



ANNO QUADRAGESIMO SEXTO

GEORGI III. REGIS.

Cap. 34.

An Act for erecting a Pier, and other Works, for the Improvement of the Harbour of *Portbdinlleyn* in *Carnarvon Bay*, in the County of *Carnarvon*.

[23d May 1806.]

WHEREAS the Harbour of *Portbdinlleyn* in *Carnarvon Bay*, in the County of *Carnarvon*, does not, in its present State, afford sufficient Security to the Trade carried on there, and to the Vessels navigating *Saint George's Channel*: And whereas the said Harbour is capable of being rendered safe and commodious, by building a Pier and other necessary Works, and would, when so improved, not only be of great Benefit and Convenience to Merchants and other Persons trading to and from the same, but would also, by affording Shelter and Protection to Vessels navigating the said Channel in strong North and Westerly Winds, be of great publick Utility: And whereas the Persons herein-after named are desirous and purpose to construct, make, and maintain the said Pier, and such other Works as shall be necessary for the Improvement of the said Harbour, and the Accommodation of Vessels resorting thereto, and the Trade carried on there, at their own Expence; but as such their Purpose cannot be carried into Execution without the Aid and 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 *William Alexander Madocks* of *Tan-r-Allt* in the County of

[*Loc. & Per.*]

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Carnarvon

Company to
be a Body
Corporate.
Common Seal.
Mode of
suing, &c.

Power to pur-
chase Lands,
&c.

Proprietors to
raise Money
for making
the Harbour.

Carnarvon Esquire, *Thomas Parry Jones* of *Madryn* in the said County Esquire, and *Gwyllym Lloyd Wardie* of *Wernfawr* in the said County Esquire, and their several and respective Executors, Administrators, Successors, and Assigns, together with such other Person or Persons, Body or Bodies Corporate, Politick, or Collegiate, who shall at any Time hereafter be possessed of One or more Share or Shares of or in the said Harbour, Pier, and other Works, to be constructed and made by virtue of or under the Authority of this Act, and their several and respective Executors, Administrators, Successors, and Assigns, shall be, and they are hereby united into and declared to be a Company for the constructing, erecting, building, making, doing, maintaining, enlarging, altering, varying, improving, repairing, and supporting a Pier, Quays, Wharfs, and such other Works, Buildings, Requisites, Matters, and Things, as shall or may be necessary for the Improvement of the said Harbour, and the Accommodation of the Vessels lying therein, and for the other Purposes of this Act, according to the Directions, and subject to the several Provisoos, Regulations, and Restrictions, herein-after contained, and shall for those Purposes be One Body Politick and Corporate, by the Name and Style of *The Porthdinlleyn Harbour Company*, and by that Name shall have perpetual Succession, and a Common Seal; and by that Name shall and may sue and be sued, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence, indictable by the Laws of this Realm; and shall and may have Power and Authority, from and after the passing of this Act, to purchase Lands, Tenements, and Hereditaments, to them, and their Successors and Assigns, for the said Harbour and Pier, and for the several Works hereby authorized to be made, and for the several Purposes herein mentioned, and to sell, convey, demise, and exchange any of the Lands, Tenements, or Hereditaments, which shall be so purchased for the Purposes aforesaid.

II And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise and contribute amongst themselves a competent Sum of Money for making and maintaining the said Harbour and Pier, and all the Ways, Roads, Bridges, Quays, Wharfs, and all other Works and Conveniencies belonging or requisite thereto, not exceeding in the Whole the Sum of Twelve thousand Pounds, (save and except as herein mentioned,) and that the same shall be divided into Shares of Two hundred Pounds each, and that the said Shares shall be and are hereby vested in the several Persons so subscribing, and their several and respective Executors, Administrators, Successors, and Assigns, to their and every of their proper Use and Benefit proportionably to the Sums they shall severally raise and contribute; and all Bodies Politick, 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 Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said Harbour, Pier, Quays, Wharfs, and other Works, and other the Purposes of the said Subscription, shall be entitled to and receive the entire and net Distribution of an equal proportionable Part, according to the Money so by them respectively paid, of the Profits and Advantages that shall and may arise and accrue by the Rates and Duties, and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors

Proprietors by the Authority of this Act; and every Body Politick, Corporate, and Collegiate, Person and 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.

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

Shares to be Personal Estate.

IV. And be it further enacted, That it shall and may be lawful to and for all or Three-fourths of the Proprietors of the Shares aforesaid, to create, sell, and dispose of any Number of new Shares not exceeding Twenty, of and in the said Harbour, to such Person or Persons, and in such Manner as they shall think proper, and the Purchaser or Purchasers of such new Shares shall be, and shall be considered, deemed, and taken to be a Member or Members of the said Company, in the same Manner as if he, she, or they, had been a Proprietor or Proprietors of any of the original Shares of and in the said Harbour.

Power to create 20 new Shares.

V. And be it further enacted, That every Body Politick, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for One Share in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall have a Vote in the several Meetings to be holden as herein appointed for carrying on the said Undertaking for every such Share, which Vote or Votes may be given by them, him, or her, or by their, his, or her Proxies or Proxy, constituted under the Seal of such Body Politick, Corporate, or Collegiate, or the Hand of such other Person, every such Proxy being a Proprietor in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient, to all Intents and Purposes, as if such Principal had voted in Person; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any Meeting of the said Company of Proprietors, shall be determined by the Majority of Votes and Proxies then present, which Appointment of Proxy may be in the Form or to the Effect following; that is to say,

Subscribers to have a Vote for every Share.

I *A. B.* of *Portbainleyn* Harbour, do hereby nominate, constitute, and appoint *C. D.* of *Portbainleyn* Harbour, to be my Proxy, in my Name, and in my Absence, to vote or give my Assent or Dissent to any Business, Matter, or Thing, relating to the said Undertaking, that shall be mentioned or proposed to any Meeting of the said Company, in such Manner as he the said *C. D.* shall think proper, according to his Opinion and Judgement, for the Benefit of the said Undertaking, or any Thing appertaining thereto. In Witness whereof I have hereunto set my Hand the *Day of*

Form of Appointment of Proxy.

VI. And be it further enacted, That there shall be One Annual General Assembly or Meeting of the said Company of Proprietors, for the Purpose of carrying this Act into Execution, the First Meeting to be holden at

Annual Meetings

at the Publick House belonging to the Honourable *Jane Finch* at *Portlandleyn* aforesaid, or within Eight Miles thereof in the said County, on the Seventeenth Day of *September* next, between the Hours of Ten and Twelve in the Forenoon, or on any other Day that shall be appointed by either of the aforesaid Proprietors, and of which Ten Days Notice shall be given to each of the other Proprietors, such Day not being *Sunday*, or other Day on which Divine Service is ordered by Authority to be celebrated, and that the subsequent annual Meetings shall be holden at the same Place, and between the same Hours, on the First *Monday* in the Month of *September* in every Year, unless some other Place, Day, or Time, shall have been fixed upon at the last preceding annual Meeting, in which Case the said annual Meetings respectively shall be holden at the Place, Day, and Time so fixed upon, of which said Change of Place, Day, or Time, publick Notice shall be given in some Newspaper or Newspapers printed and circulated in the City of *Chester*, or in such other Manner as shall have been directed at such preceding Meeting, at least Twenty Days before such intended Meeting; and the said Company at such Meetings, and at every Adjournment thereof, shall have Power and Authority to adjourn the Meeting from Time to Time, and from Place to Place, as they shall think proper; until the Time of holding the next annual Meeting, of which said Adjournment publick Notice shall be affixed on some conspicuous Part of any Building belonging to or adjoining the said Harbour, at least Seven Days before such adjourned Meeting shall be holden, or in such other Manner as shall be directed at any preceding Meeting.

Power to adjourn Meetings.

Notice of Adjournment.

Election of a Chairman.

Chairman to have a casting Vote.

VII. And be it further enacted, That the said Company, at the said First or any subsequent annual Meeting, shall and may proceed to the Election and Appointment of a Chairman, by whom all Acts and Orders of the said Meetings and Adjournments shall be signed in the Name and Style of the said Company, and such Chairman shall have the same Right of voting, and of acting as a Proxy, as any other Proprietor; and he shall also, in case of an Equality of Votes upon any Question proposed or discussed, have the casting or deciding Vote, although he shall have given One or more Votes before; and in case of the Non-attendance of such Chairman at any annual Meeting or Adjournment thereof, the said Company then present shall elect and appoint a Chairman to act at such Meeting or Adjournment, who shall have the same Power and Authority at such Meeting or Adjournment as the Chairman originally chosen; and in case of the Death of such Chairman first chosen, or his Successors, or of his or their Refusal to act, a new Chairman shall and may be elected and appointed from Time to Time in like Manner, at the First annual Meeting after the Death or Refusal to act as such Chairman; and the said Company, or the major Part, of them in Value present at any annual Meeting, shall have Power and Authority to remove any Chairman, and in his Stead to appoint a new Chairman.

The Acts of the Majority binding.

VIII. And be it further enacted, That upon the proposing, discussing, considering, or deciding any Question, Matter, or Thing, at any annual or special Meeting, or any adjourned Meeting, the Opinions, Acts, Orders, Directions, Votes, and Determinations of the Proprietors of the Majority of the Shares aforesaid present by themselves or Proxies, at such Meeting, shall be binding and conclusive on the rest of the Proprietors; and shall be

be entered in the Book to be kept for that Purpose, and signed by the Chairman, and shall be considered, deemed, and taken upon all Occasions to be the Acts of the said Company: Provided always, that not less than the Proprietors of Ten Shares attending personally or by Proxy shall constitute an annual Meeting, for the Purposes of this Act, except for the Purpose of Adjournment; and that not less than the Proprietors of Three Shares attending personally or by Proxy shall be capable of acting (except for the Purpose of Adjournment) at any adjourned Meeting, unless otherwise directed by an annual Meeting.

Proprietors of not less than Ten Shares to constitute an annual Meeting, except to adjourn.
Proprietors of Three Shares to act at adjourned Meetings.

IX. And be it further enacted, That the Acts, Orders, and Regulations of each annual Meeting, shall continue in force until repealed, annulled, or altered by a subsequent annual Meeting; and that no adjourned Meeting, or Special Meeting, shall have Power to annul or alter the same totally or partially, or to make any Acts, Orders, or Regulations, contrary thereto, or inconsistent therewith, unless expressly authorized by an annual Meeting so to do; and such Authority shall extend only to such particular Acts, Orders, or Regulations as shall be therein particularly specified; and which shall have been made and ordained at the annual Meeting so giving and granting such Authority, and no further.

Acts of annual Meetings not to be annulled, &c. by adjourned Meetings, unless authorized by annual Meetings.

X. And be it further enacted, That the said Company, at the First Meeting; or any annual Meeting to be holden as aforesaid; shall and may order a Common Seal to be made, and from Time to Time alter or change the same; and also shall and may call for, audit, and settle all Accounts of Monies received, laid out, and disbursed in the Execution of the Powers, and in effecting the Purposes of this Act, by all Officers and other Persons appointed or employed by or under the said Company, and shall and may do, transact, and perform all such other Matters and Things as shall be thought needful for carrying this Act into complete Execution, and also shall and may have the same Power and Authority at any adjourned Meeting, subject to the Restrictions aforesaid.

Common Seal to be made.

To audit Accounts.

To carry this Act into Execution.

XI. And be it further enacted, That, if at any Place appointed for an annual or adjourned Meeting, a sufficient Number of Proprietors to constitute a legal Meeting under this Act shall not be present within the Time limited for holding such Meeting, the Proprietors or Proprietor who shall be then present, or, in case there shall be no Proprietor present, the Clerk for the Time being to the said Company, shall and may, and are and is hereby authorized to adjourn the said Meeting, to be holden at the same Place on any Day within Three Months then next ensuing, of which Adjournment Notice shall be given in the Manner previously directed at any Meeting; and for Default thereof, the said Meeting shall be considered to be adjourned for Four Weeks to be holden at the same Place.

If a sufficient Number of Proprietors should not be present, to adjourn.

XII. And be it further enacted, That if at any Time it shall appear to Two or more of the Proprietors possessing amongst them Five Shares at the least, that for better or more speedily effectuating all or any of the Purposes of this Act a Special Meeting of the said Company is necessary to be holden, it shall be lawful for such Two or more Proprietors to appoint a Special Meeting of the said Company, by causing Notice of such Special Meeting to be given in the Manner herein-before mentioned, or in such Manner as shall have been directed by an annual Meeting, at least Fourteen

Special Meetings.

[Loc. & Per.]

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Days

Days before the Day fixed for holding such Special Meeting, in which Notice the Place where, and the Time when such intended Meeting is to be holden, and the Purpose or Purposes for which such Meeting is called, and the Matters intended to be taken into Consideration thereat, shall be particularly specified, and the said Company of Proprietors are hereby authorized to meet pursuant to such Notice; and in case a sufficient Number of Proprietors to constitute an annual Meeting shall, by themselves or Proxies, so meet and assemble together, then such Proprietors, and not otherwise, shall and may proceed in the Execution of this Act with the Matters and Things so specified only, and no further; and the Acts and Orders of the said Proprietors at such Meeting assembled, touching the Matters so specified, shall be as valid and effectual as if the same were done at any annual Meeting; and the said Proprietors shall at all Meetings, to be holden for the Purposes of this Act, defray and pay their own Expences respectively, and shall not charge or place the same to the Account of the said Company.

Accounts of Money to be laid before the Assemblies.

XIII. And be it further enacted, That all Accounts of Money laid out and disbursed on Account of the said Harbour, and other Works thereunto belonging, by the said Company, or by the Treasurers or Collectors of the Tolls and other Officers by them appointed, or by any other Person or Persons whomsoever employed by or concerned for or under them, in and about the said Harbour, or the Works thereto belonging, shall be laid before the several Assemblies of the said Company to be holden by virtue of this Act, in order that the same may be audited and settled; but no Vote or Votes by Proxy shall be given or have any Power in or as to the Audit and Settlement of Accounts.

A competent Sum of Money to be raised.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to levy, raise, and contribute upon and amongst themselves, according and in Proportion to their respective Shares aforesaid, a competent Sum of Money for defraying the Expence of obtaining and passing this Act, and for effectuating the Purposes hereof, and in order thereto, shall and may from Time to Time, at any annual or adjourned Meeting, or any Special Meeting holden or convened in Manner aforesaid, make such Call or Calls of Money from the Subscribers to and Proprietors of the said Harbour, to defray the Expences of or to carry on the same, and the several Works to be made by virtue of this Act, as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Twenty Pounds for every Two hundred Pounds, and so in Proportion for any greater or less Share or Interest which any Person or Persons 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 One Month at least from each other; and Ten Days Notice at the least shall be given of all such Calls as aforesaid by Advertisement in One or more Newspaper or Newspapers printed and circulated in the said City of *Chester*, or in such other Manner as the said Company shall direct; and every Owner and Owners of any Share or Shares in the said Undertaking shall pay his, her, or their rateable Proportions of the Monies to be called for as aforesaid, to such Person or Persons, and at such Time and Place, as the said Company shall from Time to Time appoint and direct; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part of

Committee to make Calls.

of the said Money so called for as aforesaid, at the Time and Place appointed by the said Company, or within Twenty-one Days next ensuing, he, she, or they so neglecting or refusing, shall forfeit and pay the Sum of Two Pounds for every Share; and in case such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable Calls as aforesaid for the Space of Three Calendar Months next after the Time so appointed for Payment thereof, then he, she, or they so neglecting or refusing, shall forfeit his, her, or their respective Share and Shares in the said Undertaking, and all the Profits and Benefits thereof, all which Shares so forfeited shall be vested in the said Company of Proprietors, in Trust for and for the Benefit of all the Rest of the said Proprietors, in Proportion to their respective Interests in the said Undertaking, or shall, at the Discretion of the said Company of Proprietors be publickly sold for the Use of the Rest of the said Proprietors, whose Shares and Interests shall not have been forfeited as aforesaid: Provided nevertheless, that no such Forfeiture of any Share or Shares in the said Undertaking shall be or be deemed to be incurred unless Notice in Writing of such Call or Calls, signed by the Clerk or Clerks to the said Company, shall have been given to or left at the usual Place or Places of Abode of the Owner or Owners of such Share or Shares respectively, and unless the same Share or Shares shall likewise be declared to be forfeited at any annual or adjourned or Special Meeting of the said Company of Proprietors, holden not sooner than Twenty-one Days after giving or leaving such Notice as aforesaid.

Shares may be forfeited, but no Advantage to be taken of Forfeiture without personal Notice.

XV. And be it further enacted, That if any Owner or Owners of any Share or Shares in the said Undertaking shall die before such Call or Calls shall have been made for the full Sum to be advanced and paid on any Share or Shares which he, she, or they shall have been possessed of, or entitled to, without having made Provision by Will, or otherwise, how or in what Manner such Share or Shares shall be disposed of, and how or by what Means the future Calls in respect thereof shall be paid to the said Company for the Purpose of the said Harbour and Pier, and the several Roads and Ways, and other Works to be made by virtue of this Act, then and in every such Case the Executor or Executors, or Administrator or Administrators of each and every such Owner so dying, or the Trustee or Trustees, Committee or Committees of any Lunatick or Lunaticks, Guardian or Guardians of any Infant or Infants, or of any other Person or Persons entitled to the Estate and Effects of such deceased Owner, shall be indemnified against all and every such Infant or Infants, and against all and every other Person or Persons whomsoever, for or on Account of his, her, or their having paid any Sum or Sums of Money, when called for as aforesaid, to complete every such Subscription, and if such deceased Owner or Owners shall not have left Assets sufficient, or in case such Executors or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians, shall refuse or neglect to answer any such Calls, the said Company shall be and they are hereby authorized and required to admit any other Person or Persons to be Proprietor or Proprietors of the Share or Shares of such deceased Owner or Owners, on Condition that he, she, or they so admitted do and shall, on or before such Admission, pay to the Executors or Administrators of such deceased Owner or Owners, or to the Trustee or Trustees, Committee or Committees of any Lunatick or Lunaticks, Guardian or Guardians of any Infant or Infants, or to any other Person or Persons who may be entitled

Executors, etc. to pay Calls in case of the Death of any Owner.

to his, her, or their Effect, the full Sum and Sums of Money which shall have been paid by such Owner or Owners in his, her, or their Lifetime, by virtue of any Call or Calls, or otherwise, upon such Share or Shares, or such other Sum or Sums of Money as the same can be sold for; and in case no Person or Persons shall be found who is or are willing to be admitted on such Condition as aforesaid, then and in every such Case such Share or Shares shall be forfeited to and become vested in the Rest of the said Company, in Trust for and for the equal Benefit of all the Rest of the said Proprietors, in Proportion to their respective Interests in the said Harbour, and shall be subject to be sold and disposed of in like Manner as other forfeited Shares may be sold or disposed of by virtue of this Act.

Shares may
be sold.

XVI. And be it further enacted, That it shall and may be lawful, to and for the several Proprietors of the said Undertaking, his, her, or their respective Executors or Administrators, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Conveyance of which Shares shall be in the Form or to the Effect following:

I *A. B.* of _____ in Consideration of
paid to me by *C. D.* of _____
do hereby bargain, sell, assign, and transfer
to the said *C. D.* One Share [or, Two or more Shares, as the Case may
be] of the Capital Stock of the *Portbodinleyn* Harbour Company, being
N^o _____ to hold to the said *C. D.* his Executors, Administrators, and
Assigns, subject to the same Rules, Orders, and Restrictions, and on
the same Conditions that I held the same immediately before the Execu-
tion hereof; and I the said *C. D.* do hereby agree to take and accept
the said Share [or, Shares] of the said Capital Stock, subject to the same
Rules, Orders, Restrictions, and Conditions. As Witness our Hands
and Seals the _____ Day of _____

And on every such Sale, the said Deed of Conveyance being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares, shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk or Clerks to the said Company shall have entered in a proper Book or Books for that Purpose a Memorial of such Transfer and Sale for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Five Shillings shall be paid, and the said Clerk or Clerks is and are hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote in respect thereof as a Proprietor or Proprietors of the said Undertaking.

Regulations
as to the Ac-
quisitions of
Shares by
Marriage;

XVII. And whereas much Inconvenience may arise by the frequent Change of the Right and Title to the Shares of and in the said Undertaking by the Marriage and Death of Proprietors, and it may be difficult in such Cases to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid and go belong; be it therefore further enacted, That before any Person or Persons claiming any Part or Share of the Profits of the said Undertaking in Right of Marriage shall be entitled

to

to receive the same, an Affidavit containing a Copy of the Register of such Marriage, or the Effect of such Register, shall be made and sworn to by some credible Person before One of the Judges at *Westminster*, or a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace for the said County of *Carnarvon*, and the said Judges, Master or Master Extraordinary in Chancery, and Justices of the Peace, are hereby authorized and empowered to swear any such Person to such Affidavit, and such Affidavit shall be transmitted to the Clerk or Clerks to the said Company for the Time being, who shall file the same, and make an Entry thereof in the Book or Books which shall be kept by the Clerk or Clerks for the Entry of Transfers and Sales of Shares in the said Undertaking; and before any Person or Persons claiming any Part or Share of the Profits of the said Undertaking, by virtue of any Bequest or Will, or in a course of Administration, shall be entitled to receive the same, the said Will, or the Probate Copy thereof, shall be produced and shewn to the said Clerk, or an Affidavit, containing a Copy of so much of such Will as shall relate to the Share or Shares of the Testator or of the Letters of Administration, in case the Proprietor shall have died intestate, shall be made and sworn to by an Executor or Executors of such Will, or by an Administrator or Administrators of the Estate and Effects, (as the Case may happen to be,) before One of the Judges at *Westminster*, a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace for the said County of *Carnarvon*, and shall also be transmitted to the said Clerk or Clerks, who shall file and enter the same in Manner herein-before mentioned.

by Will or in
course of Ad-
ministration.

XVIII. And be it further enacted, That the said Company shall, and they are hereby required to cause the Names and proper Additions of the several Persons who shall be entitled to the several Shares in the said Undertaking, with the Number of Shares which they are 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 or Books to be kept by the Clerk or Clerks to the said Company; and after such Entry made, the said Company shall cause their Common Seal to be affixed thereto, and shall also cause a Certificate or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every Subscriber upon Demand, specifying the Share or Shares to which he or she is entitled to in the said Undertaking, every such Proprietor paying to the Clerk or Clerks to the said Company Five Shillings, and no more, for every such Certificate or Instrument (exclusive of the Stamp Duty thereon); and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Subscriber, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Instrument shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

Names of
Proprietors to
be entered,
and Certifi-
cates deliver-
ed to them.

XIX. And be it further enacted, That in case the said Company of Proprietors shall deem it expedient to borrow Money for the Purpose of enabling them to carry on the Works aforesaid, it shall and may be lawful to and for them, and they are hereby authorized and empowered, from Time to Time to borrow and take up at Interest on the Credit of the Rates and Duties of the said Harbour, and the Rents of any Lands or

Power to
mortgage the
Harbour and
Duties.

[Loc. & Per.]

7 E

Buildings

Buildings or other Things belonging thereunto, any Sum or Sums of Money which they shall deem necessary for effectuating the Purposes of this Act, and to demise, grant, bargain, and sell the Property of the said Harbour, Lands, and Buildings, and the Capital Stock therein, and the Tolls, Rents, and Duties, arising or to arise to the said Company of Proprietors by virtue of this Act, (the Costs and Charges of preparing such Demise or Demises to be paid out of such Tolls, Rates, and Duties,) as a Security for any Sum or Sums of Money which shall be so borrowed, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance and lend the same, which said Demise or Demises shall be made and granted under the Seal of the said Company, and in the Name and Style of the said Company, signed by the Chairman present at the Meeting at which the said Money shall be borrowed, and may be in the Form or to the Effect following; that is to say,

‘ BY virtue of an Act of Parliament, made in the Forty-sixth Year of
 ‘ the Reign of His Majesty King George the Third, intituled, [*here*
 ‘ *insert the Title*] we, the *Porthdinlleyn* Harbour Company, incorporated
 ‘ by and under the said Act, in consideration of the Sum of
 ‘ advanced and paid to us by *A. B.* of
 ‘ do hereby demise, grant, bargain, and sell
 ‘ unto the said *A. B.* his Executors, Administrators, and Assigns, the
 ‘ aforesaid Harbour, and the Lands and Buildings belonging thereunto,
 ‘ and all and singular the Rates, Rents, and Duties payable to us by
 ‘ virtue of the said Act, and all our Right, Title, and Interest, of, in,
 ‘ and to the same, to be holden by the said *A. B.* his Executors, Admi-
 ‘ nistrators, and Assigns, until the said Sum of
 ‘ with the legal [*or, other*] Interest thereof, shall
 ‘ be fully satisfied and paid. In witness whereof we have to these Presents
 ‘ caused our Seal, Name, and Style to be put the Day of
 ‘ in the Year of our Lord
 ‘ Signed and sealed in } *The Porthdinlleyn Harbour Company.*
 ‘ the Presence of }

Which said Demise, in Form aforesaid, shall be as valid and effectual for securing the Repayment of the Money therein mentioned as any Mortgage or Demise drawn in any other Manner, and shall be construed equitably by all Courts according to the Intent thereof.

In case of
 several De-
 mises. Mort-
 gagees to
 claim in Suc-
 cession.

XX. And be it further enacted, That in case Two or more such Demises shall be made and executed to different Persons, the Person or Persons to whom the first Demise shall be made shall have prior Right to the said Harbour, Lands, Buildings, Tolls, Rents, Rates, and Duties, and the Rest of the said Mortgagees or Persons to whom such other Demises shall be made, shall have Preference and Priority in like Manner, according to the Dates of their respective Demises; and the Claim and Right of Preference and Priority of any Mortgagee shall not be defeated by a subsequent Mortgagee possessing himself of a prior Demise, save and except as to the Money due upon such prior Demise.

Mortgagees
 may transfer
 Mortgages.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Person or Persons to whom any such Demise or Demises shall be made as aforesaid, and his, her, or their Executors, Administrators, or Assigns, to transfer his, her, or their Right or Interest therein to any Person

Person or Persons, by Writing under his, her, or their Hands and Seals, which may be in the Form or to the Effect following; *videlicet*,

I A. B. of _____ in consideration of the
 Sum of _____ paid to me by C. D.
 of _____ do hereby assign and transfer
 the Demise made by the *Portbdinlley*n Harbour Company to me, bearing
 Date the _____ Day of _____ for securing the Sum of
 _____ and Interest; and I also assign and
 transfer all my Right and Property therein and to the said Sum of
 _____ and Interest, to the said C. D. his Executors,
 Administrators, and Assigns. In witness whereof I have hereunto set my
 Hand and Seal the _____ Day of _____ in the Year
 of our Lord _____

XXII. And be it further enacted, That such Demises and Transfers shall be entered, or a Memorial thereof made in the Book or Books of the said Company by the Clerk or Secretary to the said Company, and he shall also indorse on such Demises and Transfer a Memorandum of such Entry or Memorial; and until such Entry or Memorial be made of such Demises and Transfers, and such Indorsements made thereon, the same shall not be valid or effectual.

Demises and Transfers to be entered.

XXIII. Provided also, and be it enacted, That no Person or Persons to whom any such Demise or Demises shall be made or transferred as aforesaid, shall be capable of acting or voting by virtue of such Demises or Transfers, either as Principal or by Proxy, at any Meeting of the said Company of Proprietors.

Mortgagees not to vote.

XXIV. And be it further enacted, That the Interest of the Money which shall be borrowed as aforesaid shall be from Time to Time provided for and paid to the Person or Persons entitled to receive the same, prior to the making of any Dividends to the said Proprietors.

Interest of Mortgages to be paid before Dividends.

XXV. And be it further enacted, That in case the said Company shall be at any Time desirous of paying off and discharging any Sum or Sums of Money borrowed as aforesaid, they shall, and are hereby required and directed to cause Six Calendar Months Notice in Writing signed by their Clerk or Secretary, of such their Intention to be given to the Person or Persons entitled to receive the same, or left at his, her, or their usual Place or Places of Abode, unless such Person or Persons shall consent to receive the same without such Notice; and every Mortgagee or Assignee, his, her, or their Executors or Administrators, who shall require Payment of the Principal Sum or Sums of Money due to him, her, or them, shall give unto the Treasurer, Chairman, or Secretary of the said Company, at any annual or adjourned Meeting, Six Calendar Months Notice of the Day on which the same shall be required to be paid.

Notice to be given to Mortgagees to receive their Money.

Mortgagees to give the like Notice when they require their Money to be paid.

XXVI. And be it further enacted, That in case of Nonpayment of any Year's Interest of any Sum of Money borrowed as aforesaid, for Three Calendar Months after the same shall become due, or of the Nonpayment of the Principal Money and Interest after Six Months Notice given as aforesaid, it shall and may be lawful for the Person or Persons entitled to receive

Remedy for Non-payment of Interest and Principal.

receive the same to apply to the Court of Great Sessions for the County of *Carnarvon*, or the Court of King's Bench at *Westminster*, in a summary Way, by Motion, (of which Motion Notice shall be given in Manner aforesaid at any Meeting of the said Company, at least Thirty Days previous to such intended Motion,) and the said Court shall make such Order therein as shall be meet, and shall have Power and Authority to order and direct the Sheriff of the said County of *Carnarvon* to deliver Possession of the said Harbour, Pier, Lands, Buildings, Quays, Wharfs, and other Works, to such Person or Persons according to the Intent and Meaning of the Demise made to him, her, or them, or to which he, she, or they shall be entitled.

Power to appoint Officers, and to take Security.

XXVII. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, from Time to Time, to nominate and appoint a Treasurer, and a Collector or Collectors, Receiver or Receivers, for levying the Rates and Duties by this Act granted, and also a Clerk or Secretary, Harbour Master, Auditor, and such other Officers as they shall deem necessary, to be employed under them, for carrying the same into Execution, granting to them respectively such Salaries, and taking such Securities for the due Execution of their respective Offices, as the said Company of Proprietors shall think proper; and such Clerk shall, in a proper Book or Books to be provided for that Purpose, enter and keep a true and perfect Account of the Names and Places of Abode of the several Proprietors of Shares in the said Harbour, and of the several Persons and Bodies Politick and Corporate who shall from Time to Time become Owners and Proprietors of or entitled to any Share or Shares therein, and of all Acts, Proceedings, and Transactions of the said Company of Proprietors; and all such Matters and Things as shall be done in pursuance of this Act, to which Book or Books each of the said Proprietors shall have free Access at all convenient Times to peruse and inspect the same.

Officers to account.

XXVIII. And be it further enacted, That the said Auditor, Treasurer, Harbour Master, Collector, Clerk, and all other Officers or Servants, appointed as aforesaid, shall at such Time, and as often as the said Company of Proprietors shall direct, render to them, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of the Execution of their respective Offices, and of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by them respectively received, by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Company of Proprietors, or to such Person or Persons as they shall appoint; and such Officers or Servants so accounting, shall, if required by the said Company, verify their Accounts respectively upon Oath, which any One of the said Company is hereby empowered to administer; and if any such Officer or Servant shall refuse or neglect to render such Account, or to produce such Receipts or Vouchers, or to make such Payment as aforesaid; or shall not deliver to the said Company, or to such Person or Persons as they shall appoint, within Thirty Days after being thereunto required by the said Company, or by such Person or Persons so appointed, all Books, Papers, and

and Writings, in his or their Custody or Power relating to the Execution of this Act, or of their respective Offices, or Duplicates thereof, or shall refuse to verify such Accounts upon Oath, then and in either of the Cases aforesaid, the said Company of Proprietors, or such Person, or Persons as they shall appoint, may and they are hereby authorized and empowered to make Complaint thereof to any Justice of the Peace for the County or Place wherein such Officer or Servant so neglecting or refusing shall be or reside, and such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Servant to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, (which Oath such Justice is hereby empowered to administer,) it shall appear to such Justice that any of the Monies which shall have been collected and raised by virtue of this Act shall be in the Hands of or shall be due from any such Officer or Servant, such Justice may, and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied upon the Goods and Chattels of such Officer or Servant; and if sufficient Goods and Chattels to pay and satisfy the said Money, and the Charges of levying the same, and of the Proceedings for Recovery thereof, cannot be found, or if it shall appear to such Justice that such Officer or Servant hath refused or neglected to render and give such Account, or to verify the same as aforesaid, or to produce the Receipts and Vouchers relating thereto, or to deliver up all such Books, Papers, and Writings as aforesaid, or Duplicates thereof, then and in any or either of the Cases aforesaid, such Justice shall commit every such Offender to the Common Gaol or House of Correction for the County or Place where he shall be or reside, there to remain without Bail or Mainprize until he shall comply with the aforesaid Directions, or make Satisfaction to the said Company; but no such Officer or Servant who shall be so committed for Want of sufficient Goods and Chattels as aforesaid only shall be detained in Prison, by virtue of this Act, for a longer Term than Six Calendar Months.

XXIX. And be it further enacted, That it shall be lawful for the said Company of Proprietors from Time to Time to make and frame, ordain and establish, such Bye Laws, Rules, Orders, and Regulations, as they shall think fit for the good Government of the said Company, and the Clerks, Collectors, Treasurer, Harbour Master, Officers, Assistants, Servants, and others, appointed or employed under or by virtue of this Act, and for the better regulating the said Harbour, and the mooring and stationing of Vessels therein, and for the well governing, ordering, and managing of the Officers and Crews of such Vessels, and the Boatmen, Servants, and others employed therein or belonging thereto; and for the Relief and Assistance of the Ships and Vessels resorting to or seeking Shelter at or in the said Harbour, and also for the better regulating, governing, and managing the several Works, Matters, and Things, by this Act authorized and directed to be made, done, and constructed, as well whilst the same are doing as after they shall be finished; and for the more safe and convenient shipping, lading, discharging, carrying, conveying, laying, and depositing of Goods, Wares, and Merchandize, upon, to, or from the said Quays, Wharfs, or Landing Places, belonging to the said Harbour; and for the better governing and regulating Porters, Carters,

[Loc. & Per.]

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Carters, and Carmen, and others carrying Goods, or using or driving Horses, Waggon, Carts, Drays, Trucks, Sledges, or other Carriages for conveying Goods, Wares, or Merchandize to or from the said Quays, Wharfs, or Landing Places, and for preventing Damage being done to any such Goods, Wares, or Merchandize, by the issuing of Water through Spouts from Houses or Buildings or otherwise; and also from Time to Time, as they the said Company shall see Occasion, to repeal, add to, amend, or alter such Bye Laws, Rules, Orders, and Regulations, and to annex, impose, and appoint reasonable pecuniary Penalties or Forfeitures, not exceeding Five Pounds, (to be recovered in Manner herein-after mentioned,) for the Nonobservance, Nonperformance, or other Breach of or Offence against any of such Bye Laws, Rules, Orders, and Regulations; and also to make such other Bye Laws, Rules, Orders, and Regulations, as shall be thought necessary or expedient for effecting the Purposes of this Act, and the due Execution thereof; and all such Bye Laws, Rules, Orders, and Regulations, and all Alterations thereof, shall be reduced into Writing under the Common Seal of the said Company, and shall be printed, and a Copy or Copies thereof, in legible Characters, shall be affixed on some conspicuous Place or Building near unto or adjoining the said Pier, for the Inspection of all Persons interested therein, and all such Bye Laws, Rules, Orders, and Regulations shall be binding upon, observed, and obeyed by all Persons whomsoever using or in any Way concerned in the said Harbour, or any of the Works to be made, erected, or maintained by virtue of this Act, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under or in pursuance of the same: Provided that such Bye Laws, Rules, Orders, and Regulations be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, or to any of the Clauses, Provisions, and Directions in this Act contained; and all such Bye Laws, Rules, Orders, and Regulations shall be subject to Appeal in Manner herein directed.

Power to
build a Pier,
&c.

XXX. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered to make, construct, erect, build, do, maintain, and support a Pier or Piers, Quays, Wharfs, and such other Works, Buildings, Matters, and Things, as they shall deem necessary or expedient for the Improvement of the said Harbour of *Portbedinlleyn*, and for the Reception and Accommodation of the Ships and Vessels lying therein, and the Officers and Crews thereof, and for the more convenient Lading and Unlading of such Ships and Vessels; and also to erect and make, or cause to be erected and made, such Buildings and Warehouses for receiving of Goods and Merchandizes, and such Dwelling Houses and other Buildings, Accommodations, and Things, and in such Manner as the said Company of Proprietors, or the major Part in Value of them present at any Meeting or Meetings as aforesaid, shall deem necessary or expedient, subject to the Provisions and Directions in this Act contained.

Pier to be
kept in good
Repair.

XXXI. And be it further enacted, That if at any Time after completing the said Pier the same shall be suffered to get so much out of Repair as not to afford the usual Shelter and Security to Vessels lying within the same, and it shall be so certified by Two Justices of the Peace for the said County of *Carnarvon*, on view of such Justices, and due Proof made on Oath

Oath before them by Two or more competent Persons, and Notice thereof given to the said Company under the Hands of such Justices, and the said Pier shall not be sufficiently repaired and amended within Six Months from and after such Notice having been given as aforesaid, then and from thenceforth, and until the said Pier shall be amended and repaired, and shall, by any Two Justices of the Peace for the said County, on View thereof, be certified to be in sufficient Repair, the said Rates and Duties hereby made payable shall cease and determine, and from and after the giving of the said last-mentioned Certificate as aforesaid, shall revive and be again payable and recoverable, as if the same had not ceased or been suspended.

XXXII. And be it further enacted, That the said Company of Proprietors, by themselves, their Agents, Workmen, and Servants, shall have full Power and Authority, and they are hereby authorized and empowered to dig, cut, quarry, remove, and carry away any Quantity of Stones, Gravel, Sand, Clay, and other Materials (excepting Timber) necessary to be used in making, maintaining, repairing, and using the aforesaid Harbour, Pier or Piers, Quays, Wharfs, Warehouses, and other Works herein-before mentioned, out of and from any Common or Waste Grounds within Five Miles of the said Harbour, or which shall or may be found or gotten on any Land or Ground of any Person or Persons whomsoever (not being a Park, Paddock, Yard, Garden, Orchard, Wood, Coppice, Nursery, planted Walk, or Avenue to a House or Lawn) within Three Miles of the aforesaid Harbour, and to make, maintain, and use good and sufficient Roads for conveying the aforesaid Stones, Gravel, Sand, Clay, and other Materials from the several Places where the same shall be so dug, cut, or quarried, to the said Harbour, Piers, and Quays, and other Works thereto belonging, the said Company of Proprietors making reasonable Satisfaction to the Owners and Occupiers of the said Lands or Grounds out of which the said Stones, Gravel, Sand, Clay, or other Material, shall be dug, quarried, or carried off, for Damage done by them; and all Differences and Disputes concerning the same, which may arise between the said Company and such Owners or Occupiers, shall be finally determined by a Jury to be impannelled in the Manner herein-after provided relative to Purchases of Lands.

Power to take Materials.

XXXIII. Provided nevertheless, and be it enacted, That it shall not be lawful for the said Company of Proprietors, or any Surveyor, or any Person or Persons acting under their Authority, to dig, gather, get, take, or carry away any Materials for the Purposes of this Act, out of or from any inclosed Lands or Grounds; until Notice in Writing, signed by such Surveyor or such Person or Persons, shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before Two or more Justices of the Peace, acting for the County or Place where such Premises shall lie, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier or his Agent shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, then and in such Case such Justices shall and may authorize the said Company of Proprietors, or such Surveyor or other Person or Persons, to dig, get, gather, and carry away such Materials, at such Time or Times as to the said Company of Proprietors or Justices shall seem proper;

Notice to be given to the Occupiers of inclosed Lands before Materials are to be taken,

and if such Occupier shall neglect or refuse to appear by himself or his Agent, pursuant to such Notice, the said Company of Proprietors or Justices shall and may make such Order therein as they respectively shall think fit, as fully and effectually, to all Intents and Purposes, as if such Occupier or his Agent had attended.

Power to
purchase
Lands, &c.

XXXIV. And whereas it may be necessary for the Purposes aforesaid to purchase Lands or Hereditaments adjoining or near unto the said Harbour, or to procure Leases thereof to the Use of the said Company; be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors at any Meeting as aforesaid, and they are hereby authorized and empowered, to treat, agree, and contract with the Owners and Occupiers, or any Person entitled to or interested in any Houses, Buildings, Lands, or Hereditaments, situate within Three hundred Yards of Low Water Mark in the said Harbour for the Purchase thereof.

Owners of
Premises may
erect Ware-
houses, &c.

XXXV. And be it further enacted, That whenever such Warehouses, Dwelling Houses, or Buildings as aforesaid, shall be proposed to be erected on Grounds and Areas so intended to be purchased, the Owners and Occupiers thereof, or other Person interested therein, shall have it in their Option either to sell such Grounds or Areas to the said Company, or to build and construct such Warehouses, Dwelling Houses, and Buildings thereon for their own Benefit, on Condition of their doing the same according to a Plan to be produced by the said Company of Proprietors, and for their sole Use and Occupation, and within a reasonable Time to be fixed by the said Company.

Bodies Poli-
tick, Trustees,
&c. autho-
rized to con-
vey.

XXXVI. And be it further enacted, That it shall be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, and to and for all Trustees and Feoffees in Trust for Charitable or other Uses, and all other Trustees and Feoffees in Trust whatsoever, Guardians and Committees of Lunatics and Idiots, and all other Guardians, Husbands, Executors, and Administrators whatsoever, not only for or on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes Covert, or other Persons whomsoever, and to and for all and every Feme and Femmes Covert who is or are or shall be seized or entitled of or to any Estate of Freehold in Possession, or of or unto any Estate of Inheritance in Possession for her or their separate Use, and to and for every Person and Persons whomsoever who are or shall be seized, possessed, or interested of, in, or to any Lands, Tenements, or Hereditaments; which the said Company of Proprietors are by this Act enabled to purchase for any of the Purposes aforesaid, to treat for, sell, and convey, assign or surrender all or any such Lands, Tenements, or Hereditaments, or any Part or Parcel thereof, and all their respective Interests therein, of what Nature or Kind soever, to the said Company of Proprietors, and their Successors and Assigns; and all Contracts, Agreements, Bargains, Sales, Conveyances, Assignments, Surrenders, and Assurances which shall be made by such Persons as aforesaid, shall be good and valid in the Law, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons so conveying, but also to convey all the Right, Estate, Interest, Use, Trust, Property,

Property, Claim, and Demand whatsoever of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femmes Covert, or other Persons whomsoever, and all claiming or to claim by, from, or under him, her, or them, or claiming or to claim in Remainder or Reversion, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all such Contracts, Agreements, Bargains, Sales, Conveyances, Assignments, Surrenders, and Assurances, shall be made at the Expence of the said Company of Proprietors; and shall be made in the Form, or to the Effect following; *videlicet*,

I *A. B.* of _____ in Consideration of the Sum of _____
 to me paid by the *Portbainllyn*
 Harbour Company, do hereby grant and release to the said Company
 all [*describing the Premises to be conveyed*] and all Right, Title, and
 Interest to and in 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 an Act of Parliament, made in the Forty-
 sixth Year of the Reign of King *George* the Third, intituled, [*here*
insert the Title of this Act]. In Witness whereof I have hereunto set my
 Hand and Seal this _____ Day of _____
 in the Year of our Lord _____

Form of Conveyance to be made to the Company,

And all such Contracts, Agreements, Bargains, Sales, Conveyances, Assignments, Surrenders, and Assurances of Lands, Tenements, and Hereditaments, so to be made in pursuance of this Act, shall be good, valid, and effectual; and the same shall, within Six Calendar Months next after the making thereof, be registered or deposited amongst the Records of the Court of Great Sessions for the County of *Carnarvon* at the Expence of the said Company; and all such Persons so conveying or making such Assurances as aforesaid, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Conveyances to be registered.

XXXVII. And be it further enacted, That if any Body or Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenant or Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, or any Feoffees in Trust for Charitable or other Uses, Executors, Administrators, Guardians, Committees of Idiots or Lunatics, or Husbands, or any Trustees for or on Behalf of any Infant, Feme Covert, or Cestuique Trusts, or any other Person or Persons seised or possessed of or interested in any such Lands, Tenements, or Hereditaments situate within the said Distance of Three hundred Yards of Low Water Mark in the said Harbour, shall refuse or decline to treat or agree, or shall not agree, or by Reason of Disability, Absence, or any other Cause, cannot agree with the said Company of Proprietors, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or shall not accept the Sum or Sums of Money which shall be offered by the said Company for the Purchase of the same; or shall not produce and evince a clear Title to the Hereditaments of which they shall be in Possession, or to the Interest they claim therein, to the Satisfaction of the Counsel of the said Company; or in case of any Disagreement respecting the Value of the Estate or Interest of any Proprietor or Person interested, (when there shall be more than One Person interested in such Lands, Tenements,

In case of Refusal to treat, &c. a Justice of the Peace to issue a Precept for impannelling a Jury, who shall be drawn in such Manner as Juries in the Court of Great Session are usually drawn.

or Hereditaments,) or in case the Person or Persons entitled to or interested in the same shall be unknown, or cannot be found; or in case of any other Impediment to the Sale thereof, then and in every such Case it shall be lawful for any One of His Majesty's Justices of the Peace for the said County of *Carnarvon*, upon Application to him made by the said Company of Proprietors, and such Justice of the Peace is hereby authorized and required, within Seven Days after such Application shall be made, to issue his Warrant or Warrants, Precept or Precepts directed to the Sheriff of the said County of *Carnarvon*, requiring him, and he is hereby authorized, directed, and required accordingly to impanel, summon, and return a competent Number of substantial and disinterested Persons of the said County, qualified to serve on Juries in the Great Session of the said County of *Carnarvon*, not less than Twenty-four nor more than Forty-eight, and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by some Person to be by the said Justice appointed, in such Manner as Juries for the Trial of Issues joined in the said Court of Great Session are usually drawn, which Persons so to be impanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the said Justice at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend the said Justice from Day to Day until discharged by him; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at liberty to challenge the Array; and the said Justice is hereby authorized and empowered by Precept or Precepts from Time to Time, as Occasion shall require, to call before him all and every Person and Persons whomsoever who shall be thought proper and necessary to be examined as a Witness or Witnesses on his, her, or their Oath or Oaths, touching or concerning the Premises; and the said Justice, if he thinks fit, shall and may on the Application of any Party, or otherwise, authorize and require the said Jury to view the Lands or Hereditaments in question, and the said Justice shall have Power to adjourn such Meeting from Day to Day as Occasion shall require, and to command such Jury, Witnesses, and Parties to attend, until all such Matters for which they were summoned shall be decided or concluded; and the said Jury, upon their Oath, (which Oath, as also the Oath of such Person or Persons as shall be called upon to give Evidence, the said Justice is hereby empowered and required to administer,) shall enquire of the Value of such Lands, Tenements, or Hereditaments, and (in case there be more Proprietors or Persons interested than One, and the proportionate Value of their respective Estates or Interests be not ascertained and agreed upon) shall also enquire of the proportionate Value of their respective Estates and Interests of every Person or Persons seized or possessed of, or interested therein, or of or in any Part thereof, and shall by their Verdict assess or award the Sum or Sums of Money to be paid to such Person or Persons respectively for the Purchase of such Lands, Tenements, or Hereditaments, and of such respective Estates and Interests therein; and the said Justice shall and may give Judgement for such Sum or Sums of Money so to be assessed, which said Verdict and Judgement (Notice in Writing being given to the Person or Persons interested, or claiming so to be, at least Ten Days before the Time of Meeting of the said Justice and Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or at his, her, or their usual Place or Places of Abode, or with some Tenant or Occupier of some

Juries may
be challenged.

Jury to assess
the Value on
Oath.

Verdict of
the Jury, &c.
to be final.

of

of the said Lands, Tenements, or Hereditaments, intended to be valued or assessed, shall be binding and conclusive to all Intents and Purposes whatsoever, as well against the King's Majesty, His Heirs and Successors, as against all Bodies Politick, Corporate, and Collegiate, and all and every Person or Persons claiming any Estate, Right, Title, Trust, Use, or Interest, in, to, or out of such Lands, Tenements, or Hereditaments and Premises, in Possession, Reversion, Remainder, or Expectancy, as well Infants as Issue unborn, Lunaticks, Idiots, and Femes Covert, and Persons under any legal Incapacity or Disability, and all other Cestuique Trusts, his, her, and their Heirs, Successors, Executors, and Administrators, and against all other Persons whomsoever; and the said Verdict and Judgement, and all other Proceedings of the said Justice and Jury, so to be found, given, had, and pronounced as aforesaid; shall be fairly written on Parchment, and signed by the said Justice and Jury, and in case that the Sum or Sums of Money so to be assessed and awarded as the Value of such Lands, Tenements, or Hereditaments, or such proportionate Value as aforesaid, shall not exceed the Sum or Sums of Money which the said Company of Proprietors, or any Person or Persons authorized by them, shall have previously offered as and for the Purchase of the said Lands, Tenements, and Hereditaments, then, and in every such Case all the reasonable Costs, Charges, and Expences, of causing and procuring such Value to be assessed and awarded by a Jury as aforesaid, and of so assessing and awarding the same, shall be borne and paid by the Bodies Politick, Corporate, or Collegiate, or other Person or Persons so seized or possessed of, or interested in such Lands, Tenements, or Hereditaments, and so refusing to treat and agree as before mentioned respectively; and the said Company are hereby authorized and empowered to deduct and retain the said Costs, Charges, and Expences, out of the Sum or Sums of Money so to be assessed or awarded as aforesaid, or out of any Part thereof; and the Payment of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so ascertained and settled as aforesaid, may be recovered by the said Company of Proprietors, by such Ways and Means as are herein provided for the Recovery of Penalties and Forfeitures incurred by this Act: Provided always, that in all Cases where any Person or Persons shall, by Reason of Absence, have been prevented from treating with the said Company of Proprietors, such Costs and Expences shall be borne and paid by the said Company of Proprietors in Manner aforesaid.

XXXVIII. And be it further enacted, That such Justice of the Peace for the said County of *Carnarvon* shall have Power from Time to Time to impose a reasonable Fine, not exceeding the Sum of Twenty Pounds on such Sheriff, or his Deputy, Bailiffs, or Agents respectively, who shall make Default in the Premises, and on any of the Persons who shall be summoned and returned on any such Jury or Juries, or being so sworn, shall not give his, her, or their Verdicts, and also on any Person or Persons who shall be summoned to give Evidence touching any of the Matters aforesaid, and shall not attend (having no sufficient Excuse) or shall refuse to be sworn or to affirm, or who shall refuse to give his, her, or their Evidence, and on any other Person or Persons who shall in any other Manner wilfully neglect his, her, or their Duty in the Premises, contrary

Justice for
the County
may fine
Sheriffs, Ju-
ries, or Wit-
nesses for not
attending.

to the true Intent and Meaning of this Act, and from Time to Time to levy such Fine or Fines, by Order of the said Justice respectively, by Distress and Sale of the Offender's Goods and Chattels, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) on Demand to the Owner or Owners thereof, and that the Order of the said Justice shall respectively be sufficient Authority to the Person or Persons therein to be appointed, and to every other Person or Persons acting or aiding or assisting therein, to make such Distress and Sale; and all such Fines shall be paid to the said Company, and be applied to the Purposes of this Act.

Verdicts to be recorded.

Immediately after Verdicts and Payments, etc. Premises to be vested in the Company of Proprietors.

XXXIX. And be it further enacted, That all such Verdicts, Judgement, Determinations, Decisions, Orders, and other Proceedings of the said Justice and Juries as relate to or concern any of the Cases before-mentioned, shall be entered among the Records of the said Court of Great Session, and shall be deemed and taken to be Records, to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever; and all Persons shall and may have recourse to the same *gratis*, and to take Copies thereof, paying for every Copy not exceeding One hundred Words Three-pence, and so proportionably for any greater Number of Words; and immediately after such Verdicts, Judgements, Determinations, Decisions, Orders, and other Proceedings of the said Justice and Juries, and upon Payment of the Monies so awarded or assessed to the Person or Persons entitled thereto, or upon Payment of such Monies into the Bank of *England* in Manner by this Act directed, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons to whose Credit, or for whose Use or Benefit such Money shall be paid, into and out of the Lands, Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall vest in the said Company of Proprietors, and they shall be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the said Premises had actually conveyed the same by Lease and Release, Bargain and Sale, inrolled, Feoffment and Livery of Seisin, Fine, common Recovery, or any other Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Credit such Payment shall have been made, but shall also extend to and be deemed and construed to bar the Dower and Dowery of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons, and every Person claiming under them, as effectually as Fines or common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Houses and Gardens not to be injured.

XL. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to enable the said Company of Proprietors to take, use, injure, or damage any Dwelling House or other Building, or any Garden, Orchard, Yard, Park, Paddock; planted Walk or Avenue to a House, without the Consent of the Owner or Owners, or Proprietor or Proprietors thereof, save and except a certain Tenement, with the Ground and Appurtenances thereunto belonging, situate on the

Shore

Shore of *Portbainlllyn* Harbour, near the Old Pier, now in the Occupation of Captain *Owen*, or his Under Tenants.

XLI. Provided always, and it is hereby further enacted, That this Act, or any Thing herein contained, shall not extend to authorize the said Company, or their Successors, to take or appropriate for the Use of the said Pier or Harbour, or for any of the Purposes of this Act, any of the Lands or Hereditaments late the Estate of *John Griffith* Esquire, and by him devised to the Honourable *Jane Finch* for her separate Use, without the Consent in Writing of the said *Jane Finch*, or of the Person or Persons for the Time being claiming under the said Will of the said *John Griffith*, save and except as to the Part of the Shore lying between *Cim Point* and the Southern Extremity of the *Shelf*, at *Hen Blas* (including that *Shelf*), in case such excepted Part shall be wanted for the Purposes of the said Harbour.

Lands belonging to the Honourable *Jane Finch* not to be used without her Consent in Writing.

XLII. And be it further enacted, That the Money which shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this Act for the Purposes aforesaid, and belonging to any Corporation, Feme Covert, Infant, Lunatick, or other Person or Persons under any Disability or Incapacity as aforesaid, 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 High Court of Chancery, to be placed to his Account there *ex parte* the said Company, 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 Motion, or upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, standing settled therewith, to the same or to the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, 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, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyances and Settlement shall be existing undetermined, and capable of taking Effect; and in the mean Time, 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, or by and in the Name of any other Person or Persons as shall by such Court be appointed, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being

Application of Compensation Money where exceeding 200l.

[*Loc. & Per.*]

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have

have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Money does not exceed 200l.

XLIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, Feme Covert, Infant, Lunatick, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, 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 of the High Court of Chancery, 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 Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Company, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends thereon, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application of Compensation, if less than 20l.

XLIV. Provided also, and be it enacted, That where such Money so agreed or awarded to be paid, as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Company of Proprietors shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into the Bank,

XLV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Company of Proprietors; or in case such Person or Persons to whom any such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors to order the said Sum or Sums of Money, so 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 Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments

ditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery on the Application of any Person or Persons making Claim to such Sum or Sums 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 publick 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 or Persons 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 or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

subject to the Order of the Court of Chancery on Motion or Petition.

XLVI. Provided always, 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 Privy of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends and 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, unless it shall be made 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, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Lands, etc. at the Time of such Purchase shall be deemed entitled thereto, according to such Possession only, etc.

XLVII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* as aforesaid, and applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Chancery to order the Expences of making and completing all such Purchases as shall from Time to Time be made in pursuance of this Act, or so much of such Expences as the said Court respectively shall deem reasonable, to be paid by the said Company of Proprietors, who shall and they are hereby required to bear and pay the same according to the Direction of such Court.

The Court of Chancery may order reasonable Expences of Purchases to be paid by the Company of Proprietors.

XLVIII. And

Tenants at Will, etc. to deliver Possession on Six Months Notice.

XLVIII. And be it further enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in Possession of any such Lands, Tenements, Hereditaments, and Premises, or any Part thereof, which shall be purchased by virtue of and for the Purposes of this Act, and who have no greater Interest in the Premises than as Tenant at Will, or as 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 or Persons as the said Company shall appoint to take Possession of the same, upon Six Calendar Months Notice to quit such Possession from the said Company, or the Person or Persons so authorized by them; and such Person or Persons so in Possession shall at the End of the said Six Calendar Months, or so soon after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Company, or the Person or Persons authorized by them to take Possession thereof; and that in case such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, then it shall be lawful for any Justice of the Peace for the said County of *Cornwall* to issue his Precept or Precepts to the Sheriff of the said County to deliver Possession of the said Lands, Tenements, Hereditaments, and Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver such Possession accordingly of the said Premises, and to levy such Costs and Expences as shall be occasioned by the issuing and Execution of such Precept or Precepts, by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing to deliver Possession as aforesaid.

Mortgagees, on Tender of Principal and Interest to convey;

XLIX. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Lands, Tenements, and Hereditaments, shall, on the Tender of the Principal and Interest due thereon, together with the Amount of Three Calendar Months Interest on the said Principal Money by the said Company, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Company, or such Person or Persons 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, that then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Company, or such Person or Persons as shall be appointed in Trust for them; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender and Payment being made, that then all Interest on his, her, or their Mortgage or Mortgages shall from thenceforth cease to accrue: Provided always, that in case the Principal Money and Interest due upon any such Mortgage or Mortgages shall amount to more than the real Value of the Premises to be ascertained in the Manner directed by this Act, then the said Company shall not be liable to pay to the Mortgagee or Mortgagees any greater Sum of Money than such real Value of the said Premises, in Manner aforesaid.

on Refusal of Interest to cease.

L. And

L. And be it further enacted, That in such Case of Refusal by the said Mortgagee or Mortgagees to convey and assign as aforesaid, and 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 or Mortgagees, the Cashier or Cashiers of the said Bank shall give a Receipt or Receipts for the said Money in like Manner as is herein-before directed in case of other Payments into the said Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall be vested in the said Company, and they shall be deemed to be in the actual Possession of the Lands, Tenements, Hereditaments, and Premises comprized in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

Upon Payment of the Principal and Interest into the Bank.

LI. And be it further enacted, That all Sums of Money, Considerations, Recompence, or Satisfaction to be paid or made pursuant to any such Agreement or Verdict as aforesaid, or in Discharge of any such Mortgage, shall be paid or tendered to the Party or Parties entitled to the same, or paid into the Bank of *England*, as aforesaid, before the said Company, or any Person or Persons authorized by them, shall proceed to use or take Possession of any Lands, Tenements, or Hereditaments, comprized in or affected by such Agreement, Verdict, or Mortgage respectively, for any of the Purposes of this Act.

Monies to be paid or tendered before any Use made of the Premises.

LII. And be it further enacted, That full Recompence and Satisfaction shall be made by the said Company by annual Rent or Rents, and not otherwise, for all such Tythes as would have been issuing from or out of any of the Lands which shall be taken or made use of for the Purposes of this Act, to the several Persons who now are or at any Time hereafter may become entitled to such Tythes, according to their respective Interests therein, such Tythes to be estimated at a fair Proportion of the average yearly Value of the said Lands for the last Seven Years preceding such Purchase of the same; and in case of any Difference respecting the Value thereof, the same shall be ascertained in such and the like Manner as the Value of any Lands or other Hereditaments is herein-before directed to be ascertained.

Satisfaction to be made for Tythes.

LIII. And be it further enacted, That it shall and may be lawful for the said Company, or such other Person or Persons to whom such Conveyance shall be made, by any Writing or Writings, sealed and delivered in the Presence of and attested by Two or more credible Witnesses, to sell and dispose of, or to convey in Exchange, all or any Part of such Lands, Tenements, or Hereditaments, which they shall purchase as aforesaid; and all such Conveyances shall be valid and effectual in the Law, to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Power given to reconvey.

LIV. And be it further enacted, That the Limits of the said Harbour shall extend from a certain Rock called *Carreg-goch*, situate near the Extremity of a certain Promontory or Neck of Land called *Penrhyn Porthdinlleyn*, in the Parish of *Ederne* in the said County, to a certain Point of Land called *Trwyn y Gorllwyn*, situate in the Parish of *Pistill* in the said County, in a straight Line, drawn from *Carreg-goch* to *Trwyn y Gorllwyn* aforesaid.

Limits of the Harbour.

[*Loc. & Per.*]

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LV. And

Commence-
ment of the
Duties.

LV. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered from Time to Time, and at all Times from and after the Time that One-third Part of the Estimate of the Expence of making the said Pier shall appear, by a Return made to the Quarter Sessions for the County of *Carnarvon*, to have been laid out by the said Company, to ask, demand, take, collect, receive, and recover, to and for the Use and Benefit of the said Company, of and from all and every the Master, Commanders, or Owners, or other Person or Persons having the Rule or Command of any Ship or Vessel, Bark, or Boat, within the said Harbour, or from either of them, the several Rates or Duties following; (that is to say,)

For all Ships or Vessels belonging to Foreign Subjects, coming from Foreign Parts, and unloading their Cargoes, or any Part thereof, within the said Harbour, any Sum not exceeding One Shilling and Three-pence *per Ton*:

For all such Ships or Vessels coming from Foreign Parts and not unloading their Cargoes, or any Part thereof, any Sum not exceeding One Shilling *per Ton*:

For all Ships or Vessels belonging to Foreign Subjects arriving in the said Port by Strefs of Weather, without unloading all, or any Part of their Cargoes, any Sum not exceeding Eight-pence *per Ton*:

For all such Vessels unloading all or any Part of their Cargoes, any Sum not exceeding One Shilling *per Ton*:

For all Ships or Vessels belonging to His Majesty's Subjects coming from Foreign Parts, and unloading their Cargoes, or any Part thereof, within the Limits of the said Harbour, any Sum not exceeding Ten-pence *per Ton*:

For all such Ships or Vessels arriving within the Limits of the said Port, and not unloading all or any Part of their Cargoes, any Sum not exceeding Sixpence *per Ton*:

For any such Vessel coming from Foreign Parts, and arriving in the said Port by Strefs of Weather, and unloading all or any Part of her Cargo, any Sum not exceeding Eight-pence *per Ton*:

For any such Vessels without unloading all or any Part of her Cargo, any Sum not exceeding Sixpence *per Ton*:

For all Coasting Vessels unloading within the said Limits the Whole or above One-half of their Cargoes, any Sum not exceeding Sixpence *per Ton*:

For all such Vessels unloading Part of their Cargoes, not exceeding One-half thereof, within the said Port, any Sum not exceeding Four-pence *per Ton*:

For all such Vessels not unloading any Part of their Cargo, any Sum not exceeding Three-pence *per Ton*:

For all such Vessels unloading within the said Limits, having above One-half of their Cargoes consisting of Coal, Culm, Slack, Coke, or Charcoal, any Sum not exceeding Four-pence *per Ton*:

For all such Vessels laden with Coal only, any Sum not exceeding Three-pence *per Ton*:

For all Ships or Vessels loading within the said Limits with Bark, Timber, Slates, Ore, Corn, or any other Merchandize, bound to any Foreign Parts, or to *Ireland*, or Coastways, any Sum not exceeding Four-pence *per Ton*:

For

For all Coasting Vessels laden or Part laden with Limestone, Lime, Sand, Manure, or in Ballast, arriving in or proceeding from the said Port, any Sum not exceeding One Penny *per Ton* :

For all Coasting Vessels arriving within the Limits of the said Harbour by Strefs of Weather, and unloading all or above One-half of their Cargoes, any Sum not exceeding Eight-pence *per Ton* :

For all such Vessels without unloading more than One-half of their Cargoes, any Sum not exceeding Sixpence *per Ton* :

For all other Ships or Vessels belonging to His Majesty's Subjects, coming from any Port in *Great Britain* or *Ireland*, and arriving within the said Limits, without unloading all or any Part of their Cargoes, any Sum not exceeding Three-pence *per Ton* :

For all such Vessels unloading all or any Part of their Cargoes, any Sum not exceeding Sixpence *per Ton* :

For all Ships or Vessels (excepting Coasting Vessels) belonging to His Majesty's Subjects, coming from any Port in *Great Britain* or *Ireland*, and arriving within the Limits of the said Port of *Portbodinlley*n by Strefs of Weather, without unloading all or any Part of their Cargoes, any Sum not exceeding Three-pence *per Ton* :

For all such Vessels unloading all or any Part of their Cargoes, any Sum not exceeding Sixpence *per Ton* :

For all Ships or Vessels, not before specified, arriving at or proceeding from the said Harbour, any Sum not exceeding Four-pence *per Ton* :

LVI. And be it further enacted, That there shall be paid to the said Company, or to such Person or Persons as they shall appoint to collect and receive the same (over and above the Rates herein-before granted and authorized to be taken) for all Goods, Wares, and Merchandizes, imported or exported to or from the said Port, such Rates or Duties as the said Company shall order or direct to be paid, not exceeding the Rates or Duties contained in the Table or Schedule hereunto annexed, which said Rates and Duties shall be paid by the Merchant or Merchants, or other Person or Persons exporting or importing such Goods, Wares, and Merchandizes, or into whose Custody or Possession the same shall be delivered, or by whom the same shall be shipped respectively, upon the Delivery or Shipping of the same respectively.

Duties on Exports and Imports.

LVII. And be it further enacted, That it shall and may be lawful to and for the said Company, or such other Person or Persons as they shall appoint, and they are hereby authorized and empowered from Time to Time, and at all Times from and after the passing of this Act, to ask, demand, take, collect, receive, and recover to and for the Use and Benefit of the said Company, of and from all and every the Masters or Commanders, or the Person or Persons having the Rule or Command of any Ship, Hoy, Packet, or other Vessel carrying Passengers to or from *Ireland*, save and except as herein excepted, any Sum not exceeding Two Shillings for every Twenty Shillings of the Freight of all such Passengers and their Baggage, Parcels, and other Property, and so in Proportion for a less Sum than Twenty Shillings, of which Freight the said Masters or Commanders, or other Person or Persons having the Command of such Ship, Hoy, Packet, or other Vessel, shall produce on Demand a true and correct Account to the said Company, or such Person or Persons as they shall appoint as aforesaid; and in case of Refusal or Neglect so to do shall forfeit to the said Company the Sum of Ten Pounds.

Duties on the Freight of Passengers to *Ireland*.

LVIII. And

Power to fix
Duties to be
paid for Ar-
ticles not
enumerated.

LVIII. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby authorized and empowered, to fix, appoint, settle, establish, and impose such Rates and Duties to be paid upon the loading or unloading, exporting or importing, and in respect of any Goods, Wares, Commodities, or Merchandizes, not specified or enumerated in the said Table or Schedule to this Act annexed, in proportion to the several Rates and Duties therein specified, as they shall think fit, not exceeding the Sum of One Shilling for or out of every Five Pounds of the Value of such Goods, Wares, Commodities, or Merchandizes respectively, as the same shall be valued at His Majesty's Custom House in or for the Port of *London*, which Rates and Duties, when so fixed, shall be considered and taken in every Respect, and to all Intents and Purposes, as if the same had been ascertained and particularly specified in this Act, or in the said Table or Schedule hereunto annexed.

Wharfage
Duties to be
paid.

LIX. And be it further enacted, That there shall be paid to the said Company, or to the Collector or other Person or Persons whom they shall appoint to demand, receive, and recover the same, over and above the Rates and Duties herein-before granted and authorized to be taken, and in such and the same Manner as such Rates and Duties are hereby directed and appointed to be paid and recovered, such Sum *per Ton* or otherwise, as the said Company shall from Time to Time fix and appoint, not exceeding One Moiety of the Sum or Rate of Wharfage now had and taken within the Port of *London*; for all and every the Goods, Wares, Merchandizes, Commodities, or other Things, which shall be landed or discharged upon any Quay or Wharf belonging to the said Port of *Portbainlleyn*.

Exemption
Dues of Vef-
sels on His
Majesty's
Service.

LX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to charge His Majesty, or any other Person on His Behalf, with the Payment of any of the Rates or Duties on any of His Majesty's Ships of War, or any Ship, Transport, or Packet of His Majesty, His Heirs and Successors, nor any Ship, Transport, or Packet employed in carrying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster-General; or any 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; nor to charge any Lime or other Manure, Compost, or other Matter or Thing whatsoever to be used for the sole Purpose of manuring any Land or Ground, nor to charge Stones or other Materials for the making or Repair of any Road, Street, or Causeway; nor any Ship or Vessel employed in Fishing only; but if any Person or Persons shall claim and take the Benefit of any Exemption as aforesaid, without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Of Articles
of Manure
and Materials
for Repair of
Roads, and
of Vessels in
Fishery.

Exemption
for Vessels
waiting for
Wind and
Tide.

LXI. And be it further enacted, That all Vessels passing over *Carnarvon Bar*, or returning to the *Menai River*, and anchoring in any Place on the Outside of a straight Line to be drawn from the said Pier to *Nevin Point*, and on the Outside of the Pier at *Nevin*, for the sole Purpose of waiting for Wind or Tide, shall be exempt from the Payment of any of the aforesaid Tonnage Duties, provided that such Vessels do not break Bulk; and in case such Vessels shall break Bulk without giving due Notice to the
Harbour

Harbour Master of the said Harbour, such Vessels shall be liable to the Payment of double the Tonnage Duties aforesaid respectively.

LXII. (And) be it further enacted, That nothing in this Act contained shall extend, nor be construed, to extend, to change any Vessel arriving within the Limits of the said Harbour, by Strefs of Weather, and unloading and reloading her Cargo therein, with the Payment of any of the aforesaid Duties upon Imports and Exports.

Exemption for Vessels arriving by Distress of Weather.

LXIII. And be it further enacted, That, for the more effectually securing the Payment of the said Rates and Duties, no Collector or Comptroller of His Majesty's Customs, Receiver of Entries, or Ship's Surveyor or Searcher, Waiter, or other Officer of the Customs whatsoever, shall at any Time, after the said Pier shall be made, give or make out any Cocket or other Discharge, or take any Report Outwards for any Ship or other Vessel within the said Harbour of *Portdinlleyh*, or permit any Ship or other Vessel to go out of the said Harbour, or from any Landing Place within the Limits thereof, until the Master or Owner, or other Person having the Rule or Command of such Ship or other Vessel, shall produce a Certificate from the Collector or Collectors who shall be appointed in pursuance of this Act, that the Rates or Duties by this Act granted and imposed are paid, or secured to be paid, which said Certificate the said Collector or Collectors is and are hereby required to give without Fee or Reward; and that any Collector, Comptroller of His Majesty's Customs, Receiver of Entries, or Ship's Surveyor or Searcher, Waiter, or other Officer of the Customs whatsoever, making Default in any of the Premises enjoined by this Act, shall forfeit and pay to the said Company the Sum of Ten Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*; wherein no Essoign, Protection, or Wager of Law, shall be allowed, nor more than One Imparlance.

Vessels not to be cleared till Duties paid.

LXIV. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors at their said General Meetings, or at any Special Meeting to be appointed for that Purpose, to lower or reduce all or any of the said Rates and Duties, and again to raise the same to such Sum or Sums of Money as they shall think proper, not exceeding the Sums before mentioned, as often as it shall be deemed necessary for the Benefit of the Undertaking.

Rates may be altered.

LXV. And, to the Intent the Rates or Duties imposed by this Act may be more effectually collected and levied, be it further enacted, That in case any Owner or Master, or other Person having the Rule or Command of any Ship or other Vessel within the said Harbour, or any Factor or Consignee thereof, chargeable with the Rates or Duties granted by this Act, shall refuse or neglect to pay the same, then and in such Case it shall and may be lawful to and for the said Company, or the Collector or Collectors, or other Person or Persons appointed in pursuance of this Act to receive the same, to go on board such Ship or other Vessel to demand, collect, and receive the said Rates or Duties, and on Nonpayment thereof to take and distrain every such Ship or other Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and all or any Part of the Goods, Wares, or Merchandize in respect whereof

Manner of recovering of Rates.

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such

such Rates or Duties shall be payable either on board such Ship or other Vessel, or on Land, and the same to detain until the respective Rates or Duties shall be satisfied and paid; and in case of any Neglect or Default in Payment of the said Rates or Duties for the Space of Five Days after any Distress or Distresses so made or taken, that then it shall and may be lawful to and for the said Company, or such Collector or Collectors, or other Person or Persons appointed, as aforesaid, to cause the same to be appraised by Two or more Sworn Appraisers, or other sufficient Persons, and afterwards to sell the said Distress or Distresses, and out of the Produce of the Sale thereof to satisfy themselves or himself, as well for and in respect of the Rates or Duties so neglected or delayed to be paid, as also for and in respect of their or his reasonable Charges in taking, keeping, appraising, and selling the same, rendering the Overplus (if any such there be) to the Owner, upon Demand; and it shall and may be lawful for the said Company, in case of Nonpayment of the Rates and Duties as aforesaid, instead of recovering the same in Manner aforesaid, or in case the Whole thereof shall not be so recovered, to proceed for the Recovery of the same, or so much thereof as shall not be so recovered, by Action of Debt or Trespass on the Case, in any Court of Record at *Westminster*, or in any of the Courts of Great Sessions in *Wales*.

Persons eluding Payment to continue chargeable.

LXVI. And be it further enacted, That if any Master, Owner, or other Person, having the Rule or Command of any Ship or other Vessel, or the Owner, Factor, or Consignee of any Goods, Wares, or Merchandize, shall by any Means whatsoever at any Time or Times elude, evade, or avoid the Payment of the Rates or Duties hereby made payable in respect thereof, or any Part of the same, each and every Person eluding, evading, or avoiding Payment as aforesaid, shall forfeit and pay to the said Company a Sum equal to the Amount of such Rates and Duties, and shall also stand charged with and be liable to the Payment of the said Rates and Duties, which shall and may be recovered from such Master or Owner, Factor, or Consignee, or such other Person having such Rule or Command respectively, at any Time or Times, either by the Means hereinbefore prescribed for the levying of the said Duties, or by the same Method, and in such Manner as is herein-after directed for levying and recovering the Fines, Forfeitures, and Penalties imposed by this Act, and with the like Costs.

How Tonnage Duties shall be ascertained.

LXVII. And be it further enacted, That the Master, or other Person having the Rule or Command of any Ship or other Vessel lying within the said Harbour, shall and he is hereby required to produce and shew on Demand to the said Company, or to the Person or Persons appointed to collect the Rates and Duties aforesaid, the Custom House Register of the Burthen or Tonnage of such Ship or Vessel; and in case of Refusal, Failure, or Delay in producing and shewing the same, or in case there be no such Register, or in case the said Company, or such Person or Persons appointed to collect the Rates and Duties aforesaid shall not be satisfied therewith, or shall entertain any Doubt of the Correctness thereof in regard to the Tonnage of such Ship or Vessel, it shall and may be lawful for the said Company, or such other Person or Persons appointed to collect the Rates and Duties aforesaid, to enter either alone, or with any Person or Persons for their Assistance, into such Ship or Vessel, and admeasure the same in Manner following; (that is to say), by taking the Length of the

the Keel of every such Ship or other Vessel so much as she treads on the Ground, and the Breadth within Board by the Midship Beam from Plank to Plank, Half of which Breadth shall be accounted for the Depth; and the Length so taken being multiplied by the Breadth, and the Product thereof by the said accounted Depth, and the Whole divided by Ninety-four, the Quotient shall give and be deemed to give the true Contents of the Tonnage; according to which Rule or Method, all Ships and Vessels shall be measured, for computing, ascertaining, and collecting the said Rates or Duties of Tonnage; any Custom, Practice, or Usage, to the contrary notwithstanding.

LXVIII. And be it further enacted, That in case the Master or other Person having the Rule or Command of any Ship or other Vessel lying within the said Harbour, or any other Person whatsoever, shall obstruct or hinder the said Company, or the Person or Persons appointed to collect the Rates or Duties hereby made payable, or any other Person employed or appointed by the said Company to admeasure Ships or Vessels in pursuance of this Act, to enter on board such Ship or Vessel, or to take the Admeasurement thereof, such Master or other Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Penalty on Persons obstructing the measuring of Ships or Vessels.

LXIX. And be it further enacted, That the Harbour Master, Treasurer, Collector, Clerk, and other Officers and Servants appointed by virtue of this Act, shall, when thereto required by the said Company, make Oath that they will diligently, honestly, and faithfully perform and execute the Duties of their respective Offices; and all and every Person or Persons who shall be employed or appointed to ascertain the Tonnage of any Ships or Vessels within the said Harbour, shall, when required, in like Manner make Oath that he or they will duly and impartially admeasure and ascertain the Tonnage of such Ships or Vessels; which Oath any One or more of the said Company is or are hereby authorized and empowered to administer.

Officers appointed by the said Company to take an Oath.

LXX. Provided also, That no Gunpowder, Pitch, Tar, Rosin, Hemp, Flax, Faggots or Furze, Brandy or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or any other inflammable or combustible Matter or Thing whatsoever, shall be suffered to be or remain on any Quay, Pier, Wharf, or Barrier belonging to the said Harbour, or upon the Deck of any Ship or Vessel within the said Harbour, above the Space of Twenty-four Hours after having passed the Custom House Officers, and the Owner or Owners thereof shall, and they are hereby required, to remove the same from such Place or Places within the Space of Twenty-four Hours; and in case the same cannot be conveniently removed before Sun-set, that then the Owner or Owners thereof shall be obliged, and he and they is and are hereby required to set and employ at his or their own Expence, such a Number of careful and sober Persons to guard and watch over the same for such and so many Hours from Sun-set to Sun-rise, as the said Company, or the Harbour Master, or other Person or Persons by them appointed, shall specify and direct; and in case any such Owner or Owners, or the Person or Persons having the Rule or Command of any Ship or Vessel as aforesaid, shall make Default in the Premises, each and every Person so offending shall

Gunpowder to be removed after a certain Time.

for

for every such Offence forfeit and pay any Sum or Sums of Money not exceeding Ten Pounds to the said Company.

Power to regulate Vessels lying within the Harbour.

LXXI. And, for the more orderly Government of the said Harbour, and for the better preserving the same, and the Works to be erected there, from Prejudice or Damage, as well as for the Accommodation of Ships or Vessels coming into or going out of the said Harbour; be it enacted, That the said Company may, and they are hereby authorized and empowered, to nominate and appoint such Person as they shall think proper to be a Harbour Master, with such annual Allowance or Salary payable out of the Rates or Duties by this Act granted and made payable, as they shall think fit; and such Harbour Master shall from Time to Time order and require all and every Person having the Rule or Command of any Ship or other Vessel entering into, lying, being, or abiding within the said Harbour, to lie, anchor, moor, and ballast such Ship or Vessel in such proper Place or Places within the same, as such Harbour Master shall assign or direct for those Purposes (having due regard that, to the best of his Skill and Knowledge, such Ship or other Vessel shall be ordered to lie, anchor, moor, or ballast in a Place of Safety); and in case the Person or Persons having the Rule or Command of any such Ship or other Vessel shall refuse or neglect to obey the Orders so given, every Person so offending for every such Refusal or Neglect shall forfeit and pay any Sum not exceeding Ten Pounds to the said Company.

Penalty against destroying the Ropes of Vessels.

LXXII. And be it further enacted, That in case any Person or Persons shall wilfully or maliciously cut, break, or in any Manner destroy or injure any Rope, or other Thing, by which any Ship or other Vessel lying in the said Harbour shall be moored and fastened, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; Provided always, that nothing herein contained shall hinder or restrain any Harbour Master or Masters to be appointed in pursuance of this Act, or his, or their Assistant or Assistants, from exercising in a due and reasonable Manner any of the Powers and Authorities hereby vested in them, or to hinder or restrain the Owner or Owners, Occupier or Occupiers of any of the Quays or Wharfs from casting off any Rope or Ropes that may be fastened to any Post or Posts, or other Fixture or Fixtures on such Quays or Wharfs, without the Licence and Consent of such Owner or Owners, Occupier or Occupiers, for that Purpose first had and obtained.

Persons destroying the Works to be deemed guilty of Felony.

LXXIII. And be it further enacted, That all and every Person and Persons whomsoever, who shall at any Time or Times hereafter wilfully or designedly demolish, break down, damage, or set on Fire the said Pier, Quays, Wharfs, or any of the Works which shall be constructed in, or which shall belong to the said Harbour, or who shall wilfully do any Damage to any of the Shipping or Goods within the same, or who shall wilfully or designedly extinguish or put out any of the Lights used in or belonging to the said Harbour, for the Safety and Protection of the Ships or other Vessels resorting to the same, shall be adjudged guilty of Felony; and the Court, by and before whom such Person or Persons shall be tried and convicted, shall have Power and Authority to cause such Person or Persons to be transported for the Term of Seven Years, or, in Mitigation
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tion of such Punishment, may award such Sentence as the Law directs in Cases of Petit Larceny.

LXXIV. And be it further enacted, That every Master, Owner, or other Person having the Rule or Command of any Ship or other Vessel lying or being in the said Harbour, shall be, and is hereby made answerable and accountable, to the said Company for the Amount or Value of any Damage or Mischief that shall be done through Unskilfulness or Negligence by him, or by such Ship or Vessel, or by any of the Mariners, Servants, or Crew on board of or belonging to the same, to the Pier, Quays, Breasts, or any of the Works which shall be constructed in pursuance of this Act; and the same, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

Masters of Vessels to be answerable for Damage done by the Crew through Unskilfulness or Negligence.

LXXV. And be it further enacted, That the respective Persons who have subscribed, or who shall hereafter subscribe or advance any Money for and towards making and maintaining the said Pier, and the other Works hereby authorized to be made, shall and they are hereby required to pay the Sum or Sums by them respectively subscribed (or such Parts and Proportions thereof as shall from Time to Time be called for by the said Company of Proprietors, by virtue of the Powers and Directions of this Act) at such Times and Places, and in such Manner, as shall be directed by the said Company; and in case any of such Subscribers shall neglect or refuse to pay the same at the Time and Place, and in Manner so required for that Purpose, the said Company of Proprietors are hereby empowered to sue for and recover the same in any Court of Law or Equity.

Subscribers compelled to pay their Subscriptions.

LXXVI. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act inflicted or authorized to be imposed or levied, (the Manner of levying and recovering whereof is not otherwise hereby particularly directed,) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Carnarvon*, (which Warrant or Warrants the said Justice is hereby empowered and required to grant upon Conviction of the Offender or Offenders on his or their own Confession, or on the Information of any One or more credible Witness or Witnesses upon Oath, (which Oath the said Justice is hereby empowered and required to administer without Fee or Reward,) and such Fines, Penalties, and Forfeitures, when recovered, after rendering the Overplus (if any) to the Party or Parties whose Goods and Chattels shall be distrained and sold, (the Charges of such Distress and Sale being first deducted,) shall (if not otherwise directed to be applied and disposed of by this Act) be paid to and belong to the said Company; and for Want of sufficient Distress the said Justice is hereby empowered and required to commit the Person or Persons so convicted to the Common Gaol or other publick Prison of or within the said County, there to remain for any Time not exceeding the Space of Three Calendar Months, unless such Fine, Penalty, or Forfeiture, and all the necessary Charges attending the Recovery thereof, shall be sooner paid or otherwise satisfied.

Penalties, how to be recovered.

LXXVII. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against
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this Act, or against any Order of Sessions, or against any Bye Law, Rule, Order, or Regulation, made in pursuance of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say),

Form of Conviction.

BE it remembered, That on this _____ Day of _____
 in the _____ Year of the Reign of _____ A. B. is
 convicted before _____ of His Majesty's Justices of the Peace
 for the _____ of having [*as the Offence shall be*] and I
 [*or, we*] the said _____ do adjudge him, [*her,*
or, them] to forfeit and pay for the same the Sum of _____
 Given under my Hand and Seal [*or, our Hands and Seals*] the Day
 and Year aforesaid.

Distress not to be deemed unlawful for Want of Form.

LXXVIII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect in the Summons, Conviction, Warrant of Distress, or other Warrant or Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity by him or them done or committed after such Distress made or taken; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Collectors of Rates to be competent Witnesses.

LXXIX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Rates or Duties, or any of them, the Person or Persons acting by or under the Authority of the said Company of Proprietors, shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Rates or Duties.

Persons giving false Evidence may be prosecuted.

LXXX. And be it further enacted, That all and every Person and Persons who, in any Examination to be taken by virtue of this Act, shall give false Evidence, shall and may be indicted and prosecuted for Perjury, and upon Conviction thereof shall be subject to such Punishment and Disqualification as any Person or Persons can or may be subject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Allowing an Appeal to the Quarter Sessions.

LXXXI. And be it further enacted, That in case any Person shall think himself or herself aggrieved by any Order or Judgement made or given in pursuance of any Bye Law, Rule, Order, or Regulation of the said Company of Proprietors, or by any Order, Judgement, or Determination of any Justice or Justices of the Peace, relating to any Matter or Thing in this Act contained, or by any Thing done in pursuance of this Act, and for which no particular Method of Relief is hereby otherwise provided, it shall and may be lawful for such Person to appeal to the Justices of the Peace, at any General or Quarter Sessions of the Peace to be holden in and for the said County of *Carnarvon* next after the Expiration of One Calendar Month from the Time when the Cause of such Appeal shall have arisen, such Appellant first giving or causing to be given Thirty Days Notice at the least in Writing of his or her Intention to bring such Appeal, and
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of the Matter thereof, to the Clerk or Treasurer of the said Company, and within Three Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and upon due Proof of such Notice having been given as aforesaid, and the entering into such Recognizance, the said Justices shall hear and finally determine the Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing, or appealed against, as the said Justices shall think proper; and the said Justices may, if they see Cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of any such Bye Law, Rule, Order, or Regulation; and may also award such further Satisfaction to be made to the Party injured by the Party injuring, as to them the said Justices shall seem reasonable; and the Determination of such Justices thereupon shall be final, binding, and conclusive to all Parties.

LXXXII. And be it further enacted, That no Order, Verdict, Judgment, or other Proceeding, touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings
not to be
quashed for
Want of
Form.

LXXXIII. Provided always, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, unless Notice in Writing signed by his, her, or their Attorney, (specifying the Cause of Action,) shall have been given to the Defendant or Defendants at least Sixty Days before the same shall have been brought; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought; and in case no Tender of Amends shall have been made, it shall and may be lawful for the Defendant or Defendants (by Leave of the Court), at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Orders, and Judgements shall be had, made, and given in and by such Court, as in other Actions where Defendants are allowed to pay Money into Court.

Satisfaction
for special
Damages.

LXXXIV. And be it further enacted, That no Action or Suit shall be commenced after Six Calendar Months next after the Cause of Action shall arise; and every such Action or Suit shall be laid or brought in the said County of *Carnarvon*, and not elsewhere; and the Defendant or Defendants in all Actions or Suits so brought 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 that such Action or Suit was brought before Sixty Days Notice given to

Limitation of
Actions.

General Issue.

the Defendant or Defendants, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Treble Costs.
Publick Act. LXXXV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

The TABLE or SCHEDULE of RATES or
DUTIES referred to by this Act.

	£.	s.	d.
For every One hundred Weight of Alum	0	0	3
For Ditto of Alabaster	0	0	3
For every Hogshead of Ale	0	1	0
For every Bushel of Apples	0	0	1
For every One hundred Weight of Almonds	0	2	6
For every Quarter of Barley	0	0	4
For Ditto of Beans	0	0	4
For every One hundred Weight of Biscuit	0	0	2
For Ditto of Barley Meal	0	0	2
For every Barrel of Beef salted	0	0	6
For every Gallon of Brandy	0	0	2
For every Hogshead of Beer	0	1	0
For every Bull	0	2	0
For every One hundred Weight of Brass, wrought	0	1	4
For Ditto of Ditto, unwrought	0	0	8
For every Bedstead, not being Mahogany	0	0	3
For every One hundred Weight of Butter	0	0	3
For every Ton of Boards	0	1	2
For every Thousand of Bricks	0	0	4
For every Gross of empty Bottles	0	0	8
For every Dozen Bottles of Brandy	0	0	6
For every Ton of Birch Bark	0	0	8
For every empty Barrel	0	0	1
For every One hundred Weight of Clover Seed	0	0	6
For Ditto of Cod Fish, dried	0	0	4
For Ditto of Cordage	0	0	4
For Ditto of Cotton	0	0	8
For every Pair of Coach Wheels	0	0	6
For Ditto of Cart Ditto	0	0	4
For Ditto of any other Carriage	0	0	6
For every Cow	0	2	6
For every Calf	0	0	2
For every One hundred Weight of Copper, wrought	0	1	4
For Ditto of Ditto, unwrought	0	0	8
For every Hundred of Calf Skins, raw	0	5	0
For Ditto of Ditto, tanned	0	7	6
For every Cast Iron Grate, unpolished	0	0	2
For every Ditto, with polished Bars	0	0	3
For every Chest of Drawers, not being Mahogany	0	0	6
For every Chair, not being Mahogany	0	0	1
For every One hundred Weight of Currants	0	0	8
For every Ton of Coals	0	0	3
For Ditto of Culm	0	0	2
For Ditto of Charcoal	0	0	4

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	£.	s.	d.
For every One hundred Weight of Cheefe	0	0	6
For Ditto of Coffee	0	4	0
For Ditto of Chocolate	0	5	0
For Ditto of Cast Iron Utensils, not herein specified	0	0	2
For every Hoghead of Cyder	0	1	6
For every Ton of Earthen Ware	0	0	6
For Ditto of Elm in the Rough	0	0	8
For every One hundred Weight of Fish, dried	0	0	6
For every Barrel of Fish, salted	0	0	6
For every One hundred Weight of Flax, dressed	0	1	0
For Ditto of Ditto, undressed	0	0	6
For Ditto of Fern Ashes	0	1	6
For Ditto of Feathers	0	1	4
For every One hundred Feet of Flags polished	0	0	4
For Ditto of Ditto, unpolished	0	0	2
For every Barrel of Fish Oil, not herein specified	0	0	6
For every One hundred Weight of Fullers Earth	0	0	1
For Goat Skins, per Barrel bulk	0	0	4
For every One hundred Weight of Glas	0	2	6
For Ditto of Gunpowder	0	3	0
For every One hundred Weight of Herrings, dried	0	0	4
For every Barrel of Ditto, salted	0	0	6
For every Horse	0	2	6
For every Heifer	0	2	0
For every One hundred Weight of Hemp, dressed	0	0	6
For Ditto of Ditto, undressed	0	0	3
For every Hundred of Horse Hides, raw	0	15	0
For Ditto of Ditto, tanned	0	15	0
For Ditto of Ox Hides or Cow Hides, raw	1	0	0
For Ditto of Ditto, tanned	1	10	0
For every One hundred Weight of Hops	0	0	10
For every empty Hoghead	0	0	2
For every One hundred Weight of Iron, wrought	0	0	4
For Ditto of Ditto, unwrought	0	0	3
For Ditto of Iron Pots, or other Cast Iron	0	0	2
For every One hundred Weight of Kelp	0	1	0
For every One hundred Weight of Lead	0	0	3
For Ditto of Ditto, wrought	0	0	4
For Ditto of Linen Yarn	0	1	0
For Ditto of Lemons	0	0	6
For Lamb Skins, per Barrel bulk	0	0	4
For every Ton of Lime	0	0	2
For every Quarter of Meal	0	0	6
For every Mare	0	2	6
For every Mule	0	1	8
For every Mahogany Chest of Drawers	0	1	0
For every Ditto Chair	0	0	2
For every Ditto Table	0	0	8
For every Ditto Bedstead	0	0	8
For every Ditto Sopha	0	0	8
For every Hoghead of Melasses	0	1	3
For every Thousand of Nolt Horns	0	1	0
For every Quarter of Oats	0	0	4

	£.	s.	d.
For every One hundred Weight of Oatmeal	0	0	2
For every Ox	0	2	0
For every Bushel of Onions	0	0	2
For every One hundred Weight of Oranges	0	0	1
For every Ton of Oak in the Rough	0	0	8
For Ditto of Oak Bark	0	1	0
For every Quarter of Pease	0	0	4
For every One hundred Weight of Pearl Barley	0	0	3
For every Barrel of Pork, salted	0	0	6
For Ditto of other salted Provisions, not before specified	0	0	6
For every Hoghead of Porter	0	1	0
For every Bushel of Pears	0	0	2
For every Quarter of Potatoes	0	0	1
For every One hundred Weight of Potashes	0	0	2
For Ditto of Pearl Ditto	0	0	2
For Ditto of Plaister. Hair	0	0	3
For Ditto of Pewter	0	0	8
For every Ton of Planks	0	2	0
For every Barrel of Pitch	0	0	6
For every Hoghead of Perry	0	1	6
For every Quarter of Rye	0	0	4
For Ditto of Rye Grass Seeds	0	0	4
For every One hundred Weight of Rape Seed	0	0	6
For Ditto of Rice	0	0	2
For Ditto of Raisins	0	0	8
For every Gallon of Rum	0	0	1 $\frac{1}{2}$
For every Barrel of Rosin	0	0	6
For every Dozen Bottles of Rum	0	0	4
For every One hundred Weight of Salmon, dried	0	0	4
For Ditto of Salt	0	0	3
For every Barrel of Salmon, salted	0	0	6
For every Gallon of Spirituous Liquors, not herein specified	0	0	1 $\frac{1}{2}$
For every One hundred Weight of Sugar (Raw)	0	0	7
For Ditto of Sugar (Loaf)	0	0	10
For every Sheep	0	0	2
For Sheep Skins, per Barrel bulk	0	0	4
For every Sopha, not being Mahogany	0	0	3
For every One hundred Weight of Starch	0	0	8
For every Ton of Slack	0	1	2
For Ditto of Spars	0	0	4
For Ditto of Slates	0	0	4
For every Dozen Bottles of Spirituous Liquors, not herein specified	0	0	4
For every One hundred Weight of Shot	0	0	4
For every Ton of the Burden of every Ship or Vessel built within the Limits of the said Port	0	0	6
For every Ton of Tow	0	0	4
For every Table, not being Mahogany	0	0	3
For every Ton of Timber in the Rough, or unsquared	0	0	8
For Ditto of Ditto, squared	0	1	2
For every Thousand of Tiles	0	0	8
For every Barrel of Train Oil	0	0	6

	£.	s.	d.
For every Barrel of Tar	0	0	6
For every One hundred Weight of Tea	0	4	0
For Ditto of Tallow	0	0	6
For Ditto of Tobacco	0	1	6
For every Quarter of Wheat	0	0	6
For every One hundred Weight of Wheat Flour	0	0	3
For Ditto of Dying Wood	0	0	3
For every Gallon of Wine	0	0	1 ² / ₃
For every One hundred Weight of Wool	0	0	8
For Ditto of Wood Ashes	0	0	2
For every Dozen Bottles of Wine	0	0	4
For every One hundred Weight of Yarn	0	0	8

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