or which may be taken for the purposes of this Act have been deposited with the clerk of the peace for the county of Glamorgan and those plans sections and book of reference are in this Act referred to as the deposited plans sections and book of reference :

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

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May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited for all purposes as the Swansea Harbour Act 1907.

Interpretation.

2. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction:

The expression "the Act of 1854" shall mean the Swansea Harbour Act 1854;

The expression "the Act of 1886" shall mean the Swansea Harbour Act 1886;

The expression "the Act of 1894" shall mean the Swansea Harbour Act 1894;

The expression "the Act of 1895" shall mean the Swansea Harbour Act 1895;

The expression "the Act of 1896" shall mean the Swansea Harbour Act 1896;

The expression "the Act of 1901" shall mean the Swansea Harbour Act 1901;

The expression "Swansea Harbour fund" shall mean the Swansea Harbour fund as provided by the Act of 1854;

The expression "Swansea Harbour stock" shall mean Swansea Harbour stock as authorised to be created and issued under and in accordance with the provisions of the Act of 1886;

The expression "Swansea Harbour ('A') stock" shall mean Swansea Harbour stock as authorised to be created and issued under and in accordance with the provisions of the Act of 1894 the Act of 1895 the Act of 1896 and the Act of 1901 as amended by this Act;

The expression "the harbour" shall mean the Swansea Harbour undertaking of the Trustees;

The expression "the corporation" shall mean the mayor aldermen and burgesses of the county borough of Swansea.

**3.** The Lands Clauses Acts and the Harbours Docks and Piers Clauses Act 1847 (except sections 16 to 19 which shall not be in force except and until the Board of Trade in writing so require) are (except where expressly varied by this Act) incorporated with and form part of this Act.

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Incorporation of Acts.

**4.** Subject to the provisions of this Act the Trustees may construct and maintain the works hereinafter described with all necessary landing places slips works and conveniences connected therewith respectively in the lines or situations and upon the lands delineated on the deposited plans and described in the deposited book of reference and according to the levels defined on the deposited sections and the Trustees may enter upon take and use the lands delineated on the deposited plans and described in the deposited book of reference or such of them as they deem necessary for the purposes of this Act.

Power to construct works.

The works authorised by this Act are—

A further extension of the West Pier for a distance of 700 feet or thereabouts in a seaward direction:

A breakwater on the eastern side of the entrance channel extending for a distance of 2,600 feet or thereabouts in a seaward direction.

**5.** The works by this Act authorised in and upon the foreshore and bed of the sea shall from and after the completion of the works be included for all purposes in the parish and county borough of Swansea.

Works to be included in parish and county borough of Swansea.

**6.** If the works by this Act authorised are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Trustees for making and completing the works or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Period for completion of works.

**7.** All the works made and lands acquired by the Trustees under this Act shall be deemed within the limits of and part of Swansea Harbour and the works described in section 4 of this Act shall for the purposes of tolls rates and charges and for all other purposes be deemed to be part of the works of the Trustees and shall be comprised in their harbour undertaking.

New works to be within harbour.

**8.** The powers granted to the Trustees by the Act of 1901 for the compulsory purchase of lands for the purposes of the works by that Act authorised are hereby extended and may be

Extension of time for purchase of

A.D. 1907. exercised by the Trustees for a further period of three years from the seventeenth day of August one thousand nine hundred and seven and on the expiration of that period those powers shall cease.

lands authorised by Act of 1901.

Trustees may make and lease dry docks &c.

**9.** In addition to the powers conferred on them by section 36 of the Act of 1901 the marginal note of which is "Trustees may erect warehouses and lease same" the Trustees may on any of their lands make and maintain or join with the corporation or any companies or persons in making and maintaining dry docks gridirons workshops fitting shops stores warehouses landing stages pavilions shelters and other buildings in connection therewith and may apply to the purpose of such construction and maintenance or joint construction and joint maintenance any of the moneys which they have power to borrow or raise under the provisions of any Act relating to the Trustees and may lease or join in leasing the same for such terms of years at such rents and upon such conditions as shall be agreed upon between the Trustees and the corporations companies or persons taking such leases.

Amendment of section 37 of Act of 1901.

**10.** Section 37 of the Act of 1901 the marginal note of which is "Trustees may grant leases of lands for certain purposes" shall be read and have effect as if the words "ninety-nine" had been inserted therein instead of the word "sixty."

Trustees may grant leases of quays &c. to corporation.

**11.** The Trustees may grant to the corporation and the corporation may take on lease from the Trustees and the corporation may subject to the provisions of the Municipal Corporations Act 1882 as amended by section 128 of the Swansea Corporation Act 1902 grant to the Trustees and the Trustees may take on lease from the corporation any quays wharves lands or buildings belonging to the Trustees or corporation respectively for such terms of years exceeding or less than ninety-nine years at such rents and upon such conditions as may be agreed upon by the Trustees and the corporation.

Further power as to berths &c. on eastern side of entrance channel.

**12.** In addition to the power conferred upon the Trustees by section 31 of the Act of 1901 the marginal note of which is "Power to set apart and appropriate berths &c." the Trustees may set apart and appropriate any quays berths warehouses buildings works or conveniences or any parts thereof respectively situate on the eastern side of the entrance channel or new cut to or for the exclusive partial or preferential use and accommodation of any particular trades persons companies vessels or class

of vessels or goods at such reasonable rents rates and charges and subject to such regulations as they from time to time think fit So much of the said section as provides for the payment of penalties by persons knowingly offending against the enactments contained therein is hereby repealed :

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

Provided further that nothing in this section contained shall authorise the Trustees to stop up or otherwise interfere with the public right of way along the east side of the New Cut between the bridge known as the New Cut Bridge and the bridge which crosses the New Cut at Pentre Guinea or the right of way from Fabian Street to the Prince of Wales' Dock by means of the footbridge over the railways of the Great Western and Rhondda and Swansea Bay Railway Companies :

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

**13.** The Trustees upon request in that behalf made by the owner or captain of the vessel or the consignee of the cargo may load and discharge any vessel in the harbour or at any quay and may perform all or any services in respect of shipping unshipping transshipping stowing unstowing landing re-landing housing unhousing handling weighing coopering packing cording tying marking numbering labelling lettering sorting lotting tareing filling sewing bagging sampling piling unpling watching loading unloading protecting delivering and repairing cargo and of preparing and furnishing certificates of weights or contents and of any other service with respect to cargo shipped or unshipped or warehoused or deposited within the harbour except any service with respect to trimming coal or coke and the Trustees may provide all such trucks planks gear machinery and appliances and labour as may be necessary to effect the purposes aforesaid and may make such reasonable charges as they think fit for any

Trustees  
may load &c.  
vessels.

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Repeal of section 121 of Act of 1854 as to ballast and provisions in lieu thereof.

**14.** Section 121 of the Act of 1854 the marginal note of which is "Trustees to fix ballast rates" is hereby repealed and in lieu thereof be it enacted that all ballast to be discharged or removed from or put into any vessel within the harbour and all services in relation to the stowing and trimming thereof shall if and when the Trustees so order or direct be discharged or removed or performed by the Trustees and the Trustees may demand and receive from the master or owner of such vessel for such services such reasonable rates as they may from time to time order or direct and all ballast removed or discharged from any vessel upon any of the premises of the Trustees shall unless previously sold by the master or owner be and become their absolute property.

Trustees may charge for work machinery &c.

**15.** The Trustees shall be entitled to make all reasonable charges for work done and services rendered and for facilities afforded and plant machinery and appliances provided by them and used for the despatch of business within the harbour for the convenience of ship masters merchants and others concerned with the traffic thereat in so far as such charges are not expressly provided for by any Act of the Trustees for the time being in force and applicable thereto.

Rents &c. for goods when to be paid.

**16.** All rents and charges payable to the Trustees shall be paid in respect of perishable goods at or before the expiration of two days and of any goods not of a perishable nature at or before the expiration of one calendar month next after the same respectively shall have been discharged or placed into or on any warehouse or premises of the Trustees and at the expiration of every three months thereafter so long as the goods shall remain in or on any of the warehouses or premises of the Trustees or previously to the removal of the same therefrom whichever shall first happen.

Trustees may sell goods for payment of rents and charges or may bring action.

**17.** In case default shall be made in payment of any rents or charges in respect of goods it shall be lawful for the Trustees to retain and sell the goods or any part thereof and to retain and pay in the first place the rents and charges so unpaid as aforesaid including the expenses of and incident to such sale and in the next place the freight due on such goods (in case the Trustees shall have received notice that such freight has not been paid) and to pay the surplus (if any) and also deliver such of the



said goods as shall remain unsold (the rents and charges due in respect thereof having been discharged as aforesaid) to the person entitled thereto upon demand. Provided always that the Trustees shall before selling any such goods as aforesaid pay all duties which may be payable to His Majesty in respect to the goods to be so sold and they may retain the amount of the duties so paid out of the proceeds arising from the sale of such goods. And provided also that it shall be lawful for the Trustees either in lieu of selling such goods or notwithstanding such sale if the produce of such sale be insufficient to recover the amount of such rents and charges or the balance thereof as the case may be which shall be due to them by action or claim to be brought or made in any court of competent jurisdiction:

Provided also that no such sale shall be made by the Trustees until ten days' previous notice in writing containing particulars of the amount of rents and charges due and of the intention to sell the said goods for satisfaction thereof shall have been given to the owner of the said goods and such notice shall be served by sending the same in a registered letter by post addressed to the residence or place of business of such owner.

**18.**—(1) Whenever any vessel is sunk stranded or abandoned in the harbour the Trustees may cause that vessel to be raised or removed or to be blown up or otherwise destroyed so as to clear the harbour therefrom.

Removal of  
stranded or  
sunk vessels.

(2) The Trustees may cause any such vessel and the furniture tackle and apparel thereof or any part thereof respectively which shall be raised or saved and also all or any part of the cargo goods chattels and effects which may be raised or saved from any such vessel to be sold in such manner as they think fit (subject to such notice being given of the intended sale as is prescribed by the first proviso to section 530 of the Merchant Shipping Act 1894) and out of the proceeds of sale may reimburse themselves for the expenses incurred by them under this section and also for any expenses incurred by them in marking watching lighting or otherwise controlling the vessel and shall hold the surplus (if any) of the proceeds of sale in trust for the persons entitled thereto:

Provided always that the Trustees shall before selling any such cargo goods chattels or effects as aforesaid pay all duties which may be payable to His Majesty in respect to the cargo goods chattels or effects to be sold and they may retain the amount of the duties so paid out of the proceeds arising from the sale of such cargo goods chattels or effects.

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(3) If the proceeds of sale are insufficient to reimburse the Trustees for the aforesaid expenses the Trustees may recover the deficiency or in case of an appeal under subsection (4) of this section such sum as is awarded by the arbitrator to be payable in respect of the deficiency from the person who at the time of the sinking stranding or abandonment of the vessel was the registered owner of the vessel or from the executors or administrators of such owner as a debt either summarily as a civil debt or in any court of competent jurisdiction.

(4) If on demand being made under this provision for payment of any deficiency the person on whom the demand is made is dissatisfied with the amount demanded he may within fourteen days after the receipt of the demand appeal to the Board of Trade who shall appoint an arbitrator to determine and award whether any and what sum is payable in respect of the deficiency and the award of the arbitrator appointed by the Board of Trade that no sum is payable or as to the sum payable as the case may be shall be conclusive and binding on both parties. The costs of the appeal and the award shall be in the absolute discretion of the arbitrator and he shall award and order how those costs are to be borne and paid and any costs so awarded and ordered to be paid by either party may be recovered by the other party in the same manner as the sum payable in respect of the deficiency is recoverable under subsection (3) of this section.

(5) The powers given to the Trustees by subsection (1) of this section shall not be exercised if the registered owner of the vessel sunk stranded or abandoned shall within twenty-four hours after the vessel shall have been stranded or sunk take such steps as may in the opinion of the harbour-master be necessary for the raising or removal of the vessel and shall thenceforth continuously and diligently and to the satisfaction of the harbour-master prosecute and do all such works and things as may in the opinion of the harbour-master be necessary and proper for the raising and removal of the vessel as speedily as possible.

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

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

Act the marginal note of which is "Trustees may load &c. vessels" and of the section the marginal note of which is "Repeal of section 121 of Act of 1854 as to ballast and provisions in lieu thereof" shall not apply to any quay or other property agreed to be leased by the Trustees to the said companies respectively or which the Rhondda and Swansea Bay Railway Company shall take under any existing option or any vessel cargo or ballast loaded or discharged thereat. A.D. 1907.

**20.** The Act of 1901 shall in all respects be read and take effect as if in section 41 thereof the marginal note of which is "Power to borrow on mortgage" the words "two million one hundred and fifty thousand pounds" had been inserted instead of the words "two million pounds." Further power to borrow under Act of 1901.

**21.** All stock which may be created under the powers of the Act of 1894 or the Act of 1895 or the Act of 1896 and all stock which has been or may be created under the powers of the Act of 1901 as amended by this Act shall be called "Swansea Harbour four per cent. ('A') stock" and all such stock shall rank equally without any priority or preference. Swansea Harbour four per cent. ('A') stock.

**22.** Section 43 of the Act of 1901 the marginal note of which is "Priority of mortgages" is hereby repealed except so far as it gives priority to mortgages granted before and subsisting at the passing of this Act whether the payment of the moneys secured thereby be by any arrangement which may be made between the Trustees and the holder thereof postponed or not or gives priority to any mortgages which may hereafter be granted by way of renewal of such subsisting mortgages and section 44 of the Act of 1901 the marginal note of which is "All mortgages granted by Trustees after passing of Act to rank equally" shall take effect subject to and in accordance with the said repeal. Repeal of section 43 of Act of 1901 as to priority of mortgages except as to mortgages to which same applicable.

**23.** Section 110 of the Act of 1854 the marginal note of which is "Application of Swansea Harbour fund" is hereby repealed and in lieu thereof be it enacted that all moneys standing and from time to time carried to the credit of the Swansea Harbour fund whether under the Act of 1854 or under any Act passed subsequent to the Act of 1854 shall be applied— Repeal of section 110 of Act of 1854 as regards application of Swansea Harbour fund.

Firstly In payment of all costs charges and expenses incurred or to be incurred by the Trustees in and about the management working user and maintenance of their undertaking and property and the navigation of the harbour including all parliamentary or other costs charges and expenses by this or any other Act directed or hereafter to be directed

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to be paid out of the Swansea Harbour fund and subject as aforesaid :

Secondly In payment according to the respective priorities thereof of interest and (if and so far as properly payable out of the Swansea Harbour fund) principal for the time being respectively due in respect of all moneys borrowed by the Trustees and subject as aforesaid :

Thirdly In payment of the sums by the Act of 1886 and subsequent Acts directed to be set apart to form sinking funds Provided that notwithstanding anything contained in those Acts the Trustees shall not be required to set aside or appropriate any money for the purposes of a sinking fund until the expiration of ten years from the passing of the Act of 1901 and subject as aforesaid :

Fourthly To such purposes of their undertaking as the Trustees may think fit.

Repeal of  
certain sec-  
tions of Act  
of 1854.

**24.** The following sections of the Act of 1854 are hereby repealed :—

No. of Section.	Marginal Note.
14	Qualification of proprietary Trustees.
15	As to filling up vacancies among proprietary Trustees previous to the 1st March 1856.
16	Rotation of proprietary Trustees.
17	Election of proprietary Trustees.
18	As to filling up vacancies among proprietary Trustees on and after 1st March 1856.
19	Qualification of electors of proprietary Trustees.
20	No person to have more than six votes.
21	Votes of corporations.
22	Votes of partners.
23	Certified list of registered shipowners.
24	Certified list to be printed.
25	Register of persons paying rates on exports and imports.
26	Period for register.
27	Alphabetical list of persons paying rates on exports and imports.
28	Alphabetical list to be printed.
29	Revisors of the lists.
30	Period for revision of the lists.
31	Claims and objections on revision.
32	Revision of lists.
33	Revised lists to be signed.
34	Production of books to revisors.
35	In case of partners the firm to be named in the list.
36	Revised lists to be printed.
37	Validity of revised lists.
38	Continuance of revised lists.

And in lieu thereof the provisions of the following sections of this Act numbered respectively 25 to 41 inclusive shall have effect.

**25.** No person shall be qualified to be elected a proprietary Trustee unless he have in his own right a share or shares of the value of at least two thousand pounds in any colliery mines or minerals works or manufactory whatsoever wrought or carried on within four miles from the River Tawe or be registered as the holder in his own right of Swansea Harbour stocks and mortgages or any of them of the nominal value in all of at least two thousand pounds or be registered at the port of Swansea as the owner of shipping belonging thereto of the value of at least one thousand pounds or be possessed of a wharf or warehouse on the banks of the River Tawe of the value of at least two thousand pounds or of an aggregate interest in any dock canal or railway terminating at or communicating with the River Tawe of the value of at least two thousand pounds or be entitled to six votes in the election of proprietary Trustees or be a director or manager residing or carrying on business within ten miles of the harbour offices Swansea and the nominee under seal of any corporation or company incorporated by Act of Parliament or Royal Charter or registered under the Companies Acts 1862 to 1900 which shall be entitled to six votes in the election of proprietary Trustees.

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Qualifications of proprietary Trustees.

**26.** On the last day of February in the year one thousand nine hundred and eight and on the last day of February in every succeeding second year the four proprietary Trustees who shall then have held office for the preceding six years shall go out of office and on the first day of March then next following four persons shall be elected proprietary Trustees. The clerk to the Trustees shall give ten days' notice of the meeting for the election of any proprietary Trustees or Trustee by advertisement in some newspaper published or circulated in the town of Swansea and any Trustee going out of office shall be eligible for re-election.

Election of proprietary Trustees.

**27.** If any proprietary Trustee die or resign or become disqualified or retire or from any other cause cease to be a proprietary Trustee the vacancy so caused shall be forthwith filled up by the election of another person in his place and every proprietary Trustee so elected shall continue in office only so long as the person in whose place he is elected would have been entitled to continue in office.

As to filling occasional vacancies.

**28.** The following persons and no others shall be entitled to vote in the election of the proprietary Trustees:—

Qualifications of electors of proprietary Trustees. Persons rated to the poor's rate.

First Every person who on the thirty-first day of December in any year is assessed to the rates for the relief of the poor on a yearly rateable value of not less than fifty pounds

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in respect of any railway colliery works manufactory wharf warehouse dock or canal situate in the county borough of Swansea and within the distance of a quarter of a mile from any part of the harbour of Swansea and every such person shall be entitled to vote according to the following scale (to wit):—

If the rateable value be £50 and less than £100	1 vote.
If it be £100 and less than £150	- - 2 votes.
If it be £150 and less than £200	- - 3 votes.
If it be £200 and less than £250	- - 4 votes.
If it be £250 and less than £300	- - 5 votes.
And if it be or exceed £300	- - 6 votes.

Persons pay-  
ing harbour  
and dock  
rates on  
goods.

Secondly Every person who imports or exports goods into or from the harbour of Swansea and pays to the Trustees during any year commencing 1st January and ending 31st December in respect of such goods harbour or dock rates to the amount of not less than five pounds and every such person shall be entitled to vote according to the following scale (to wit):—

If the rates paid amount to £5 and be less than £10	- - - - 1 vote.
If the rates paid amount to £10 and be less than £20	- - - - 2 votes.
If the rates paid amount to £20 and be less than £30	- - - - 3 votes.
If the rates paid amount to £30 and be less than £40	- - - - 4 votes.
If the rates paid amount to £40 and be less than £50	- - - - 5 votes.
If the rates paid amount to £50 or upwards	- 6 votes.

Registered  
shipowners.

Thirdly Every person who on the thirty-first day of December in any year is registered at the port of Swansea as the owner of any ship or vessel or share or shares therein and every such person shall be entitled to vote according to the following scale (to wit):—

If registered as the owner of a ship or vessel or of a share or shares therein—	
Representing 100 tons and less than 200 tons	1 vote.
Representing 200 tons and less than 300 tons	2 votes.
Representing 300 tons and less than 400 tons	3 votes.

Representing 400 tons and less than 500 tons	4 votes.	A.D. 1907.
Representing 500 tons and less than 600 tons	5 votes.	
Representing 600 tons or upwards	- - 6 votes.	

Fourthly Every person who on the thirty-first day of December in any year resides or carries on business within ten miles of the Harbour Offices Swansea and is registered as the holder on that day of any share or shares or stock of any shipping company incorporated under the Companies Acts 1862 to 1900 established at or trading with the Harbour of Swansea and every such person shall be entitled to vote according to the following scale (to wit):—

If registered as the holder of any share or shares or stock of the nominal value of—

£1,000 and less than £2,000	- - -	1 vote.
£2,000 and less than £3,000	- - -	2 votes.
£3,000 and less than £4,000	- - -	3 votes.
£4,000 and less than £5,000	- - -	4 votes.
£5,000 and less than £6,000	- - -	5 votes.
£6,000 or upwards	- - -	6 votes.

In this section and in the sections numbered respectively 29 30 31 34 35 36 37 40 and 42 of this Act the words “person” and “persons” shall where the context admits mean and include respectively corporation and company and corporations and companies incorporated by Act of Parliament or Royal Charter or registered under the Companies Acts 1862 to 1900:

Provided always that no person whatever his qualification or his several qualifications shall have more than six votes for the election of proprietary Trustees.

**29.** Where several persons are qualified to vote in the election of proprietary Trustees they shall with respect to the scale of votes be deemed one person and on all occasions one of them may exercise the right of voting without proof of the concurrence of the others or other of them and where several persons are in partnership the name of the firm shall be placed in the alphabetical list.

**30.** The Trustees shall on or before the fourteenth day of January in every year make a list of all persons entitled to vote under or in pursuance of the preceding section of this Act and shall specify in such list the number of votes to which every such person is entitled.

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List to be  
printed.

**31.** The Trustees shall print every such list and on every day during the week ending with the thirty-first day of January in every year a printed copy of the list then last made shall be posted on the outer door of the Harbour Offices Swansea for public inspection and on payment of one shilling to the clerk of the Trustees he shall deliver a copy of the printed list to any person requiring the same.

Revisors of  
list.

**32.** In the month of January in every year the Trustees shall appoint two of their number to be the revisors of the list and the two persons so appointed shall appoint a third person being a person qualified to be elected a proprietary Trustee to be the third revisor and to be the chairman of the revisors and the three persons so appointed shall be the revisors of the list.

Period for  
revision of  
list.

**33.** The three revisors shall during the seven days next before the fourteenth day of February in every year revise at the Harbour Offices the list for that year giving not less than three days' public notice of every such revision. Provided always that in case of the decease or failure to act of any of the revisors the others or one of them may make or complete the revision.

Rate collec-  
tors to attend  
revision.

**34.** The Trustees may by their clerk summon the collectors or other officers employed in the collection of the rates for the relief of the poor to attend at the Harbour Offices Swansea on the revision of the list to assist in ascertaining what persons are assessed to the poor's rates as aforesaid on every thirty-first day of December and such collectors or other officers shall attend with the rate books and such other documents necessary for the purpose aforesaid as may be in their custody or power and shall answer all such questions as shall be put to them respecting the title of any persons to be entered on such list and any collector or other officer who shall be summoned as aforesaid shall be entitled to the sum of one guinea for his attendance and any collector or other officer who shall wilfully neglect or fail to perform the duties hereby imposed on him shall for such neglect or failure be liable to a penalty not exceeding twenty pounds.

Claims and  
objections on  
revision.

**35.** On any such revision any person whose name is not inserted in the list may in person or by his agent claim to have his name inserted therein and every person whose name is inserted in the list may in person or by his agent claim to have the number of votes attributed to him therein corrected and may



object to any other person as not being entitled to have his name retained therein or as not being entitled to the number of votes attributed to him therein. A.D. 1907.

**36.** The revisors shall retain the name of any person or the number of votes so objected to if the objection be not established to their satisfaction and shall insert in the list the name of any person shown to their satisfaction to be entitled to have his name inserted therein and shall except as mentioned in the section of this Act the marginal note of which is "Shareholders in shipping companies to give notice of their claims and produce certificates" retain in the list the name of every person to whom and every number of votes to which an objection is not made and shall strike out the name of every person shown to their satisfaction to be dead or not to be entitled to have his name inserted therein and shall correct the number of votes attributed to any person shown to their satisfaction to be entitled to any other number of votes than those attributed to him. Revision of lists.

**37.** Every person claiming to have his name inserted in the said list as the holder on the then preceding thirty-first day of December of any share or shares or stock of any shipping company shall on or before the seventh day of January then next give notice in writing of his claim to the clerk to the Trustees at the Harbour Offices with particulars of his holding and shall either personally or by agent attend at the revision of the said list and produce to the revisors the certificates of his shares or stock and in default of such notice and attendance the name of any such person if already on the list shall notwithstanding anything contained in the section of this Act the marginal note of which is "Revision of lists" be struck out thereof. Shareholders in shipping companies to give notice of their claims and produce certificates.

**38.** For the revision of the list the Trustees shall produce to the revisors and their assistants such of the books and accounts of the Trustees as are proper and sufficient to enable those persons according to the provisions of this Act to revise the list and shall afford to them all reasonable and proper facilities in that behalf. Production of books to revisors.

**39.** Every decision of the revisors or the majority of them with respect to the list shall be final and conclusive and the revisors shall forthwith after every revision sign their names at the foot of the list revised and in case of any revisor wilfully Revised lists to be signed.

A.D. 1907. — and without reasonable excuse making default in signing the list such revisor shall be liable to a penalty not exceeding fifty pounds.

Revised lists to be printed.

**40.** Every such revised list shall forthwith after such revision be printed and published by the Trustees and every person whose name appears therein shall be entitled to a copy thereof on payment to the clerk to the Trustees of one shilling therefor.

Validity of revised lists.

**41.** Every list purporting to be a revised list according to this Act and to be signed as by this Act directed shall without any proof other than that of the signatures thereto be *primâ facie* evidence to all intents and purposes of the same being a revised list according to this Act and of all the provisions of this Act in any way relating to such revised list having been duly complied with.

Continuance of revised lists.

**42.** Every such revised list shall be in force until the then next revision of the list and the persons whose names appear on the revised list for the time being in force shall be the persons entitled to vote for the election of proprietary Trustees and shall at every such election be respectively entitled to the number of votes appearing by the revised list.

Power to apply funds.

**43.** The Trustees may apply to the purposes of this Act or to the general purposes of their undertaking being in all cases purposes to which capital is properly applicable and not otherwise any of the moneys which they have power to borrow or raise under the provisions of any Act relating to the Trustees.

Works below high-water mark not to be commenced without consent of Board of Trade.

**44.** The Trustees shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plans and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Trustees shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Trustees

and the amount of such costs and charges shall be a debt due from the Trustees to the Crown and shall be recoverable as a Crown debt or summarily. A.D. 1907.

**45.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Trustees to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the previous consent in writing of the Commissioners of Woods or of the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent such Commissioners and such Board are hereby respectively authorised to give). Saving rights of Crown in foreshore.

**46.** If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Trustees on in over through or across tidal lands or tidal water or of the intended site of any such work the Trustees shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Trustees to the Crown and be recoverable as a Crown debt or summarily. Survey of works by Board of Trade.

**47.** If a work constructed by the Trustees on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Trustees and the amount of such expense shall be a debt due from the Trustees to the Crown and be recoverable as a Crown debt or summarily. Abatement of work abandoned or decayed.

**48.** The Trustees shall at or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade from time to time require or approve. Lights on works during construction.

If the Trustees fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

A.D. 1907.

Permanent  
lights on  
works.

**49.** The Trustees shall at the outer extremity of their works below high water exhibit and keep burning from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the corporation of Trinity House Deptford Strond shall from time to time direct.

If the Trustees fail to comply in any respect with the provisions of the present section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision  
against  
danger to  
navigation.

**50.** In case of injury to or destruction or decay of the piers or works or any part thereof the Trustees shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that corporation for directions as to the means to be taken and the Trustees shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Confirmation  
of agreement  
between Trus-  
tees and Mid-  
land Railway  
Company.

**51.** The heads of agreement between the Trustees of the one part and the Midland Railway Company of the other part as set forth in the schedule to this Act are hereby confirmed and made binding on the parties thereto.

Confirmation  
of heads of  
agreement  
between Eng-  
lish Crown  
Spelter Com-  
pany Limited  
and Trustees.

**52.** The heads of agreement between the English Crown Spelter Company Limited of the one part and the Trustees of the other part as set forth in the schedule to this Act are hereby confirmed and made binding on the parties thereto.

Costs of Act.

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

The SCHEDULE referred to in the foregoing Act.

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A.D. 1907.

HEADS OF AGREEMENT made between the SWANSEA HARBOUR TRUSTEES (hereinafter called "the Trustees") of the one part and the MIDLAND RAILWAY COMPANY (hereinafter called "the Midland Company") of the other part.

WHEREAS the Trustees are in pursuance of powers conferred upon them by the Swansea Harbour Act 1901 constructing a new dock (to be called and hereinafter referred to as "the King's Dock") and other works at Swansea:

And whereas the Trustees promoted a Bill in the present session of Parliament (to be intituled "the Swansea Harbour Act 1907"):

And whereas the Midland Company opposed the said Bill but have agreed to withdraw such opposition on this agreement being entered into:

And whereas the Midland Company are desirous of taking on lease from the Trustees frontage at the King's Dock for the shipment of coal and it has been mutually agreed between the Trustees and the Midland Company as follows (that is to say):—

1. The Trustees will construct the King's Dock or part thereof to a point at least 125 yards east of the frontage to be taken by the Midland Company as hereinafter provided with the water access to the said point from the lock throughout not less than 125 yards in width except opposite projecting jetties and also a lock and gates cranes conveniences and appliances necessary for the accommodation of shipping and for the convenient loading and unloading of traffic at the King's Dock the outer sill of the lock to be laid at a depth of not less than 36 feet below the level of high water ordinary spring tides high water level ordinary spring tides being taken as five feet below the coping of entrance to North Dock Lock Swansea Harbour and the length not to be less than 700 feet and the width not less than 75 feet together with the main lines of railway coloured green upon the plan hereunto annexed (hereinafter referred to as "the said plan") or such substituted lines of railway giving proper access eastward of the Prince of Wales' Dock and the King's Dock to the said frontage as may be hereafter agreed or settled by arbitration and the lines of rails round the King's Dock coloured blue thereon or such substituted lines round the dock as may be agreed or

A.D. 1907. — settled by arbitration as hereinafter provided The Trustees will construct on the frontage coloured green on the said plan at their option either a slope with a concrete platform over it supported on open concrete piled work and a jetty of similar construction or a continuous concrete or masonry quay wall and jetty of similar construction in the manner and position shown on the said plan suitable in all respects for the erection thereon and working of coal hoists of such type as the Midland Company may determine to erect together with any necessary gantry for screenings road and for the guidance of the Trustees the Midland Company shall within four weeks from the date hereof give notice in writing to the Trustees whether the approaches to be made by the Midland Company to such coal hoists are to be on the high level system or the low level system Provided that if the Midland Company shall give the Trustees notice in writing within three months from the date hereof that the Midland Company does not require the said jetty then the Trustees' obligation to construct the same shall cease.

2. The Trustees shall also construct as shown on the said plan and maintain the water communication between the King's Dock and the Prince of Wales' Dock of a depth not less than the deepest part for the time being of the Prince of Wales' Dock and such water communication shall be constructed and opened on or before the opening of the King's Dock or part thereof as described in the preceding clause.

3. Upon the opening for traffic of the King's Dock or part thereof as aforesaid and other works hereinbefore described and provided adequate powers and provisions for giving effect to this agreement are obtained in the present or some future session of Parliament the Trustees will grant and the Midland Company will accept a lease in perpetuity subject to the conditions hereinafter mentioned of 700 feet of frontage on the south side of the King's Dock as approximately shown by the colour green on the said plan and the land at the back thereof coloured pink on the said plan with the jetty coloured yellow on the plan if the same shall be constructed and the Midland Company will provide on or over the said frontage coloured green and the said land coloured pink and the said jetty if constructed proper and efficient coal hoists and necessary staith sidings and other works and at least two hoists available for coaling two vessels at the same time and necessary staith sidings and works shall be ready for use on or before the opening of the King's Dock or part thereof as aforesaid and other works hereinbefore described or as soon thereafter as may be reasonably possible having regard to the time within which the Trustees shall construct the works hereinbefore agreed to be constructed by them on the said frontage coloured green.

The Trustees will afford the Midland Company all proper facilities for putting in the foundations or other works for the erection of the

said hoists during the construction of the King's Dock or part thereof as aforesaid and the Midland Company shall pay to the Trustees any expense which the Trustees shall properly incur or be put to in affording such facilities.

The lease hereinbefore referred to shall come into operation on the completion as aforesaid and the opening for traffic of the King's Dock or part thereof as described in clause 1 hereof or as soon after the completion of the works hereinbefore agreed to be constructed by the Trustees as the Midland Company shall have had reasonably sufficient time (not exceeding 3 months) to construct thereon two hoists.

4. The yearly rent for the 700 feet frontage coloured green and land coloured pink and the jetty if constructed shall be an annual sum made up of a payment of three halfpence per ton of the total quantity of coal coke patent fuel minerals mineral substances goods wares merchandises articles and commodities of every description which shall be shipped or unshipped yearly at the 420 feet frontage of the Midland Company at the Prince of Wales' Dock and at the said 700 feet frontage of the Midland Company at the King's Dock over and above one equal fifth part of the total quantity of coal coke patent fuel minerals mineral substances goods wares merchandises articles and commodities of every description which shall have been shipped or unshipped at the said 420 feet frontage of the Midland Company at the Prince of Wales' Dock during the period of 5 years ending on the 31st December immediately preceding the opening of the King's Dock or part thereof as aforesaid Provided that such yearly rent shall not in any one year after the first year be less than £1,000 or exceed £2,800 Provided also that if and when the said yearly rent payable by the Midland Company as aforesaid shall for a period of 3 consecutive years amount to £2,800 for each of such 3 years then the Midland Company shall in lieu of the said yearly rent payable by the Midland Company as aforesaid for a period of 21 years next after the said period of 3 years pay the Trustees for each and every year of the said 21 years as yearly rent the sum of £2,800 and after the expiration of the said period of 21 years the yearly rent shall be an annual sum made up as aforesaid The said rent to be payable on the 1st February in every year in respect of the preceding 12 months ended 31st December.

5. The Midland Company shall have the exclusive right to berth vessels alongside the said 700 feet frontage coloured green and the northern end of the said jetty if constructed in single tier broadside on with power subject to the reasonable rules and regulations of the harbour master for such vessels to overlap the adjoining frontage at each end of the said 700 feet frontage coloured green unless or until as to each end of the said frontage coloured green the Trustees or their lessees shall have erected or shall erect a jetty or other work (which the Trustees or their lessees are to be at liberty to do at any time or

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times hereafter) and to levy and receive all wharfage rates rents and tipping and other charges in respect both of the said 700 feet frontage coloured green and of the said land coloured pink and the said jetty if constructed. Provided that nothing herein contained shall prevent the Trustees or their lessees and persons authorised by them respectively from placing vessels or a vessel at the northern end of any jetty adjoining the said 700 feet frontage at either end thereof notwithstanding that the same shall overlap the said frontage but if the full use and enjoyment by the Midland Company of the said frontage coloured green shall be unreasonably interfered with by any such overlapping the Trustees shall pay the Midland Company reasonable compensation for damage (if any) which the Midland Company shall sustain thereby.

6. The Midland Company shall be at liberty to construct and erect upon the frontage and land to be leased to them not required for the erection of the said hoists and works to be constructed by the Midland Company such embankments retaining walls lines of railway sidings tips machinery and other works buildings and conveniences as may be necessary or convenient so as to enable the Midland Company fully to utilise the said frontage and land for all purposes in connection with their business and from time to time to alter vary and remove such sidings tips machinery and other works buildings and conveniences and to substitute others therefor.

7. The Trustees during the continuance of the lease shall maintain at their own expense the dock lock and water communication and the waterway leading to the dock and the water in the dock adjoining the said frontage coloured green and in the said water communication at the depths aforesaid and also all walls approaches and lines of rails belonging to them together with the said frontage jetty if constructed gantry for screenings road and all quay walls and other works conveniences and appliances which may be necessary for the full and efficient maintenance and working of the dock and water communication and the accommodation of shipping and traffic passing to or from the same and for the enjoyment by the Midland Company of the said frontage coloured green land coloured pink and jetty if constructed and the Midland Company shall maintain all works to be constructed by them at their expense.

8. The Midland Company shall be at liberty to lay down and place in through over or upon the said frontage land and jetty comprised in the said lease or in through over or upon the adjoining land of the Trustees such hydraulic and other pipes electric mains and machinery as may be necessary or convenient to enable the traffic of the Midland Company to be worked with economy and despatch and the Trustees shall from time to time afford to the Midland Company all necessary facilities for the construction or repair of the said pipes electric mains and machinery and for obtaining a supply of water or electricity to



work the said machinery Provided that the Midland Company may from time to time require the Trustees and the Trustees shall upon receiving six months' notice from the Midland Company requiring them so to do supply at a reasonable price and not greater than that charged to any other railway company all water that may be required for working the said machinery or works in connection therewith in an efficient manner Provided always that during the time the Trustees supply water to work the said machinery the Midland Company shall keep such machinery in a sufficient state of repair to prevent undue waste.

9. The Trustees reserve to themselves the right to erect and maintain in under or on the said frontage such mooring posts rings lamp posts cables wires and other devices and such hydraulic and other pipes machinery and other conveniences as may be necessary for the proper and convenient working of the dock and works and also free liberty to lay fix maintain and use in on and along the said land coloured green the two lines of rails and the roadway respectively shown on the same plan And also free liberty at all reasonable times to their officers and servants and all other persons lawfully engaged in working or using the dock to pass and repass over and along the margin of the dock adjoining the said frontage such margin not to exceed five feet in width Provided always that all such works on the said frontage shall be constructed and maintained to the reasonable satisfaction of the engineer of the Midland Company And also free liberty at all reasonable times to their officers and servants and all other persons authorised by the Trustees and lawfully using the King's Dock with carriages wagons engines and horses and for all purposes to pass and repass over the lines of rail and roadway to be laid and fixed on the said land coloured green But the Midland Company are not to be inconvenienced in the conduct of their business or the enjoyment of the said frontage to any greater extent than may be unavoidable and in case of difference as to the reasonable exercise of the rights and liberty so reserved as aforesaid or as to the damage (if any) caused to the Midland Company by such exercise the same to be referred to arbitration.

10. The Trustees shall construct maintain work and signal such and so many junctions between the Midland Company's staith sidings and the said running lines coloured green as may be necessary or convenient for the economical working of the traffic of the Midland Company Provided always that such junctions shall be constructed to the reasonable satisfaction of the engineer of the Midland Company.

If in the construction by the Midland Company of staith sidings from the Trustees' lines to the frontage to be leased to the Midland Company it shall be found desirable to vary the position now laid down of the land coloured pink the Trustees and the Midland Company shall be empowered to make such arrangements with respect to "land for

A.D. 1907. sidings" as may be agreed on between the Trustees and the Midland Company.

11. The Trustees shall provide maintain watch light and signal at their own expense during the continuance of the said lease on their own land within the area (unless otherwise agreed) indicated on the said plan for the exclusive use of the traffic carried by the Midland Company for shipment at their said frontage coloured green reception and storage sidings for 300 wagons and all further reception and storage sidings which the Midland Company may consider necessary for the said traffic shall be provided by the Midland Company on that company's land as and when required.

12. The Midland Company shall have the use in common with the Trustees and others authorised by them of the Trustees' railways coloured green and red on the said plan in respect of coal destined for shipment by means of hoists at the King's Dock on payment of one halfpenny per ton and in respect of other traffic at the lowest charge from time to time made to any company or trader other than the Great Western Railway Company or the Rhondda and Swansea Bay Railway Company or any company or person lawfully claiming under those companies respectively under or in pursuance of any existing agreements with them respectively in respect of traffic to and from frontages leased or agreed to be leased to those companies respectively at any dock. The Midland Company to have the use in common with the Trustees and others authorised by them of the Trustees' railways coloured blue on the plan at the lowest charge from time to time made to any other company or trader for similar accommodation.

13. The Trustees shall have the right to vary from time to time the position or level of the said railways or any of them or any parts thereof respectively and to cross them either on the level or over or underneath them with other lines of railway roads bridges gantries stagings passages subways waterways and other conveniences provided that such alterations or crossings shall not unreasonably interfere with the working of the Midland Company's traffic on the said railways or affect the company's railways on the land hereby agreed to be leased to them.

14. Neither the Midland Company nor the Trustees or their respective lessees or tenants of frontage or land adjacent to frontage at the King's Dock shall ship coal at the King's Dock on lower terms than those charged by the other of them and in case of difference between the Midland Company and the Trustees as to such charges the same shall be settled by arbitration.

15. The Trustees shall not let any frontage or land adjacent to frontage to the King's Dock and they shall effectually prevent any company firm or person sub-letting any such frontage or land to any other railway company on more favourable terms than those made with the Midland Company and the Trustees shall not levy or charge in

respect of vessels or goods using or loaded or unloaded at the quays included in any lease granted in pursuance of this agreement any higher dues or rates than they shall for the time being charge or levy in respect of similar vessels or goods on any other portion of the King's Dock. A.D. 1907.

16. The Midland Company shall not assign underlet or part with the possession of the said frontage coloured green and land coloured pink and jetty if constructed or any part thereof respectively without the consent in writing of the Trustees but such consent shall not be arbitrarily or unreasonably withheld.

17. Nothing in the two preceding clauses shall affect or prejudice the rights and privileges of Gertrude Barbara Rich Tennant her tenants licencees and traders under an agreement scheduled to the Act of 1901 or any lease to be granted thereunder.

18. All usual and necessary clauses shall be inserted in the lease.

19. It shall not be obligatory upon the Trustees to construct any of the new works authorised by the said Act of 1901 and the Midland Company shall not be entitled to recover any damages against the Trustees by reason of their failing to construct or complete the King's Dock or any part thereof and works or any of them but if the King's Dock or part thereof as aforesaid is not opened within 6 years from the time limited for the completion thereof the Midland Company shall be at liberty to move any buildings or work which they may have erected or made in or upon the said 700 feet frontage and land coloured pink.

20. All traffic brought by the Midland Company for shipment at hoists in the hands of the Trustees at the King's Dock shall be given by the Midland Company equal despatch to traffic destined for hoists of the Midland Company and the Midland Company shall extend to the first-mentioned traffic the same treatment as is accorded by the Midland Company to traffic shipped at other railway company's hoists except that any arrangement between the Midland Company and any other railway company for the haulage free of charge by either company of traffic of the other company shall not prevent the Midland Company from requiring the Trustees to pay a reasonable charge for haulage done by the Midland Company for the Trustees at their (the Trustees) request.

21. The Midland Company shall deliver coal (when ordered for delivery by the Trustees) for fuel works (other than the existing fuel works of the Graigola Merthyr Patent Fuel Company and the Atlantic Patent Fuel Company at the North Dock) steam trawlers and places served by the Trustees' railways being the railways serving the North South Prince of Wales' and King's Docks other than the high level railway leased to the Great Western Railway Company at any of the Trustees' docks including the King's Dock on sidings westward of the

A.D. 1907. Prince of Wales' Dock Lock and eastward of the bridge carrying the Great Western Railway over the New Cut free of charge This clause not to apply to coal for shipment at railway or other hoists.

22. Provided always and it is hereby agreed that if the Trustees shall within six months from the date hereof give notice in writing to the Midland Company of the Trustees' desire to substitute for the said 700 feet of frontage land and jetty mentioned or referred to in clause 3 hereof and shown on the said plan the 680 feet of frontage on the south side of the King's Dock as approximately shown by the colour green on the plan also hereunto annexed numbered 2 (hereinafter referred to as "Plan No. 2") and the land at the back thereof coloured pink and the jetty coloured yellow thereon (if the same shall be constructed) the Trustees will grant and the Midland Company will accept in lieu of the frontage land and jetty mentioned or referred to in clause 3 hereof the 680 feet frontage the land coloured pink and the jetty (if constructed) as approximately shown on Plan No. 2 and thereupon these presents shall be read and construed as if the 680 feet frontage land and jetty as approximately shown on Plan No. 2 were mentioned or referred to therein instead of the 700 feet frontage land and jetty mentioned or referred to in clause 3 hereof and as if the figures 2720 were written in clause 4 hereof in lieu of the figures 2800.

23. All differences (if any) which shall arise between the Trustees and the Midland Company touching any of the matters aforesaid or otherwise relating thereto shall be referred to arbitration and provision for the purpose shall be made by the lease and the arbitration shall be as nearly as can be in accordance with the Arbitration Act 1889 or any statutory modification thereof.

24. This agreement is made subject to such alterations as Parliament may think fit to make therein but if the Committee on the Bill make any material alteration in this agreement it shall be competent to either of the parties hereto to withdraw the same.

In witness whereof the parties hereto have hereunto set their respective common seals the twenty-ninth day of July 1907.

The common seal of the Trustees was hereunto }  
affixed in the presence of

TALFOURD STRICK

Clerk to the Trustees.

L.S.

The common seal of the Midland Company was }  
hereunto affixed in the presence of

JAMES W. OXLEY

Director of the Midland Railway  
Company Spenfield Weetwood

near Leeds.

L.S.

HEADS OF AGREEMENT between the ENGLISH CROWN SPELTER COMPANY LIMITED hereinafter called the Company of the one part and the SWANSEA HARBOUR TRUSTEES hereinafter called the Trustees of the other part.

WHEREAS by an indenture dated the eighteenth day of October one thousand nine hundred and four and made between the Company of the one part and the Trustees of the other part the Company assigned to the Trustees for the residue of a term of sixty years created by a lease dated the twelfth day of February one thousand eight hundred and sixty-six and made between the Right Honourable Frederick William Child Villiers and Charles Fane of the first part the Right Honourable Sarah Sophia Child Dowager Countess of Jersey of the second part and William Copley Shackelford and Henry Ford of the third part the lands delineated and coloured pink and yellow hatched with blue lines on the plan hereto annexed signed by Ernest Christopher Leaver and Augustus Oswald Schenk and all other (if any) land and foreshore southward or seaward of the lands coloured yellow and yellow hatched with blue lines on the said plan :

And whereas the Company claim to hold under their said lease the lands coloured green and blue on the said plan hereto annexed :

And whereas the Company have agreed to assign to the Trustees the said lands coloured green and blue on the said plan together with all other land (if any) held acquired used and enjoyed by the Company under or by virtue of their said lease and situate eastward or southward of the lands already assigned to the Trustees by the said assignment :

Now it is hereby agreed by and between the Company and the Trustees as follows (that is to say):—

1. The Company shall assign to the Trustees the lands coloured green containing four thousand two hundred square yards or thereabouts and blue containing seventeen hundred and twenty square yards or thereabouts and all other land (if any) held acquired used or enjoyed by the Company under or by virtue of their said lease and situate eastward or southward of the lands already assigned to the Trustees as aforesaid for the residue of the term for which they hold the same under or by virtue of the said lease or any subsequent agreement with Lord Jersey or his agent for a lease.

2. The Trustees shall pay to the Company for the said premises the sum of four hundred and seventy-three pounds eleven shillings.

3. The Trustees shall pay to the Company interest on the said sum until payment thereof at four pounds per centum per annum as from the seventeenth August one thousand nine hundred and four.

4. The Trustees shall not under clause 8 of the Bill now being promoted by them be entitled to take more of the Company's land than the lands hereby agreed to be assigned.

A.D. 1907.

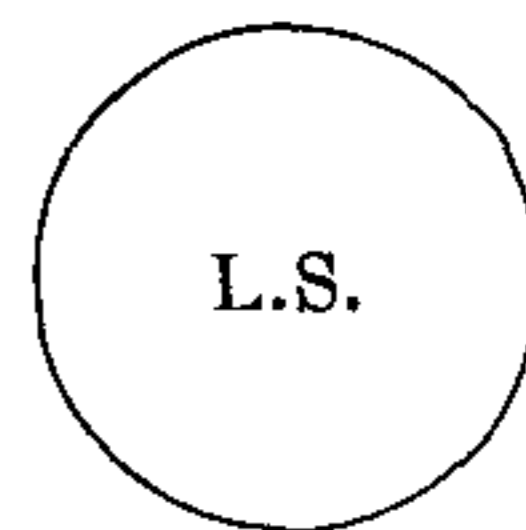
5. No apportioned rent to be paid in respect of the said land coloured green but the Trustees to pay during the residue of the said term created by the said lease an apportioned ground rent of fifteen pounds eleven shillings and nine pence in respect of the land coloured blue.

6. The Company shall not have any right of pre-emption in the event of any land hereby agreed to be sold becoming superfluous land within the meaning of the Lands Clauses Consolidation Act one thousand eight hundred and forty-five.

This agreement is made subject to such alterations as Parliament may think fit to make therein and also to the said Bill becoming law in the present session of Parliament with the addition of a clause confirming this agreement and if not so confirmed this agreement shall be void.

In witness whereof the parties hereto have hereunto set their respective common seals the fifteenth day of June one thousand nine hundred and seven.

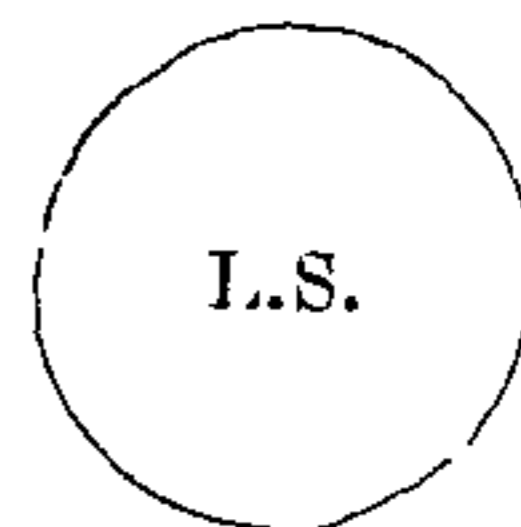
The common seal of the Swansea Harbour Trustees }  
was hereunto affixed in the presence of



TALFOURD STRICK

Clerk to the Trustees.

The common seal of the English Crown Spelter }  
Company Limited was hereunto affixed in the  
presence of



JOHN E. CHAMPNEY }  
ERNALD RICHARDSON } Directors.  
E. C. LEAVER Secretary.

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WYMAN AND SONS, LTD., FETTER LANE, E.C.; or  
OLIVER AND BOYD, TWEEDDALE COURT, EDINBURGH; or  
E. PONSONBY, 116, GRAFTON STREET, DUBLIN.