



ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 173.

An Act for the Improvement of the Harbour of *Kidwelly*, and for making and maintaining a Navigable Canal or Tramroads in *Kidwelly* and *Llanelly*, and other Parishes therein mentioned, in the County of *Carmarthen*. [20th June 1812.]

WHEREAS the restoring, improving, and maintaining the Harbour of *Kidwelly* in the County of *Carmarthen*, and the making and maintaining of a Canal for the Navigation of Boats, Barges, and other Vessels, and the making and maintaining of a Railway or Tramroad for the Passage of Waggons and other Carriages, from a certain Canal already made in the Parish of *Kidwelly* in the County of *Carmarthen*, called *Kymer's Canal*, at or near a certain Bridge there called *Spudder's Bridge*, to or near to a Place called *The Old Castle House*, at or near the Town of *Llanelly* in the Parish of *Llanelly* in the said County of *Carmarthen*; and the making and maintaining a Navigable Canal or Railway or Tramroad, or partly a Railway or Tramroad, to begin at or near the East or upper End of *Kymer's Canal*, at or near a certain Place called *Pwll Llygod*, in the Parish of *Pembrey* and County of *Carmarthen*, and to extend into the Parish of *Llanarthney* in the said County of *Carmarthen* to a Common there called *The Great Mountain*, at or near to a certain Tenement there called *Cwm Gloe*; and also for making and maintaining the following collateral Branches of Canal, Railways, or Tramroads, to communicate with and join such Canal, Main Railway, or Tramroad, or Canal and Railways or Tramroad; (that is to say,) a Branch to or from the several Tenements

[*Loc. & Per.*] 42 X following;

following; (that is to say,) a Tenement of Land, called *Trimsarran*, belonging to *James Brogden* Esquire; another, called *Coed Evan ddú*, occupied by *John Hugh*; another, called *Syddin*, occupied by *Thomas William*; another, called *Brynbwthan*, occupied by *Mary David* Widow; another, called *Bryndyas*; another, called *Llettyrychenfack*, occupied by *Robert Jenkin*; and also to or from a certain Common called *Craig-y-Cappel*, and also to or from a certain other Common called *Pembrey Mountain*, all situated in the aforesaid Parish of *Pembrey*, and also a Branch to or from the several Tenements following; (that is to say,) a Tenement called *Carroway* otherwise *Carwed*, occupied by *David Thomas*; another, called *Gellygelynog*, occupied by *David James*, both situated in the Parishes of *Llangendeirn* and *Pembrey* in the said County of *Carmarthen*; and also a Branch to or from the several Tenements of Land following; (that is to say,) a Tenement called *Hirwain Ole*, occupied by *Evan Howell*; another, called *Blaen Hirwaen*, occupied by *Thomas Jones*; another, called *Llechyrodin*, occupied by *David Thomas*; another, called *Llechyfedach*, occupied by *John Edward*, all situated in the Parish of *Llanon* in the said County of *Carmarthen*; and also a Branch to or from a certain Garden adjoining a Cottage called *Tynwydd*, occupied by *Jenkin Lewis* in the Parish of *Llanddarog* in the said County of *Carmarthen*; and also the altering, improving, enlarging, and repairing the said Canal called *Kymer's Canal*, with all its Bridges, Towing Paths, Drains, Feeders, Wastes, and Appurtenances; and also the making and maintaining of a Branch of Canal from the same, at or near the Shipping Place belonging to *Kymer's Canal*, in a Direction towards the Bridge at *Kidwelly*; and also a Branch to or from a certain Limestone Quarry, at a certain Place called *Mynydd y Garreg*, to the said *Kymer's Canal* at or near a certain Bridge there called *Pont Morris Cross*; and also another Branch to or from certain Tin Mills called *The Kidwelly Tin Mills* to the said *Kymer's Canal* at or near to the aforesaid Bridge called *Pont Morris Cross*, all situated in the Parish of *St. Mary* in the Borough of *Kidwelly* aforesaid; and the making and maintaining a Dock or Bason for Ships, Barges, and other Vessels, with the necessary Works from the said Railways or Tramroad, at or near the Place called *Old Castle House* aforesaid, and the Erection of Shipping Places, Wharfs, and other Conveniences for the Purpose of loading and unloading Goods to and from the said Canal; and the making and maintaining several Wharfs, Shipping Places, Drains, and other Conveniences at or near *Old Castle House* aforesaid, will be of very great Advantage to several Collieries, Iron Mines, and Iron Works, Limestone and other Quarries in the Neighbourhood, by opening a cheap and easy Communication for the Conveyance of Coal, Iron, Lime, and other Goods, Wares, and Merchandizes; and will also greatly tend to the Improvement of the Country on the Line of the said intended Canal; Railways, or Tramroads: And whereas it appears from Surveys lately taken that the Waters of the Rivers called *Great Gwendraeth* and *Little Gwendraeth*, in the said County of *Carmarthen*, may be carried by a Cut to be made for that Purpose into the River *Towy* in the said County of *Carmarthen*, in such Manner as that the Course of Navigation between the said Town of *Kidwelly* and the River *Towy* thereby will become more secure and permanent, and less liable to be obstructed by Sands and Shoals: And whereas the several Persons herein-after named are desirous at their own Expence to make and maintain the said intended Canal and Cuts, Railways, Tramroads,

For appointing a Company to carry

and

and other Works, but cannot effect the same 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 the Honourable *Edward Rice*, Mrs. *Mary Kymer*, Mrs. *Hester Kymer*, Sir *William Paxton* Knight, *Francis Charles James Pemberton*, *Christopher Pemberton*, *William Owen Brigstocke*, *John Rees*, *James Brogden*, *Anthony Tatlow* the elder, *John Tatlow*, *Anthony Tatlow* the younger, *Thomas Lewis*, *Thomas Morris*, *William Custance*, *John Dugmore*, their several and respective Successors, Administrators, and Assigns, together with such Person or Persons, Bodies Politic, Corporate, or Collegiate, as shall at any Time hereafter be possessed of any Share or Shares in the Undertaking hereby authorized to be carried into execution, are and shall be and they are hereby united into a Company for the better restoring, improving, and maintaining the said Harbour of *Kidwelly*, and for the better carrying on, making, completing, and maintaining the said intended Canal and Railways or Tramroads, and carrying on, making, completing, and maintaining such collateral Branches of Canal, Railways, or Tramroads, Wharfs, Shipping Places, Drains, and other Conveniences, as are herein mentioned, according to the Rules, Orders, and Directions herein-after expressed and laid down, and shall for that Purpose be One Body Politic and Corporate by the Name of "The *Kidwelly* and *Llanelly* Canal and Tramroad 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 also shall and may have Power and Authority, from and after the passing of this Act and at all Times thereafter, to purchase, hold, accept, and take Lands, Tenements, and Hereditaments, to them and their Successors and Assigns, for the Use of the said Undertaking and the several Works hereby authorized to be made, and for the several Purposes herein mentioned, and also to sell any of the said Lands, Tenements, or Hereditaments purchased, accepted, or taken for the Purposes aforesaid, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

II. And whereas Surveys have been made to ascertain the Practicability of restoring, improving, and maintaining the Harbour of *Kidwelly*, and of making a Canal, Reservoirs, Docks, Basins, Entrances, Quays, Wharfs, Railways, Tramroads, and other Works hereby authorized to be made; and a Map or Plan, with a proper Book of Reference thereto, hath been drawn or prepared in consequence thereof, in order to show the intended Lines or Courses of such Works, and the Lands through which the same are respectively proposed to be carried, and the Distance from Place to Place, so far as they affect the Property of each Individual through which they pass, and the Extents and Particulars of the whole; and a Duplicate or Copy of such Map or Plan and Book of Reference hath been deposited or left at the Office of the Clerk of the Peace for the said County of *Carmarthen* for public Inspection; be it therefore further enacted, That the said Map or Plan and the Book of Reference thereto shall continue to be deposited with the said Clerk of the Peace for the said County of *Carmarthen*, and that another Part of the said Map or Plan and Book of Reference thereto shall be forthwith made and deposited with the Clerk of the Peace for the said Borough of *Kidwelly*, and that another

Plans and Books of Reference to be certified by the Surveyors making them, and given in Evidence.

Part

Part of the said Map or Plan and Book of Reference thereto shall be forthwith made and deposited with the Clerk to the said Company of Proprietors, to any of which Maps, Plans, and Books of Reference all Persons shall at all seasonable Times have Liberty to resort, and examine the same as Occasion shall require, paying to the said respective Clerks for every such Search or Examination the Sum of Two Shillings, and also to bespeak and have Extracts or Copies of and from the said Book of Reference as Occasion shall require, and which the said respective Clerks are hereby required to make, paying to the said respective Clerks for such Extract and Copies from the said Book of Reference after the Rate of Eight-pence for every One hundred Words; and that the said Maps or Plans so sworn to, or true Copies thereof, shall be and are hereby declared to be good Evidence in all Courts of Law and Equity or elsewhere; and the Clerk for the Time being to the said Company of Proprietors, upon Eight Days Notice in Writing to him given for that Purpose, shall and is hereby required from Time to Time to produce or cause to be produced the said Map or Plan and Book of Reference to be deposited or left with him as aforesaid before the Commissioners hereby authorized and empowered to meet for the Purposes in this Act mentioned, or any Jury or Juries to be empannelled by virtue thereof, at the Time and Place to be for that Purpose in such Notice mentioned, in order that the same may be then and there given in Evidence, the Clerk to the said Company of Proprietors being paid a reasonable Sum of Money for his Absence from Home, travelling Expences, and Attendances on such Occasions.

The Com-
pany not to
deviate from
the Lines laid
down in the
Plan without
Consent of
the Land-
owners.

III. And be it further enacted, That the said Company of Proprietors, in making the said Cuts, Canal, Reservoirs, Docks, Basins, Entrances, Railways, Tramroads, and other Works hereby authorized to be made, shall not deviate more than Two hundred Yards from their respective Courses in the said Map or Plan and in the said Book of Reference respectively set forth, without the Approbation or Consent in Writing, signed by the Person or Persons to whom such Lands or Grounds and Hereditaments into or through which such Deviation is intended to be made do or shall respectively belong.

Errors in
describing
the Lines of
the Works
not to pre-
vent making
the said
Canals and
Cuts, &c.

IV. Provided always, and be it further enacted, That the said Company of Proprietors shall and may make the said intended Cuts, Canal, Reservoirs, Docks, Basins, Entrances, Railways, Tramroads, and other Works hereby authorized to be made into, through, over, across, or upon the Lands, Grounds, or Hereditaments of any Person or Persons whomsoever, in all Cases where it shall appear to the Satisfaction of the said Commissioners, or any Three or more of them, (to be by them certified under their Hands,) that the Name or Names of such Person or Persons shall have been by Mistake omitted in the said Plans or Books of Reference or any of them, or that, instead of the Name or Names of the Owner or Owners of such Lands, Grounds, or Hereditaments, the Name or Names of some other Person or Persons to whom such Lands, Grounds, or Hereditaments do not belong hath or have been inserted by Mistake in such Maps or Plans and Books of Reference, and also across any Roads, Brooks, or Rivulets which shall in like Manner appear and be certified as aforesaid to have been omitted by Mistake in such Map or Plan and Books of Reference as aforesaid, any thing herein

contained

contained to the contrary thereof in anywise notwithstanding: Provided always, that nothing herein contained shall authorize or make it lawful for the said Company of Proprietors, their Servants, Agents, and Workmen, to take or cut down any Trees whatsoever, except such as shall be in the immediate Line of the said Canal, Cuts, Tramroads, Reservoirs, Locks, Towing Paths, and other Works, or as shall impede the Navigation or Use thereof respectively, or to bore, dig, trench, remove, take, and carry away, in, upon, through, from, and out of the Lands, Grounds, and Hereditaments of any Person or Persons which on the First Day of *January* One thousand eight hundred and twelve was or were the Site of an House or other Building, or a Garden, Yard, Park, Paddock, planted Walk or Walks, Pleasure Grounds, Lawn or Lawns, or Avenues to any House, or any Piece or Parcel of Ground set apart or used as a Plantation or Nursery for Trees, any such Earth, Clay, Stones, Gravel, Sand, Rubbish, Roots or Trunks of fallen Trees buried in the Earth, or other Matters or Things as aforesaid, which may be necessary or proper for the said Works herein authorized, or for any the Purposes of this Act, to take, use, injure, or damage any such House or other Hereditaments and Premises as last aforesaid, without the Consent in Writing of the respective Owners and Occupiers thereof.

Not to cut
down Trees
except on the
Line.

V. And be it further enacted, That the said Company of Proprietors shall, at their own proper Costs and Charges, within Three Calendar Months after any Part of the said Canal, Railways, or Tramroads respectively passing over or through any Lands or Grounds shall be laid out and formed, make, erect, and set up such and so many convenient Fences in and upon the said Canal, Railways, or Tramroads respectively, in such Manner as the said Commissioners shall at any of their Meetings from Time to Time judge necessary and appoint (in case there shall be any Difference of Opinion or Dispute about the same) for the protecting the said Lands and Grounds through which such Canal, Railways, or Tramroads, or any of them, shall be made or pass, from being trespassed upon, or the Cattle or other Property of the Owners or Occupiers of such Lands or Grounds from estraying or escaping thereout by reason of such Canal, Railways, or Tramroads, or any of them, or any other Matter or Thing to be done in pursuance of this Act; and in case the said Company shall refuse or neglect to make, erect, or set up such Fence as herein-before directed for the Space of Three Calendar Months after the Time to be appointed for those Purposes respectively by the said Commissioners, then and in every such Case it shall and may be lawful for every and any of the Owners and Occupiers of the said inclosed Lands or Grounds who shall find himself, herself, or themselves aggrieved by such Neglect to make, erect, and set up such Fences as the said Commissioners shall have before directed or appointed to be made, erected, and set up as aforesaid, so that by the making and setting up such Fences as aforesaid the said Canal, Railways, or Tramroads, or any of them, or any Part thereof respectively, or other Works by this Act authorized to be made by the said Company, shall not be obstructed or hindered for any longer Space of Time nor in any other Manner than shall be indispensably necessary for the doing thereof; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Commissioners, shall be repaid to the respective Owners or Occupiers of such Lands or Grounds who shall have so erected and made

Company to
make Fences.

[*Loc. & Per.*]

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such

such Fences as aforesaid, by the said Company of Proprietors, within the Space of Three Calendar Months next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered and made thereof to and from the same Company by Delivery of such Account to and making such Demand from the Treasurer or Clerk to the said Company for the Time being; and in default of Payment of such Costs and Expences within the Time aforesaid the said Commissioners shall and they are hereby authorized and required, by Warrant under their Hands and Seals, to levy the said Costs and Expences by Distress and Sale of any of the Goods and Chattels of the said Company, for the Use of such Person or Persons who shall have so recovered such Costs and Charges, rendering the Overplus, if any, to the said Company of Proprietors, after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Commissioners.

Power to
restore and
construct
Harbour
and other
Works.

VI. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized, empowered, and required, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and others, to restore, improve, deepen, widen, and maintain, and from Time to Time to alter and improve, the Port and Harbour of *Kidwelly* in the said County of *Carmarthen*; and for those Purposes to restore, excavate, make, maintain, and buoy with proper and sufficient Buoys a navigable Cut or Channel from or from near a certain Place called the *Salmon Scar*, on the South Side of the River *Towey*, to the present Channel of the said united Rivers *Gwendraeth* at or near a certain Place there called *Bertwyn House*; and also to deepen, straighten, and maintain the present Channel of the said united Rivers from or from near the said House or Place called *Bertwyn House* to a certain Place on the little *Gwendraeth* River, at the North End of *Kymer's Canal*, called *Kymer's Shipping Place*, in such Manner as to enable Vessels drawing Eight Feet Water to work up and navigate, on the lowest neap Tides at High Water, the restored Channel of the said united Rivers of *Great Gwendraeth* and *Little Gwendraeth* up to and from the said Place called *Kymer's Shipping Place* or Dock, such restored Channel to be at all Times maintained of a regular Descent from *Kymer's Dock* to the River *Towey*; and to make, erect, and maintain all such Piers, Quays, Wharfs, Jetties, Mooring Chains, Lighthouses, Buoys, and other Works, of proper Dimensions, within the said Harbour of *Kidwelly*, as may be deemed necessary for the Reception and Protection, and the more convenient Accommodation, lading and unlading of Ships and Vessels resorting thereto, and for the better enabling such Ships and Vessels to come into and go out of the same; and to make all such convenient Roads, Ways, and Passages of Communication with all Turnpike Roads or Highways already made or to be made within One hundred Yards of the said Harbour as may be deemed requisite for giving necessary Access to the said Harbour, Docks, Cuts, Canal, Wharfs, Warehouses, and other Works hereby authorized to be made, and the Carriage of Goods to and from the same; and also to make, complete, and maintain a Canal navigable and passable for Boats, Barges, and other Vessels, from or near a certain Place called the *Old Castle House*, at or near the Town of *Llanelly* in the Parish of *Llanelly*, into the Parish of *Kidwelly*, to join a certain Canal there, now and already made, called *Kymer's Canal*, at or near a certain

Bridge

Bridge called *Spudder's Bridge*, in the said County of *Carmarthen*; and also a Canal navigable and passable for Boats, Barges, and other Vessels, to begin at or near the East or upper End of *Kymer's Canal*, at or near a certain Place called *Pwll Llygod*, in the Parish of *Pembrey* and County of *Carmarthen*, and to extend to a certain Common called the *Great Mountain*, in the Parish of *Llanarthney* in the said County of *Carmarthen*; and also to make a collateral navigable Canal, Branch Railway or Tramroad to communicate with and join such Canal, Main Railways or Tramroads; (that is to say,) a Branch to or from a Tenement of Land called *Trimsarran*, belonging to *James Brogden* Esquire; also another Branch to or from a Tenement called *Coed Evan ddû*, occupied by *John Hugh*; also another Branch to or from another Tenement called *Syddin*, occupied by *Thomas Williams*; also another Branch to or from a Tenement called *Brynbrwthau*, occupied by *Mary David* Widow; also another Branch to or from a Tenement called *Bryndyas*, occupied by *George Bowser* Esquire; also another Branch to or from a Tenement called *Lletty yrychenfach*, occupied by *Robert Jenkin*; and also another Branch to or from a certain Common called *Craig y Cappel*; also another Branch to or from a certain Common called *Pembrey Mountain*; also another Branch to or from a Tenement called *Carraway* otherwise *Carwed*, occupied by *David Thomas*; also another Branch to or from a Tenement called *Gellygelynog*, occupied by *David James*; another Branch to or from a Tenement called *Hirwain Ole*, occupied by *Evan Howell*; another Branch to or from a certain Tenement called *Blane Herwaine*, occupied by *Thomas Jones*; also another Branch to or from a Tenement called *Llechyrodin*, occupied by *David Thomas*; also another Branch to or from a Tenement called *Llechyfedach*, occupied by *John Edward*; also another Branch to or from a certain Garden adjoining a Cottage called *Tynewydd*, occupied by *Jenkin Lewis*; in the Parish of *Llanddarog* in the said County of *Carmarthen*; and also to alter, improve, enlarge, and repair the said Canal called *Kymer's Canal*, with all its Bridges, Towing Paths, Drains, Feeders, Wastes, and Appurtenants; and also to make and maintain a Branch of Canal from the same at or near the Shipping Places belonging to *Kymers* in a Direction towards the Bridge at *Kidwelly*; and also a Branch to or from a certain Limestone Quarry at a certain Place called *Mynydd y Garreg* to the said *Kymer's Canal*, at or near a certain Bridge there called *Pont Morris Cross*; and also another Branch to or from certain Tin Mills called the *Kidwelly Tin Mills* to the said *Kymer's Canal*, at or near to the aforesaid Bridge called *Pont Morris Cross*, all situated in the Parish of *Kidwelly* aforesaid; and also to erect Shipping Places, Wharfs, and all other Conveniences whatsoever, for the Purposes of loading and unloading Goods to and from the said Canal; and also to make and maintain several Wharfs, Shipping Places, Drains, and other Conveniences at or near the Dock of the *Carmarthenshire* Railway or Tramroad Company, near the Town of *Llanelly*; and also to take so much of the Flats, for the Purpose of making Docks, Basins; Wharfs, or other Works, as lies between the present Southern Boundary of the *Carmarthenshire* Railroad Company and a certain Dock called *Bowen and Roderick's Dock*, from the High-water Mark to the River *Lliedy*, excepting so much of the said Beach or Flats as lies at Right Angles with that Part of the Field called *Erw* as abuts to the said Beach; and that such Canal or Railway or Tramroad, or Canal and Railway or Tramroad, and such collateral Branches of Canal, Railway or Tram-

Power to
divert Waters
for cleansing
the Harbour
and other
Works.

Tramroad, Wharfs, Shipping Places, Drains, and other Conveniences are intended to be made into or pass through the several Parishes of *Llanelly, Pembrey, Kidwelly, Saint Mary* in the Borough of *Kidwelly, Llangendeirn, Llanon, Llanddarog*, and *Llanarthney*, all in the said County of *Carmarthen*; and also to take so much of the Marsh or Marshes called the *Crossog* or *Pinged Marsh*, as is or are covered with Water on Spring Tides, as shall be necessary for making the said Cuts or Canal and Embankment by the Sides thereof; and for the Purposes aforesaid the said Company of Proprietors, their Deputies, Servants, Agents, and Workmen, are hereby authorized and empowered to enter into and upon the Lands and Grounds of the King's most Excellent Majesty, His Heirs or Successors, and all and every Person or Persons, Bodies Politic, Corporate, and Collegiate whatsoever, and to survey and take Levels of the same or any Part thereof, and to set out and ascertain such Part and Parts thereof as they shall think necessary and proper for making, completing, improving, maintaining, or altering the said Harbour, and several Cuts, Channels, Canal, Docks, Embankments, Mounds, Jetties, Locks, Entrances, Railways, Tramroads, Quays, Wharfs, and other Works and Conveniences hereby authorized to be made, as they shall think proper and necessary for restoring, making, improving, deepening, effecting, completing, preserving, using, and maintaining the same, or for more easily carrying into effect any of the Purposes of this Act; and for the better restoring, making, deepening, cleansing, and maintaining the said Harbour, Cuts, Canal, Docks, and other Works, to supply the same with Water from any Lock, Lake, Pool, River, Brook, Spring, Stream, Rivulet, or Watercourse which shall be found within the Distance of One thousand Yards from the same; and to make and maintain such and so many Wears, Soughs, Tunnels, Feeders, Aqueducts, and Channels, Basins and Reservoirs, as they may think necessary for the more effectually preserving and conveying such Water to the said Harbour and other Works; and to bore, dig, cut, trench, and sough, and also to remove, take, carry away, and use, any Earth, Clay, Stone, Rubbish, Trees, Roots of Trees, Beds of Gravel, Sand, Stone, or any other the Matters or Things whatsoever which shall or can be dug or got in the making, or which may hinder, prevent, or obstruct the restoring, making, maintaining, or repairing of the said Harbour, Canal, Docks, and the several other Works and Conveniences hereby authorized, or of such Soughs, Tunnels, Feeders, Trenches, Passages, Levels, Drains, Wells, Aqueducts, or other Works, as they may deem necessary or convenient to convey Water to or from the said Canal, Reservoirs, or Works respectively; and also as well for the carrying and conveying of all manner of Materials necessary or intended for the making, erecting, finishing, altering, repairing, amending, widening, enlarging, or improving of the said Works herein authorized, as also for the Purposes of the said Harbour and Navigation, and for the carrying and conveying of Coals, and other Minerals, Goods, Wares, and Merchandizes and Things, to and from the said Harbour, Canal, and other Works; and for the landing, loading, housing, regulating, and preserving the same, to make, build, drive, erect, and set up, in or upon the said Harbours, Canals, Tramroads, and other Works respectively, or in or upon the Lands adjoining or near thereto, such and so many Bridges, Pipes, Tunnels, Soughs, Aqueducts, Sluices, Locks, Floodgates, Wears, Banks, Dams, Arches, Pens, Water Stanks, Reservoirs, Drains, Wharfs, Piers, Quays, Toll Houses, Warehouses, Yards, Watch-houses, Landing Places; Weighing

Weighing Beams, Cranes, dry Docks, Fire Engines, and other Machines, Ways, Roads, Gates, Fences, and Conveniences, as and when they the said Company of Proprietors shall think requisite and convenient; and from Time to Time to alter, repair, and amend or discontinue the same, or any such of them, and no more, as the said Company shall from Time to Time hereafter deem it expedient and useful to repair, alter, amend, or discontinue, or shall deem it no longer useful or expedient to repair, amend, maintain, or continue for the Purposes aforesaid; and also from Time to Time to make, maintain, repair, and alter any Fences, Roads, or Passages unto, from, over, under, or near unto the said respective Works; and also to make, set out, and appoint such Towing Paths, Banks, Roads, and Ways for the towing, hauling, and drawing of Ships, Boats, Barges, and other Vessels passing upon the said Rivers, Docks, Canal, and Cuts respectively with Men, Horses, or otherwise, and such convenient Places for Ships, Boats, Barges, and other Vessels to turn, lie, or pass each other in, as the said Company of Proprietors shall think proper and expedient; and also to dig, take, and carry away any Soil, Clay, Gravel, Sand, Limestone, or other Stone, or Materials which shall be proper, requisite, and convenient for the carrying on, repairing, and maintaining of the several Works aforesaid, or any of them, on or from the Grounds of any Person or Persons adjoining or lying contiguous thereunto, or within One hundred Yards thereof; and also to construct, erect, set up, make, and do all and any Works, Matters, and Things whatsoever which they the said Company of Proprietors shall think necessary or expedient for the making, carrying on, completing, repairing, improving, maintaining, and using of the said Works hereby authorized, they the said Company of Proprietors, their Servants and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and repairing such Damage, either wholly, as it shall be practicable and expedient, or shall be required and directed by the Commissioners herein-after appointed, and further from Time to Time making Satisfaction in the Manner herein-after mentioned to the Owners and Proprietors of and all other Persons interested in the Lands, Grounds, Tenements, or Hereditaments, Waters, Water-courses, Brooks, or Rivers respectively, which shall or may be taken, duly used, removed, diverted, prejudiced, or destroyed for the Purposes aforesaid, as well for all Damages to be by the Entry and other the aforesaid Acts of the said Company occasioned, which shall wholly continue and be sustained, as also for all the Residue of such Damages which being so occasioned shall not be wholly remedied and repaired by the said Company; and this Act shall be sufficient to indemnify the said Company of Proprietors, their Deputies, Servants, Agents, Contractors, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted.

VII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower or be construed to authorize or empower the said Company of Proprietors to take, use, or divert, for the Purposes of the Works hereby authorized to be made, any Water from any River, Brook, Stream, Rivulet, or Watercourse which flows through or runs into the Harbour of *Kidwelly*, otherwise than for the restoring, improving, and maintaining of the said Harbour of *Kidwelly*, and for the supplying of the said Canal leading from *Kymer's Canal* to *Old Castle House*

[*Loc. & Per.*]

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aforesaid,

Company not to divert the Waters of the Gwendraeth Rivers, except for particular Purposes.

aforesaid, with Water to the North End of a certain Lock to be put or placed thereon as herein-after mentioned, but not further or otherwise.

Company not to divert the Waters of any Brook, &c. flowing East or South of Stradey Wood.

VIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company of Proprietors to take, divert, or use any Water from any Lock, Lake, Pool, River, Brook, Spring, Stream, Rivulet, or Watercourse running or flowing East or South of *Stradey Wood* in the Parishes of *Pembrey* and *Llanelly*, except such Water as shall flow or pass over any Weir or Weirs made or to be made below a certain Corn or Grist Mill called *Dulais Mill*, situate near *Stradey Wood* aforesaid, for the Purpose of serving the Collieries, Iron or other Works established or to be established below the same; and also except such Water as shall flow or pass over the Weir of the *Llanelly Mill*, situate near the Town of *Llanelly* aforesaid, using the same only for the Purpose of cleansing, deepening, and improving the Docks, Wharfs, or Quays already erected or which may be erected under the Authority of this Act, and so that the said last-mentioned Diversion shall not commence till after the said Water has passed through the Town of *Llanelly*, and so that the same shall not be forced back into or impounded in the said Town, and so as the Current of the Water so to be diverted shall be made to flow into its ancient Course or Courses, without Prejudice to the Docks or Wharfs now established within the Harbour of *Llanelly*.

Company may divert the Water of the Gwendraeth at Cwmmawr, &c.

IX. And whereas *John Macnamara* Esquire, or his Lessee or Lessees, are now the Owner or Owners, Occupier or Occupiers of a certain Tenement of Land called the *Old Furnace*, lying and being in the Parish of *Llangendeirn* in the said County of *Carmarthen*, upon which an Iron Furnace, now in Ruins, was heretofore erected, adjoining the River called *Gwendraeth fawr*, and it is intended that the said Canal or Cut shall be supplied with Water from the said River *Gwendraeth fawr*, as herein-after mentioned; be it therefore enacted, That it shall and may be lawful for the said Company to conduct or lead the Water from the aforesaid River *Gwendraeth fawr*, at or near a certain Place called *Cwmmawr*, in the said Parish of *Llanon* in the said County of *Carmarthen*, to the said Canal or Cut, as the said Company shall think proper, so that the said Company deliver the said Water again in such Manner that the same may flow into the old Channel leading through the said Tenement to the said old Furnace formerly standing thereon, in as large and ample Manner as the same did flow to the said Furnace at any Time previous to the passing of this Act.

Power to divert the Water of the Graig at Gwscwm.

X. And be it further enacted, That nothing in this Act contained shall hinder or prevent or be construed to hinder or prevent the Earl of *Ashburnham*, his Heirs and Assigns, from diverting the Waters of a Stream called the *Graig* at *Gwscwm*, in the Parish of *Pembrey* in the said County of *Carmarthen*, by taking up the same at a higher Level for the Purpose of draining and working the Coal under the Lands of the said Earl of *Ashburnham*, so that such Water flow again into the said intended Canal after it shall have passed the Works of the said Earl of *Ashburnham*.

Lord Ashburnham not to divert the

XI. And be it further enacted, That it shall not be lawful for the Earl of *Ashburnham*, or his Lessee or Lessees, or any other Person or Persons, to divert any of the Waters of the Canal called Lord *Ashburnham's* Canal,

Canal, in the Parish of *Pembrey* in the said County of *Carmarthen*, to the Prejudice of the said intended Canal, without Seven Days previous Notice in Writing given to the Clerk of the said Company, or left at his usual Place of Abode, of his or their Intention so to do, or to suffer any Quantity of Water to flow or ooze out of the said Canal called Lord *Ashburnham's* Canal, so as to cause any Diminution of the Waters thereof to the Prejudice of the said intended Canal.

Water, or permit any to ooze out of his Canal, to the Prejudice of the intended Canal.

XII. Provided nevertheless, and it is hereby declared, That it shall not be lawful for the said Company of Proprietors to continue the Line of the said Works South or East of the present Railway or Tramroad of the *Carmarthenshire* Railway Company, nor in any Manner to deviate into or through any Part of the Tenement called *Tyr y Bryn* otherwise *Heol Fawr*, or into or through any Part of a certain other Tenement called the *Erw*, both the Property of the Right Honourable the Earl *Cholmondeley* and *Richard Alexander Bennet* Esquire, and now or late in the Occupation of *Walter Austin*: Provided nevertheless, and it is hereby declared, that it shall not be lawful for the said Company of Proprietors to make or maintain any Canal or Cut in the said Track or Line beyond or South of a certain Place called *Old Castle House*, situate at or near the said Town of *Llanelly*, but that the said Track or Line shall be continued from the said Place called *The Old Castle House* to the End of the said intended Line, South of the said Place, as a Railway or Tramroad only.

Company not to deviate through any Part of the Lands called *Tyr y Bryn* otherwise *Heol Fawr*.

Company not to extend their Canal to the South of *Old Castle House*.

XIII. Provided also, and be it further enacted, That if the said Company of Proprietors shall at any Time hereafter, by reason of the heavy Costs and Charges of restoring, improving, and maintaining the said Harbour of *Kidwelly* in the Manner by this Act directed, be desirous to abandon and relinquish the said Harbour and the Management thereof, it shall and may be lawful for the said Company of Proprietors so to do, on giving Notice in Writing under the Common Seal of the said Company of Proprietors to the Mayor of the said Borough of *Kidwelly* for the Time being of such the Desire and Intention of the said Company of Proprietors.

Enabling the Company to relinquish the Harbour, on Notice given to the Mayor of *Kidwelly*.

XIV. And be it further enacted, That from and after such Notice shall be so given to the Mayor of *Kidwelly* as last aforesaid, and from thenceforth for ever thereafter, all and singular the Powers and Authorities vested in the said Company of Proprietors by this Act, so far as the same relate to the restoring, improving, and maintaining the said Harbour of *Kidwelly*, and the Duties hereby imposed on the Masters or Commanders and Owners of all and every Ship, Barge, Boat, and other Vessel, and all and every Person and Persons whomsoever trading to and from, or using or resorting to the said Harbour of *Kidwelly*, shall cease and determine to all Intents and Purposes whatsoever, and the said Harbour of *Kidwelly* shall thenceforth be and remain a free Harbour, the same as if this Act had never been made or passed, any thing herein contained to the contrary notwithstanding.

After such Notice given the Power of this Act, so far as relates to the said Harbour, to cease.

XV. Provided always, and be it further enacted, That if the said Company shall think it necessary or expedient that Boats, Barges, or other Vessels, Waggons, or other Carriages, or any Minerals, Goods, Wares, or other Matters or Things, should be conveyed over or along any Part

Power to make Rollers or Inclined Planes.

or

or Parts of the intended Track or Line of the said intended Canal and Cut, by Rollers, Inclined Planes, Tramroads, Railways, Waggonways, or Cranes, or in any other Manner than by Locks or Sluices, then and in such Case it shall be lawful for the said Company to cause any such Rollers, Inclined Planes, Tramroads, or other Works before mentioned, to be made for such Purpose or Purposes, at such Place or Places, in or upon the Line of the said intended Canal and Cut, as they shall think proper, and the same when so made shall be taken and considered as Part or Parts of the said intended Canal, Cut, and Works hereby authorized to be made, in like Manner and to all Intents and Purposes as if such Parts or Places had been made navigable.

Breadth of
Canal and
Towing
Paths, &c.

XVI. And be it further enacted, That the Lands or Grounds to be taken or used for the making and using of the said Canal and Cut, and for the Towing Paths thereto, and the Ditches, Drains, and Fences to separate such Towing Paths from the adjoining Lands, shall not exceed Twenty-six Yards in Breadth, and for making and using of the said Railway or Tramroad shall not exceed Ten Yards in Breadth, except in such Places where any Docks, Basins, or Pens of Water shall be made, or where the said Canal or any Part thereof shall be raised higher or cut more than Six Feet below the present Surface of the Land, and except in such Places where it shall be judged necessary for Boats, Barges, and other Vessels, or for Waggons or other Carriages, to turn, lie, or pass each other, or for raising Embankments for crossing the Vallies, or where any Warehouses, Cranes, or Weighbeams may be erected, or where any Wharfs or other Places may be set out or appropriated for the Reception or Delivery of any Coals, Lime, Limestones, Minerals, Timber, or other Goods, Wares, and Merchandize which shall be conveyed on the said Canal and Cut, Railways or Tramroads, and not above Sixty Yards in Breadth in any Place, without the Consent in Writing of the Owners of the Lands or Hereditaments adjoining to the said Canal and Cut, Railways or Tramroads.

Not to take
or use any
Lands be-
longing to
Mr. Lewis of
Llandilo.

XVII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Company of Proprietors to take or make use of any of the Lands or Grounds of or belonging to *Thomas Lewis* of *Llandilo*, Esquire, lying on the North or East Side of the Line of the intended Canal described on the Plan, or to take or make use of any Lands or Grounds belonging to the said *Thomas Lewis*, lying between a certain House called *Old Castle* and the Iron Bridge, within One hundred Yards of such House, or any Lands or Grounds belonging to the said *Thomas Lewis*, Westward within such Space to the River *Lliedy*.

Company to
make a Lock
on the Canal
from *Kymer's*
Canal to *Old*
Castle House.

XVIII. And be it further enacted, That the said Company of Proprietors shall and they are hereby authorized and required to make the aforesaid Canal, leading from *Kymer's* Canal at or near *Spudders Bridge* to *Old Castle House* aforesaid, upon a dead Level to the North Gate of a Lock to be made thereon, and which said Lock the said Company of Proprietors are hereby authorized and required to make, and for ever thereafter to continue and keep in repair, in a certain Piece of Land situate on the North or East Side of Lord *Ashburnham's* Colliery, and marked in the aforesaid Map or Plan, filed in the Office of the Clerk of the Peace

for

for the said County of *Carmarthen* (No. 145.) ; and to continue the same Canal from the South Gate of the said last-mentioned Lock to *Old Castle House* aforesaid, also upon a dead Level ; but the Water in the said last-mentioned Part of the said Canal, on the South Side of the said Lock, to be at all Times One Inch at the least of an higher Level or Elevation than the Level or Elevation of the Water in the said other Part of the said Canal on the North Side of the said Lock.

XIX. And be it further enacted, That the said Company of Proprietors shall for ever thereafter so maintain and continue the Waters in the said Canal on each Side of the said Lock of such Levels or Elevations respectively. Formaintain-
ing Levels in
the Canal.

XX. And be it further enacted, That the Waste Weirs, Sluices, Floodgates, Culverts, and Drains for passing or carrying off the Surplus or Excess of Water from that Part of the said Canal to be made on the North Side of the said last-mentioned Lock shall be made and placed, and at all Times thereafter continued, so and in such Manner as effectually to pass off and discharge such Surplus or Excess of Water immediately into the *Little Gwendraeth River* ; and that the Waste Weirs, Sluices, Floodgates, Culverts, and Drains for passing or carrying off the Surplus or Excess of Water from that Part of the said Canal to be made on the South Side of the said last-mentioned Lock shall in like Manner be made and placed, and at all Times thereafter continued, so and in such Manner as effectually to pass off and discharge such last-mentioned Surplus or Excess of Water immediately into the Dock or Works of the said Company of Proprietors, at or near to the said Harbour of *Llanelly*. Directing the
Places of
Waste Weirs,
&c.

XXI. And be it further enacted, That the Waters of the said Canal leading from *Kymer's Canal* to *Old Castle House* as aforesaid, on the North Side of the said last-mentioned Lock, shall at no Time, on any Account or Pretence whatever, be taken, used, or employed for the scouring any Sand or Sands, or cleansing or deepening the Bed or Beds of any River or Rivers on the South Side of the said last-mentioned Lock, or for any other Use or Purpose whatsoever on that Side of the same Lock, any thing herein contained to the contrary thereof notwithstanding. Waters of the
Canal on the
North Side of
Lock not to
be diverted.

XXII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Company of Proprietors to make and substitute any Rollers, Inclined Planes, Tramroads, or other Works for and in place of the said last-mentioned Lock, and Waste Weirs, Sluices, Floodgates, Culverts, and Drains hereby authorized and required to be made by the said Company of Proprietors or any of them. Company not
to substitute
Rollers or In-
clined Planes
for a Lock
near Lord
Ashburn-
ham's Canal.

XXIII. Provided always, and be it further enacted, That the aforesaid Branch Canal from *Kymer's Canal*, in a Direction towards the Bridge at *Kidwelly*, shall be made in a bevel Line from the Place where it branches from *Kymer's Canal* towards the present Channel or Bed of the *Little Gwendraeth River*, at or near the Eastern Extremity of the said Branch Canal ; and for the Convenience of making Wharfs and Shipping Places on the Side thereof next to the *Little Gwendraeth River* aforesaid, pursuant to the Powers herein in that Behalf contained, the said Company of Proprietors Limits of the
Branch Canal
towards the
Bridge at
Kidwelly
defined.

prietors are hereby authorized and required to straighten the Channel of the same River in a Line with the said Canal by making a new Cut for the same, and leaving a Breadth or Space of Ninety Yards of Land between the said new Cut and such Branch Canal; but nothing herein contained shall enable or be construed to enable the said Company of Proprietors to extend or continue the aforesaid Branch of Canal more than Six hundred and sixty Yards from *Kymer's* Canal aforesaid towards the said Bridge at *Kidwelly*, nor to take or use, under the Powers of this Act, any Land or Ground at the Eastern Extremity of the said Branch Canal, or on the South Side of the Southern Bank thereof.

Company not to prevent the straightening the *Little Gwendraeth* River.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall hinder or prevent, or be construed to hinder or prevent, the straightening the Channel of the *Little Gwendraeth* River from the said Town of *Kidwelly*, to or near to the Eastern Extremity of the said Branch Canal leading from *Kymer's* Canal aforesaid towards the Bridge of the said Town, or to improve and alter the same and the Banks or Sides thereof, and also the whole of the North Bank or Side of the said *Little Gwendraeth* River, by the Person or Persons who lawfully could or might do the same, in case this Act had not been made, doing no Injury thereby to the Works of the said Company of Proprietors hereby authorized to be made.

Power to scour the Harbour.

XXV. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, their Agents, Servants, and Workmen, as often as Occasion may require, to restore, cleanse, scour, open, deepen, and widen the said Harbour, Cuts, Canals, Reservoirs, Docks, and Basins hereby authorized to be made, and also to cut through, remove, or take away any Rocks, Stones, Scars, Banks, Hills, Earth, Soil, Gravel, Sand, or Rubbish in or near the said intended Harbour, Cuts, Canal, Reservoirs, Docks, and Basins, or any of them, or near to the Entrances of any of them, in such Manner as the said Company of Proprietors shall from Time to Time think proper for the convenient Entrance of Shipping and other Vessels into the said Harbour, Cuts, Canal, Reservoirs, Docks, Basins, Entrances, and other Works, and their Security and Accommodation therein, and also from Time to Time to remove and take away any Wrecks of Ships or Vessels, or any Ship or Vessel that shall be sunk therein or near thereto respectively, and any Wood, Timber, Anchor, and other Obstructions and Impediments that may be found or arise thereon or near thereto respectively, or that shall or may interfere with or obstruct or be likely to interfere with or obstruct the Navigation of the said Harbour or other Works respectively; and in case the Owner or Owners of any such Ship or Vessel, or the Person or Persons causing or making any such Obstruction or Impediment, so removed by the said Company, their Agents, Tenants, or Workmen, shall refuse or neglect to pay the Costs or Charges of removing the same for the Space of Six Days, the same shall and may be recovered and levied in such and the like Manner as any Fine, Penalty, or Forfeiture is by this Act directed to be recovered and levied.

Company not to make any Dock Southward of the

XXVI. Provided always, and be it enacted, That nothing herein contained shall authorize the said Company of Proprietors to make or form any Dock or Shipping Place to the Southward of the Dock and Shipping Places

Places belonging to the *Carmarthenshire* Railway Company, without the Consent of such Company, obtained at the Special General Assembly of such Company to be summoned for that Purpose, and to be certified under their Common Seal.

Carmarthenshire Railroad Dock without Consent.

XXVII. And be it further enacted, That the said Canal, Cuts, Reservoirs, Locks, Entrances, and other Works hereby authorized to be made as aforesaid, or any of them, shall not be subject or liable to the Controul, Direction, Survey, or Order of any Commissioners of Sewers, or to any Law or Statute relating to Sewers, any thing in any former Law or Statute to the contrary notwithstanding.

Not to be subject to a Commissioner of Sewers.

XXVIII. And be it further enacted, That all and every Person and Persons shall have free Liberty at all Times to pass upon, and use with Horses, Cattle, and Carriages, the private Roads or Ways belonging to the said Company of Proprietors (except the Towing Paths), and also the Tramroads or Railways for the conveying any Goods, Wares, Merchandize, or Matters whatsoever to and from the said Harbour, Canal, Cuts, Reservoirs, Basins, Docks, Tramroads, and other Works, and the Wharfs, Quays, and Landing Places belonging thereto, or upon the said Tramroads or Railways to or from any Part or Parts thereof, from or to any Part or Parts thereof; and also with Ships, Boats, Barges, and other Vessels, to navigate, pass upon, and use the said Harbour, Canal, Cuts, Reservoirs, Docks, Basins, Entrances, Locks, Quays, and Wharfs, for the Purpose of conveying any Goods, Wares, Merchandizes, or Commodities whatsoever thereon respectively; and also to use the said Wharfs, Quays, and Landing Places for the loading and unloading of any Goods or other Things, and the said Towing Paths for the hauling and drawing with Horses, or otherwise, of such Ships, Boats, Barges, and other Vessels, upon Payment of such Rates, Tolls, and Duties for the same respectively as shall be demanded by the said Company of Proprietors, not exceeding the several Rates, Tolls, and Duties herein mentioned, and subject always to the Rules, Orders, Bye Laws, and Regulations which shall from Time to Time be made by virtue of the Powers herein given in that Behalf.

Navigation and Roads to be free.

XXIX. And be it further enacted, That the said Company of Proprietors shall and they are hereby required to commence the Works authorized to be made by virtue of this Act by restoring and improving the Harbour of *Kidwelly* in the Manner by this Act directed; and they shall then, and they are hereby required, before they begin to make any other Part of the Canal or Tramroad, or any of the said Collateral Branches which they are by this Act authorized to make, to begin, make, execute, and complete the Parts or Portions of the Work herein-after specified; that is to say, that Part of the Line of the said intended Canal which lies between the East or Upper End of *Kymer's* Canal and a Place called *Pont Yates*, and also that Part of the said intended Canal which, as marked on the Plan deposited with the Clerk of the Peace of the said County of *Carmarthen*, is to be carried over *Gwendraeth-vawr* River, on or by a Bridge or Aqueduct to the West of or near to a Bridge called *Spudder's Bridge*, till it joins the Canal called *Lord Ashburnham's Canal*, and also that Part of the said intended Canal called the Branch Canal, in a Direction towards the Bridge at *Kidwelly* aforesaid: Provided nevertheless

Company required to begin their Works at certain Points.

less, that as soon as the said Company of Proprietors shall have raised the Sum of Thirty-three thousand three hundred and eighty-five Pounds, then it shall and may be lawful for them to commence, make, and execute any other Part or Parts of the Works authorized to be made by virtue of this Act, as they shall think proper, and proceed with the Execution thereof, without postponing the same, until they shall have completed the Parts of the Works first herein-before directed to commence and be completed as aforesaid; but the said Company of Proprietors shall and they are hereby required to reserve and set apart the Sum of Fourteen thousand Pounds in their Hands, out of the said Thirty-three thousand three hundred and eighty-five Pounds, for or towards the Completion of the Works herein-before directed to commence as last mentioned, for the Purpose of ensuring the due Execution thereof.

Company to raise the Banks of a Part of Lord Ashburnham's Canal.

XXX. And whereas the Earl of *Ashburnham*, or his Lessee or Lessees, are the Owner or Owners, Occupier or Occupiers of a certain Canal called *Lord Ashburnham's Canal*, on the Line of the said intended Canal lying and being in the Parish of *Pembrey* in the said County of *Carmarthen*; and it is proposed that the said intended Canal shall cross the said Canal called *Lord Ashburnham's Canal*, it will therefore become necessary that the Banks of the said last-mentioned Canal be raised; be it therefore enacted, That it shall and may be lawful to and for the said Company of Proprietors to cross the said Canal, but that the Banks of the said last-mentioned Canal shall, when and as soon as the said Company of Proprietors shall have made the said intended Canal to and as far as the said Canal belonging to the said Lord *Ashburnham*, at the Costs and Charges of the Company of Proprietors, be raised to any Height not exceeding Four Feet; for the Space of Fifty Yards in Length, in a North-west Direction from the Junction of the said Canals; and that a Lock shall also be erected at the Costs and Charges of the said Company of Proprietors, at the End of the said Fifty Yards, of the same Length and Breadth as other Locks on the said intended Canal; and that an Embankment and Waste Weir shall also be made at the like Costs and Charges of the said Company of Proprietors below the said Lock, in such Manner as to prevent any Surplus Water overflowing the Lands of the said Earl of *Ashburnham*; and that the Banks of the said Earl of *Ashburnham's Canal*, in a North-east Direction, shall also be raised, at the like Costs and Charges of the said Company of Proprietors, to any Height not exceeding Four Feet above the said last-mentioned Canal as it now stands from the Junction of the said intended Canal with such last-mentioned Canal, to the Places where the said Earl of *Ashburnham*, or his Lessee or Lessees, load their Coals into his or their Canal Boats, so and in such Manner that they be not obstructed or incommoded in loading their said Canal Boats; and also that all other necessary Conveniences shall be made at the like Costs and Charges of the said Company of Proprietors to enable the said Earl of *Ashburnham*, his Lessee or Lessees, to cleanse the Loading Places at the upper End of the said Canal called *Lord Ashburnham's Canal*, and that all the said Works herein mentioned shall be kept in repair thenceforth, at the Costs and Charges of the said Company of Proprietors.

Canal and Works not to be proceeded in until the

XXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize or empower the said Company of Proprietors to take any Lands, Grounds, or Premises, for the Purposes of

of this Act, or to proceed with the said Canal, Cut, Railways, and Tramroads, Reservoirs or other Works hereby authorized to be made, until a sufficient Number of Subscribers shall have been obtained, who will undertake to raise the Sum of Twenty thousand Pounds, including the Money already subscribed, such Subscription to be proved to the Satisfaction of Three or more of the Justices of the Peace for the said County of *Carmarthen*.

Sum of
20,000*l.* be
subscribed.

XXXII. And be it further enacted, That the said Company of Proprietors, or such Person or Persons as they shall for that Purpose appoint, is and are hereby authorized to contract and agree with any Person or Persons for making the said Canal or Cut, and Collateral Branches of Railways or Tramroads, or any of them, or any Part or Parts thereof, or any other of the Works hereby authorized to be made or done by the said Company, in such Manner, and for such Sum or Sums of Money, and under such Regulations and Restrictions, as the said Company shall think proper; and all Contracts in Writing for any of the Purposes aforesaid, which shall be entered into pursuant to an Order made by the said Company, shall be binding upon the said Company, and all other the Parties thereto, and their respective Successors, Heirs, Executors, or Administrators; and that Actions and Suits may be maintained thereon, and Damages and Costs recovered, against the said Company or either of the Parties failing in the Execution thereof.

Proprietors
to agree with
Persons for
making the
Canal.

XXXIII. And be it further enacted, That if in making the said Canal and Cut, Railways or Tramroads, or any of the said Works, any Pieces or Parcels of Land or Ground shall be cut through or divided, so that what shall be left on each or either Side of the said Canal and Cut, Railways or Tramroads, shall be less than Half an Acre in Quantity, or less than Eighteen Yards in average Breadth throughout the whole Length thereof, and if the Owner or Owners of any such Pieces or Parcels of Land or Ground shall not have any other Land or Ground adjoining or contiguous to what shall be so left on each or either Side of the said Canal and Cut, Railways or Tramroads, then and in every such Case the said Company shall also take and purchase the Piece or Parcel, Pieces or Parcels of Land or Ground so to be left on each or either Side of the said Canal and Cut, Railways or Tramroads, being less than Half an Acre in Quantity, or less than Eighteen Yards in average Breadth throughout the whole Length thereof as aforesaid, and shall pay for the same after and in the same Manner as they shall pay for the Land or Ground adjoining thereto, which shall be taken and used for making the said Canal and Cut, Railways or Tramroads; provided the Owner or Owners, or Person or Persons entitled to the Possession, or to the Rents and Profits of such small Pieces or Parcels of Land or Ground respectively, shall require the said Company to take and purchase the same, but not otherwise.

Company
compellable
to purchase
small Slips of
Land left by
the Sides of
the Canal,
&c.

XXXIV. And be it further enacted, That after any Lands, Grounds, or Hereditaments shall be set out and ascertained for making the said Harbour, Cuts, Canal, Reservoirs, Locks, Basins, Entrances, Locks, Quays, Wharfs, Railways, or Tramroads, and other Works and Conveniences, or any Part or Parts thereof herein-before authorized to be made, or any of them, it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for

Bodies Po-
litic, &c. em-
powered to
sell and con-
vey Lands.

[*Loc. & Per.*]

43 B

Life,

Life, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever, who is or are or shall be seised, possessed of, or interested in any Lands, Grounds, or Hereditaments which shall be so set out and ascertained for the Purposes aforesaid, to treat and contract for the absolute Sale of, and accordingly to exchange or sell and convey the same, and every or any Part thereof, unto the said Company of Proprietors, either in consideration of a Sum of Money at once to be paid for the same, or of an annual Rent or Payment to be charged and secured as herein-after is mentioned, at the Election of such Vendor or Vendors, Person or Persons, who shall be so entitled or interested as aforesaid; and if it shall happen that by making the said Works and Conveniences, or any of them, the Property of any Land Owner or Land Owners shall be separated into small Parcels, or so affected as to render the Occupation thereof inconvenient, it shall be lawful for such Bodies Politic, Corporate, and Collegiate, and all and every such other Person or Persons so entitled or interested as aforesaid, in all Cases where such Lands, Tenements, and Hereditaments shall be separated into small Parcels, shall be less than Half an Acre in Quantity, or less than Eighteen Yards in Breadth through the whole Length thereof, by and with the Consent of the Commissioners hereby appointed, or any Three or more of them, to be testified by Writing under their Hands, although they may not be assembled at any Meeting of the said Commissioners to be held by virtue of this Act, to contract for, sell, and dispose of, or to exchange or convey, all or any Part of such Land or Hereditaments so separated or affected as aforesaid, either to the said Company of Proprietors, or to any other Person or Persons whomsoever, for such Price or Consideration in Money, or other Equivalent in Lands or Hereditaments, or by way of annual Rent, as to the said Commissioners shall seem reasonable; and that all such Contracts, Agreements, Sales, Abstracts of Title Deeds, Exchanges, Conveyances, and Assurances shall be made and done at the Expence of the said Company of Proprietors, and shall be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all other Persons whosoever, so conveying as aforesaid, are hereby indemnified for what they shall respectively do by virtue and in pursuance of this Act; and all such Contracts, Agreements, Exchanges, Sales, Conveyances, and Assurances as shall be made of any Lands or other Hereditaments to the said Company shall be made according to the Form or to the Effect following; that is to say,

Form of Con-
veyance to
the Company.

‘ I A. B. of _____ in consideration of the
 ‘ Sum of _____ to me paid [*or in con-*
 ‘ sideration of the annual Rent of _____ to me
 ‘ to be hereafter yielded and paid by the *Kidwelly and Llanelly Canal*
 ‘ and Tramroad Company,] do hereby grant and release to the said Com-
 ‘ pany all [*describing the Premises to be conveyed*], and all my Right,
 ‘ Title, and Interest in and to the same, and every Part thereof, to hold
 ‘ to _____

to the same Company for ever, by virtue and according to the true Intent and Meaning of the Act passed in the Fifty-second Year of the Reign of His present Majesty, intituled [*here set forth the Title of this Act*]. In witness whereof I have hereunto set my Hand and Seal the
 Day of _____ in the Year
 of our Lord One thousand eight hundred and _____

Which said Conveyance shall be kept by the Clerk or Clerks to the Company, who shall from Time to Time when required deliver attested Copies thereof to any Person or Persons requiring the same, and shall have and receive One Shilling for every One hundred Words of each such attested Copy, exclusive of the Stamp Duty, and so in proportion for any less Number of Words; and every such Conveyance as aforesaid which shall be made to any Person or Persons other than the said Company may be according to the Form or Effect following; (that is to say,)

I *A. B.* of _____ do hereby, in consideration of the
 Sum of _____ to me in hand paid by *C. D.* of
 _____ at or before the sealing and Delivery of
 these Presents, the Receipt whereof I do acknowledge, convey and
 assign to the said *C. D.* all [*describing the Premises*]; to hold to the said
C. D., his Heirs and Assigns for ever. As witness my Hand and Seal the
 Day of _____ in the Year of our
 Lord One thousand eight hundred and _____

And every such Conveyance shall be valid and effectual to all Intents and Purposes, and shall be a complete Bar of all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, in Possession, Reversion, Remainder, or Expectancy, without any Bargain and Sale for a Year, Feoffment, Livery of Seisin, or Inrolment, and without any Fine, Recovery, or Surrender of the Freehold or Copyhold Hereditaments to be therein respectively comprised; and that every such Exchange shall be valid and effectual in the Law, although the same shall be made between more than Two Parties, and although no Entry be actually made in pursuance thereof.

XXXV. And be it further enacted, That in all Cases where, in making the said Harbour, Cuts, Canal, Reservoirs, Docks, Basins, Quays, Wharfs, Railways, or Tramroads, or other Works hereby authorized to be made, or any Road or Roads thereto respectively, there shall be Occasion to cut through, take, or use any Part of any Commons or Wastes, the Conveyance of such Parts of such Commons or Wastes by the Lord or Lords, Lady or Ladies of the Manor or Manors in which the same are situate, to the said Company of Proprietors, shall be a good and sufficient Conveyance, and the Lord or Lords, Lady or Ladies of such Manor or Manors respectively, are hereby authorized and required to make and execute such Conveyances accordingly, on the Receipt of his, her, or their Proportion or Proportions of the Purchase Money as hereinafter mentioned, or on the same being tendered to him, her, or them; subject to the Rules, Regulations, and Provisions herein contained with respect to the Payment of other Monies for other Lands taken or used by the said Company; and the said Commissioners shall ascertain what Proportions of the Purchase Money shall be due to the said Lord or Lords, Lady or Ladies, Copyholders or other Persons interested in such Commons or Wastes, for his, her, or their Interest in such Lands, and such
 Proportion

In all other Cases the Commons or Waste Lands are to be conveyed by the Lords of the Manor.

Proportion shall be thereupon paid to him, her, or them for his, her, or their own Use.

Satisfaction
to be made.

If Parties
cannot agree,
Price to be
settled by
Commission-
ers or a Jury,
and yearly
Rents
charged on
the Rates.

XXXVI. Provided always, and be it further enacted, That all and every Body or Bodies Politic, Corporate, or Collegiate, Trustees and other Persons herein-before capacitated to sell or convey Lands and other Hereditaments, and any other Owner or Owners, and the Occupier or Occupiers of any Lands or other Hereditaments through, in, or upon which the said Canal and Cuts, Towing Paths, Quays, Railways, or Tramroads, or other Works hereby authorized and intended to be made, or of any Mills, Forges, or other Works from which any Water to supply the said Canal may or shall be taken or diverted, may accept and receive Satisfaction for the Value of such Lands, Grounds, Mills, Forges, or other Works, Water and Hereditaments, and for the Damages to be sustained by making or completing the said Works herein directed, either in gross Sum or by annual Rents, (except in Cases of Spiritual Persons to whom all such Compensation for Glebes and Tithes is herein-after directed to be made by annual Rent,) as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company; and in case the said Company and the said Parties interested in such Lands and Grounds or other Hereditaments cannot agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Commissioners hereby appointed, in such Manner and subject to such Verdict of a Jury (if required) as is herein-after directed; and all such yearly Rents or Sums as shall be agreed on between the said Company and the said Parties interested in such Lands and Grounds or other Hereditaments, or as shall be so ascertained and settled as aforesaid, shall be charged on the Rates arising by virtue of this Act, and shall be paid by the said Company, either yearly or half-yearly, as the same shall be agreed or ordered to become due and payable; and in case the same shall not be paid within Thirty Days next after the same shall so become due and payable, it shall be lawful for the said Commissioners, or any Five or more of them, although not assembled at any Meeting to be held by virtue of this Act, and they are hereby required, by an Order under their Hands, to appoint One or more Person or Persons to receive the Rates hereby granted and made payable, and to pay the same to such Person or Persons to whom such Rates or Sums shall be due and unpaid as aforesaid, the said Commissioners taking such Security from every such Collector for the due and faithful Execution of his Office as they shall judge proper and sufficient; and every Person so appointed shall be deemed a Collector of the said Rents, and shall have the same Power and Authority for collecting the same, and shall receive and retain thereout a reasonable Satisfaction for his Trouble therein, in like Manner as if he had been appointed a Collector of the said Rates by the said Company, until such Rents or Sums, with all Costs and Damages occasioned by the Nonpayment thereof, shall be fully satisfied and paid; or it shall be lawful for such Bodies Politic, Corporate, or Collegiate, Trustees or other Person or Persons to whom such Rents or Sums shall be due and owing as aforesaid, to sue for and recover the same, with Costs of Suit, by Action of Debt in any of His Majesty's Courts of Record, or otherwise to seize and distrain any Boats, Vessels, Waggon, Carriages, or other Goods or Effects of the said Company, which shall be found upon the said Canal and Cut, Railways or Tramroads, or in or upon the Wharfs, Quays, Warehouses, or other Works

Works thereto belonging, (Information of such Distress being immediately given to the said Company by Notice in Writing, delivered to some or one of their Clerks or Collectors of the Rates, or affixed to some of their Premises, near to the Place where such Distress was made,) and to detain the same until Payment of such Rents or Sums then due and owing, together with the reasonable Charges attending such Distress; and if such Distress shall not be redeemed within Seven Days next after making the same, and Notice thereof given in Writing as aforesaid, then such Boats, Vessels, Waggon, Carriages, or other Goods or Effects so distrained, shall and may be sold and disposed of in such Manner as the Law directs in case of a Distress for Rent.

XXXVII. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend so as to authorize or empower the said Company of Proprietors to make any Satisfaction by way of annual Rent to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any Messuages, Lands, Tenements, and Hereditaments which shall or may be taken or used by the said Company for the Purposes of this Act, other than and except to Spiritual Persons in respect of Glebe Lands or Tithes herein-after provided.

Restraining the Company from making Satisfaction by annual Rents, except as to Glebe Lands and Tithes.

XXXVIII. And be it further enacted, That every Person who shall, in his own Right or in the Right of his Wife, and not as a Mortgagee, or Trustee or Lessee, be seised of or entitled unto a Freehold or Copyhold Estate, situate within the said County of *Carmarthen*, of the clear yearly Value of Fifty Pounds, over and above all Rents, Annuities, Incumbrances, and Reprizes, shall be and are hereby appointed Commissioners for settling, determining, and adjusting all Matters, Questions, and Differences which shall or may arise between the said Company and the several Owners of and Persons interested in any Lands, Grounds, Tenements, Mills, Mines, Waters, or Hereditaments which shall or may be taken, used, affected, or prejudiced by the Execution of any of the Powers hereby granted; and every Person so qualified shall be and is hereby appointed a Commissioner for all other the Purposes of this Act for which Commissioners are hereby appointed, but no Person shall act or be qualified to act as a Commissioner for the Execution of the Powers hereby given to such Commissioner during the Time of his holding any Place of Profit arising out of the Rates to be collected by virtue of this Act, or of his being a Proprietor in the said Undertaking, or concerned or interested in any Contract or Bargain to be made for the Purposes of this Act, or in any Case where he shall be any way interested or concerned in the Matter in question, or except in giving Notice of the First Meeting of the said Commissioners, and administering the Oath herein-after mentioned, until he shall have taken and subscribed an Oath to the Effect following before any Three or more of the said Commissioners, who are hereby authorized and required to administer the same; (*videlicet*),

Commissioners and their Qualifications.

‘ I *A. B.* do swear, That I will truly and impartially, according to the Evidence which shall be laid before me, and to the best of my Skill and Knowledge, execute and perform the Powers and Authorities vested in me as a Commissioner by an Act passed in the Fifty-second Year of the Reign of King *George* the Third, intituled *An Act* [*here insert the Title of this Act*], and that I am qualified to act as a Commissioner according to the Directions of the said Act. So help me GOD.’

Oath of Commissioners.

Penalty on Commissioners not being qualified.

And if any Person shall act as a Commissioner in the Execution of this Act, not being qualified as herein-before mentioned, every such Person shall for every such Offence forfeit the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, by Action at Law in any of His Majesty's Courts of Record ; and such Person so sued shall prove that he is qualified as above, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Plaintiff or Plaintiffs than that such Person hath acted as a Commissioner in the Execution of this Act.

Commissioners may act as Justices of the Peace, but not while they hold any Place of Profit under this Act.

XXXIX. And be it further enacted, That any of the said Commissioners who are or shall be Justices of the Peace for the said County shall and may, notwithstanding their being Commissioners, act as Justices of the Peace in the Execution of this Act ; but that no Person who shall have or accept any Place of Profit arising out of the Rates to be raised by virtue of this Act, or shall be a Proprietor of any Share or Shares in the said Undertaking, or shall be concerned or interested in any Contract or Bargain made or to be made for or on account of the said Undertaking, shall be capable of acting as a Justice of the Peace in any Matter respecting the same so long as he shall hold or be interested in such Place of Profit, Share or Shares, Contract or Bargain as aforesaid.

First Meeting of the Commissioners.

XL. And be it further enacted, That the said Commissioners shall hold their First Meeting for the Purposes of this Act at such Time and Place as they shall be thereunto required by the First General Assembly of the said Company to be held as herein-after appointed by Public Advertisement as herein-after mentioned ; and the said Commissioners shall and they are hereby required at such their First Meeting to appoint, out of Three Persons to be nominated by the said Company, such One or more of them as the said Commissioners shall think proper to be their Clerk or Clerks ; and the said Commissioners shall have Power from Time to Time, at any of their subsequent Meetings, to remove any such Clerk or Clerks, and appoint another or others in his or their Stead out of Three Persons to be nominated by the said Company ; and every such Clerk or Clerks shall be paid for his or their Care and Trouble in the Execution of his or their Office by the said Company ; and all the Orders and Proceedings of the said Commissioners, as well at their First as at any subsequent Meeting, shall be regularly entered in a Book to be kept for that Purpose, and to be provided from Time to Time by the said Company ; and such Entries, being signed by such Number of Commissioners respectively as are empowered by this Act to make such Orders, and carry on such Proceedings, or by their Clerk or Clerks, by the Orders and Directions of such Number of such Commissioners as aforesaid who shall be assembled at any such Meeting or Meetings, shall be deemed Originals, and shall be admitted as Evidence in all Courts of Law or Equity ; but no such First or other Meeting whatsoever of the said Commissioners, except such adjourned Meetings as herein-after mentioned, shall at any Time be had for putting into execution any of the Powers or Authorities vested in the said Commissioners by this Act, unless Twenty-one Days previous Notice at least of every such intended Meeting shall be given in some Newspaper usually circulating in the said County of *Carmarthen* ; and every Meeting of the said Commissioners by virtue of this Act shall be held publicly and within Six Miles of the Canal and Cut, Railways or Tramroads ; and no Order, Direction,

or

Proceedings of the Commissioners to be entered.

or Determination of the said Commissioners or any of them touching any of the Matters and Things herein contained, excepting such Cases as are hereby otherwise directed, shall be valid and effectual, unless the same shall be made or done at some Meeting to be held in pursuance of this Act; and all the Powers and Authorities by this Act given to or vested in the said Commissioners, except such as may be executed without their being assembled at any Meeting or Meetings, shall or may from Time to Time be exercised by the Majority of the Commissioners present at every such Meeting, the whole Number present at any such Meeting not being less than Seven.

XLI. And be it further enacted, That upon any Application to be made in Writing by or on behalf of the said Company, or by any Owner or Occupier of any Lands or Hereditaments to be taken for or affected by making of the said Canal and Cuts, Railways or Tramroads, or any of the Works relating thereto, or upon any such Application by or on the Behalf of any Body Politic, Corporate, or Collegiate, or Person or Persons interested in any Matter to be determined by the said Commissioners, to any Five or more of the said Commissioners, although they shall not then be assembled together at a Meeting for the Purposes of this Act, requesting or desiring them to appoint a Special Meeting of the said Commissioners, it shall be lawful for the said Commissioners so requested or applied to, and they are hereby authorized and required, within Fourteen Days next after such Request or Application made, to give public Notice in manner aforesaid of such Meeting to be held at such Time and Place as they shall think proper, such Time not being less than Eight Days or more than Fourteen Days from the Day on which such Request or Application shall be made to them as aforesaid; and the said Commissioners are hereby authorized, empowered, and required, notwithstanding any previous or intervening Adjournment of their Meetings, to assemble at the Time and Place so to be appointed, in order to put into execution the Powers and Authorities hereby given to and vested in them respecting any Matter for which such Special Meeting shall be required; and in case the Business to be transacted at any General or Special Meeting of the said Commissioners to be held in pursuance of this Act shall not be concluded and finished on or within the Day appointed for such Meeting, or if a sufficient Number of Commissioners shall not attend for that Purpose, then and in such Case any One or more of the Commissioners who may be then present shall adjourn such Meeting to such Time and Place or Times and Places as such Commissioners, or the major Part of such Commissioners, if there be more than One present at any such Meeting or Meetings, shall think proper and convenient, but no such Adjournment shall be made for a longer Time than Two Calendar Months; and if it shall happen that there shall not appear at any Meeting to be held under the Powers of this Act any Commissioner or Commissioners to adjourn, or if they shall omit to make an Adjournment, then and in such Case, and as often as the same shall so happen, any Clerk to the said Commissioners shall and may, by public Notice to be given in manner aforesaid, appoint the Commissioners to meet at the House or Place where the last Meeting of the said Commissioners was appointed to be held within Twenty-one Days next after the Day on which such former Meeting was to have been held, or any Five or more of the said Commissioners may at any Time or Times revive or continue the

Commissioners may hold Meetings on Application of the Company or other Persons.

Meetings for determining Disputes, &c. to be held within Six Miles of the Place where the Dispute or Complaint shall arise.

the Meetings of the said Commissioners by calling another Meeting to be held at such Time or Times as any such Commissioners shall appoint, and at any Place or Places, public Notice being given in manner aforesaid by the said Commissioners of all such Revivals and Continuations of the said Meetings, all such Meetings to be held within Six Miles of the said Canal and Cuts, Railways or Tramroads: Provided always, that every Special Meeting of the Commissioners to be held upon such Request or Application as aforesaid, for hearing or determining any particular Complaint, Controversy, Dispute, or Difference between the said Company and any other Person or Persons, shall be held at some Place within Six Miles of the Place where such Complaint or Dispute shall arise.

For making Roads in lieu of those injured.

XLII. Provided also, and be it further enacted, That in all Cases when, in exercise of the Powers aforesaid, any Part of any Carriage or Horse Road, either public or private, shall be found necessary to be cut through, taken, or so much injured as to be impassable or inconvenient for Travellers or Carriages, or the Persons entitled to the Use thereof, the said Company or their Successors shall, at their own Expence, before any such Road shall be cut through, taken, or injured as aforesaid, cause a good and sufficient Carriage or Horse Road (as the Case may require) to be set out and made instead thereof, as convenient for Passengers and Carriages as the Road so to be cut through, taken, or injured as aforesaid, or as near thereto as may be, and shall cause the same to be put in good and substantial Order and Condition.

If Parties are dissatisfied with the Determination of Commissioners, Value to be ascertained by a Jury.

XLIII. Provided always, and be it further enacted, That if the said Company or their General Committee for the Time being, or any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, so interested or entitled as aforesaid, shall be dissatisfied with any such Judgment or Determination of the said Commissioners, and shall give Notice thereof in Writing to any Five or more of the said Commissioners within Twenty-one Days next after the same shall have been made, or shall refuse or neglect to submit any such Matter to the Determination of the said Commissioners, or if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, shall refuse to receive, upon due Tender thereof made, such Purchase Money, or the first Payment of such annual Rent, or such Recompence as shall be so determined to be paid, or shall, upon Notice in Writing given to the principal Officer of any such Body Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or other Hereditaments to be made use of for the Purposes of this Act, for the Space of Twenty-one Days next after such Notice, Neglect, or Refusal to treat, or shall not agree with the said Company, or by reason of Absence or otherwise shall be prevented from treating, or through Disability by Marriage, Coverture, or other Impediment, cannot treat for themselves, or make such Agreement or Agreements as shall be necessary for the Purposes aforesaid, or shall not, within the before mentioned Space of Twenty-one Days, produce and fully disclose the State of the Title to the Premises which they are or shall be in Possession of, and to the Interest which they claim therein, then and in every such Case the said Commissioners shall and are hereby empowered and

and required to issue a Warrant under their Hands and Seals, to the Sheriff of the said County of *Carmarthen*, and in case such Sheriff or his Under Sheriff shall be one of the said Company, or enjoy any Office or Trust under them, or shall be otherwise interested in the Matter in question, then to any One of the Coroners of the said County, or to the Coroner of the Liberty of *Kidwelly* in the said County, who shall not be so interested as aforesaid; and in case all the said Coroners of the said County and Liberty shall be so interested, then to the last Person who filled the Office of Sheriff of such County then in being, and who shall not be interested as aforesaid, commanding such Sheriff, Coroner, or other Person to impanel, summon, and return a Jury; and the said Sheriff, Coroner, or other Person is hereby required accordingly to empanel, summon, and return a Jury of Twelve sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Courts at *Westminster*, to appear before the said Commissioners at such Time and Place as in such Warrant shall be appointed, such Time not being less than Eight nor more than Fourteen Days next after such Warrant shall be served upon the said Sheriff, Coroner, or other Person; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, the said Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and every such Jurymen and Jurymen shall be liable and subject to the same Regulations, and to the same Pains and Penalties for Default, as if he and they had been returned for the Trial of any Issue joined in any of His Majesty's Courts at *Westminster*; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Commissioners are hereby empowered and required, by Summons or Notice to be signed by Three or more of the said Commissioners, either previous to or at the Time of any such Meeting or Meetings, to summon or call before them all and every Person or Persons who shall be thought necessary to be examined as a Witness or Witnesses touching the Matter in question, either by or before them the said Commissioners, or by or before any Jury or Juries as aforesaid (as the Case may be), and to hear and examine such Witness or Witnesses upon Oath; and the said Commissioners may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matter or Matters in question; which Jury, upon their Oaths, (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners are hereby empowered to administer,) shall inquire of, assess, and ascertain the Sum of Money or annual Rent to be paid for the Purchase of such Lands or other Hereditaments, or the Recompence to be made for the Damages that shall or may be sustained as aforesaid, and shall assess separate Damages for the same; and the said Commissioners shall give Judgment for such Purchase Money, Rents, or Recompence so to be assessed by such Jury; which said Verdict, and the Judgment thereupon pronounced as aforesaid, shall be signed by the said Commissioners, and shall be binding and conclusive to all Intents and Purposes against all Bodies Politic, Corporate, or Collegiate, and all other Persons, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Court, any Law or Statute to the contrary notwithstanding.

Fine upon
Sheriffs, &c.
making de-
fault.

XLIV. And be it further enacted, That if the Sheriff or other Person so directed to summon and return a Jury as aforesaid, or his Deputy or Agent, shall make default in the Premises, he shall for every such Offence forfeit the Sum of Twenty Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act, or if any Person so summoned to give Evidence shall not appear, or appearing shall refuse to be sworn or examined or to give Evidence, every Person so offending, having no reasonable Excuse (to be allowed by the said Commissioners), shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, to be levied by virtue of any Warrant under the Hands and Seals of the said Commissioners, or any Three or more of them, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted, to the Owner or Owners thereof; and every such Penalty which shall be paid by or recovered from any Person who shall have been summoned to give Evidence as aforesaid shall go and be paid to the Person or Persons who shall appear to the said Commissioners to have been injured by the Default of such Person; and that all and every Person and Persons who in any Examination to be taken by virtue of this Act shall wilfully and corruptly give false Evidence before the said Commissioners, or before any such Jury as aforesaid, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to such Punishments and Disqualifications as any Person and Persons can or may be subject to for wilful and corrupt Perjury by the Laws and Statutes of this Realm.

Expences of
Commission-
ers, Witnesses
and Jury, by
whom to be
paid.

XLV. And be it further enacted, That whensoever a Jury is or shall be called by the Commissioners as aforesaid, or any Witness or Witnesses is, are, or shall be examined by and before the said Commissioners alone, or by and before the said Commissioners and Jury jointly, as herein-before declared, the said Commissioners shall and they are hereby required, according to their Discretion, to give and award to the said Sheriff or Coroner, and to each of the said Jurors and Witnesses, in every such Case, such several and respective Sum and Sums of Money as shall be a reasonable Recompence for the Expences, Loss of Time, and Trouble of their Journey and Attendance; and in each and every Case where a Verdict shall be given for more Money, or for a greater annual Rent, as a Recompence and Satisfaction for the absolute Sale of any Lands, Grounds, Mills, Waters, or other Hereditaments of any Person or Persons whomsoever, or as a Compensation for any Damages done or to be done to such Lands or other Hereditaments or Property, than had been previously offered by or on behalf of the said Company before the Meeting of the said Commissioners, or than had been by them determined and assessed as aforesaid, or when any Verdict shall be found for Damages where the Dispute is for Damages only, and where no Compensation had been previously offered or tendered in respect thereof by and on behalf of the said Company, or where by reason of Absence in Foreign Countries, or any other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensations from the said Company as herein-before mentioned, then and in all such Cases all the Expences of calling such Commissioners, sum-
moning

moning and returning such Jury, and taking such Verdicts, shall be settled by the said Commissioners, and be defrayed by the said Company; but if any Verdict shall be given for the same Sum or Rent that has been previously offered by or on behalf of the said Company, or had been so determined or assessed by the said Commissioners, or for a less Sum than had been so previously offered, determined, or assessed, or in case no Damages shall be given by the Verdict, where the Dispute is for Damages only, or in case of such Refusal to enter into Treaty with or make Conveyances to or receive Compensation from the said Company, by any Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act or otherwise, legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person shall have been prevented from treating and agreeing as aforesaid) the Costs and Expences of calling a Meeting of such Commissioners, summoning and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Commissioners, and be borne and paid by the Person or Persons with whom the said Company shall have such Concerns, Controversies, or Disputes; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, where the same shall exceed such Costs and Expences, or so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums so assessed or adjudged; or otherwise such Costs and Expences, in case the same shall not be paid on Demand, after being so ascertained and settled as aforesaid, may be recovered by the Clerk to the said Commissioners in and by such Ways and Means as are herein-after provided for the Recovery of Penalties and Forfeitures.

XLVI. And be it further enacted, That if at any Time or Times hereafter any Person or Persons shall sustain any Damage in his, her, or their Lands, Tenements, or Hereditaments, or Property, by reason of the Execution of any of the Powers hereby given, and for which no Remedy is herein-before provided, then and in every such Case the Recompence or Satisfaction, for such Damage shall from Time to Time be settled and ascertained in such Manner as herein-before directed in respect to any other Recompence or Satisfaction herein-before mentioned; and such Recompence or Satisfaction, and also the Recompence or Satisfaction to be made by the said Company for any other Damages herein-before mentioned, the Mode of recovering which is not herein particularly provided for, shall and may be recovered in the same Manner as is herein provided for the Recovery of annual Rents in arrear as aforesaid.

For making Recompence for Damages not herein-before particularly provided for.

XLVII. And be it further enacted, That all and every the Person and Persons making Complaint and requesting such Jury shall, before the said Commissioners shall be obliged to issue out their Warrant or Warrants for the summoning such Jury, first enter into a Bond with sufficient Sureties to the Treasurer of the said Company for the Time being in the Penalty of One hundred Pounds, or in such other Penalty as the said Commissioners shall appoint, not exceeding the Sum of Two hundred Pounds, to prosecute such his, her, or their Complaint; and to bear and

Persons requesting a Jury to enter into a Bond to prosecute.

and pay the Costs and Expences of summoning such Jury and taking such Inquest in the Proportion and Manner herein-before mentioned.

Verdict to be recorded.

XLVIII. And be it further enacted, That all the Determinations of the said Commissioners which shall be submitted to and acquiesced in by the Parties concerned, and also the Verdicts of the Juries and the Judgments of the said Commissioners thereon as aforesaid, shall be transmitted to and kept by the Clerk of the Peace for the said Borough of *Kidwelly*, or by the Clerk of the Peace for the said County of *Carmarthen*, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of Two Shillings and no more, and to take Copies thereof, paying for every Copy after the Rate of Eight-pence for every One hundred Words, and so in proportion for any less Number of Words.

Verdict as to Value of Lands and Damages to be ascertained separately.

XLIX. And be it further enacted, That the said Commissioners and Juries respectively shall award all Determinations, Judgments, and Verdicts which they shall respectively make and give in the Execution of the Powers hereby vested in them concerning the Value of Lands, Mills, and other Hereditaments separately and distinctly from the Consideration of any other Damages sustained or to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Lands and other Hereditaments, and the Money adjudged for such Damages as aforesaid, separately and apart from each other.

Power to enter and take possession of Lands on Payment or Tender of Purchase Money.

L. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money, or giving such Security as the said Commissioners shall approve, for Payment of any such annual Rent as shall have been contracted or agreed for between the Parties, or adjusted and determined by the said Commissioners, or assessed by such Jury or Juries in manner respectively as aforesaid, for the Purchase of any such Lands, Waters, Mills, Tithes, or other Hereditaments, or as a Recompence for the yearly Produce or Profits thereof, or as a Compensation for Damages as herein-before mentioned to the Proprietor of such Lands and Premises, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money, Rent, or Compensation respectively, at any Time after the same shall have been actually so agreed for, determined, or assessed, or if the Person or Persons so entitled or interested, or any of them, shall not be able to make a good Title thereto to the Satisfaction of the said Company, or cannot be found, or shall refuse to receive the same, or execute such Conveyance, then upon the Payment of the said Sum or Sums of Money into the Bank of *England* (as the Case may be) in the Manner by this Act directed, for the Use of such Person or Persons so interested or entitled as aforesaid, then and in all or any of the said Cases, as often as the same shall happen, it shall be lawful for the said Company, and their Agents, Workmen, and Servants, immediately to enter into and upon such Lands, Grounds, and other Hereditaments respectively (or before such Payment or Tender or Security given), by Leave of the Owners and Occupiers thereof expressed in Writing for that Purpose, and then and thereupon such Lands and Grounds, Waters, Mills, and other
Here.

Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, or Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company, to and for the Purposes of this Act, for ever; and such Tender, Payment, Investment, or Deposit, or giving of such Security for the same as aforesaid, shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of every such Person, and all Estates Tail and other Estates in Reversion or Remainder of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment, Security, Tender, Investment, or Deposit as aforesaid, it shall not be lawful for the said Company, or any Persons acting under their Authority, to dig or cut the Lands or Grounds of the Person or Persons entitled to such Payment or Security, for the Purpose of making the said Canal and Cut, Railways or Tramroads, without the Leave and Consent of such Person or Persons respectively expressed in Writing for that Purpose.

LI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers hereof, for the Purposes hereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity, such Money shall, in case the same 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 *ex parte* the *Kidwelly* and *Llanelly* Canal and Tramroad Company, together with the Name or Names of such Person or Persons as any Three of the said Commissioners shall by Writing under their Hands direct and appoint, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or 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 or Hereditaments, or affecting any Lands or Hereditaments standing settled therewith to the same or 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 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 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 Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the same Bank Annuities shall be ordered by

Application
of Money
awarded
above 200*l*.

[*Loc. & Per.*]

43 E.

the

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

Where less than 200*l.* and above 20*l.*

LII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed 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 or Hereditaments so purchased, taken, or used, or of his, her, or their Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the 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 Three or more of the said Commissioners, (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 arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where under 20*l.*

LIII. Provided also, and be it further 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 or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners, or any Three or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, and to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out a good Title, or Persons cannot be found, the Purchase Money to be paid into the Bank, subject to the Order of Chancery on Petition.

LIV. And be it further enacted, That in case such Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid shall not be able to make a good Title to the Premises to the Satisfaction of the said Company, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom 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, Waters, Mills, and Tithes, or other Hereditaments, be not known or discovered, then and in every such Case as aforesaid it shall be lawful for the said Commissioners to order the said Sum or Sums of Money assessed and awarded for any Purchase Money, or in Recompence for any Damage as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General

General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Waters, Mills, Tithes, or other Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, upon 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Title, or Interest of the Person or Persons making claim thereto, and to make such 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 the same, 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.

LV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, the Person or Persons who shall have been in Possession of such Lands, Tenements, or other Hereditaments, in respect whereof such Money shall have been so paid at the Time of passing this Act, 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 other Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, 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 other Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title to the Money to be paid, the Person in Possession of the Lands to be deemed entitled thereto.

LVI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any such Lands, Tenements, or other Hereditaments, the Purchase Money whereof shall be required to be paid into the Court of Chancery, and be applied in the Purchase of other Lands, Tenements, or other 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 all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court may order reasonable Expences to be paid by the Trustees.

LVII. 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, not being in Possession thereof by virtue of such

Mortgagees to convey.

such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Company of Proprietors, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Company, or such Person or Persons as they shall appoint; or, in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Company of Proprietors, or from 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 of Proprietors, or to 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 or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, (to be ascertained as directed by this Act,) then the said Company of Proprietors shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid: Provided also, that in case any such Mortgagee shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England* at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like Manner as is hereinbefore directed in Cases of other Payments into the Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee or Mortgagees, and of all and every Person and Persons in Trust for him, her, or them, shall vest in the said Company, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever: Provided also, that if such Mortgage or Mortgages shall comprise any other Lands, Tenements, or Hereditaments than those which shall be so purchased or taken by the said Company of Proprietors, such Mortgagee or Mortgagees shall, upon Payment or Tender of the Sum so ascertained as the Value of the said Lands, Tenements, or Hereditaments as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands, Tenements, or Hereditaments to the said Company of Proprietors, or to such Person or Persons as shall be appointed in Trust for them; and in default of their doing so, and on Payment of such Money into the Bank of *England* for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as above mentioned, 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 them, in the said Lands, Tenements, or Hereditaments the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Company, and they shall be deemed to be in the actual

actual Possession of the said Premises, to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees by virtue of such Mortgage or Mortgages.

LVIII. And whereas in pursuance of the Provisions of this Act, or to avoid Disputes with the Owners of Lands, Grounds, and Hereditaments which are or may be affected by making the said Canal, Cuts, and Works, the said Company of Proprietors may purchase Lands and Buildings not necessary to be made use of for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Company of Proprietors by Indenture under their Common Seal to grant and convey, by way of absolute Sale, for a Consideration in Money, such Part or Parts of the Lands or Buildings which shall be so purchased by and conveyed to them as aforesaid as shall not be wanted for the Purposes of this Act; and Conveyances from the said Company of Proprietors shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom, to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by the Sale or Sales of such Lands or Buildings it shall and may be lawful for the Treasurer or Treasurers for the Time being to the said Company of Proprietors to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands and Buildings shall be so sold, or for so much thereof as in such Receipts shall be acknowledged or expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof: Provided always, that the said Company of Proprietors, before they shall sell and dispose of such Lands or Buildings, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same, or who would have been then entitled thereto in case such Lands or Buildings had not been purchased by the said Company of Proprietors, the Price at which the same shall be resold being adjusted and settled by the said Commissioners or Jury, in like Manner as the Price for any Land to be taken in pursuance of this Act is herein-before directed to be settled in case of Difference or Dispute as to the Value thereof; and if such Person or Persons shall not agree, or shall refuse to repurchase the same, it shall and may be lawful to and for any Person or Persons not interested in the Premises to make an Affidavit, to be sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such Lands or Buildings shall lie or be, stating that such Offer was made by or on the Behalf of the said Company of Proprietors, and that such Person or Persons did not agree or refused to purchase such Lands or Buildings (as the Case may be); and such Affidavit shall in all Courts be sufficient Evidence and Proof that such Offer was made and not agreed to or refused.

Company empowered to sell Land not wanted for the Purposes of the Act.

LIX. And be it further enacted, That full Recompence and Satisfaction shall be made by the said Company of Proprietors for all Tithes, both Great and Small, which would have been issuing from and out of any of the Lands which shall be taken or used for the Purposes of this Act, to the several Persons who now are or at any Time hereafter might have been entitled to such Tithes, according to their respective Interests therein, such

Compensation to be made in lieu of Tithes.

Tithes to be estimated at the average Value of the last Four Years, commencing at *Michaelmas Day* One thousand eight hundred and seven; and ending at *Michaelmas Day* One thousand eight hundred and eleven, such Value to be ascertained (in case of any Difference concerning the same) in like Manner as the Value of any Lands or other Hereditaments is hereinbefore directed to be ascertained: Provided always, that the Recompence and Satisfaction to be given by virtue of this Act for all Glebe Lands and Tithes belonging to Spiritual Persons shall be made to such Persons by an annual Rent.

Proprietors
may raise
Money
amongst
themselves
for making
the Canal
and other
Works.

LX. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, in such Proportions as they shall think proper, a competent Sum of Money for making and completing the said Canal and Cuts, Railways or Tramroads, and the Reservoirs, Feeder, Ways, Quays, Wharfs, and other Works and Conveniences belonging or requisite thereto, not exceeding in the whole the Sum of Sixty thousand Pounds (except as herein-after mentioned); and the Money so to be raised is hereby directed and appointed to be laid out and applied, in the first place, for and towards the Payment, Discharge, and Satisfaction of all Fees and Disbursements in obtaining and passing this Act, and for making the Surveys, Plans, and Estimates incident and preparatory thereto, or necessary for carrying the same into execution, and other Expences relating to the same; and all the Residue and Remainder of such Money shall be used and applied for and towards making, completing, and maintaining the said Canal, Cuts, Railway or Tramroads, and other Works respectively hereby authorized to be made, and for other the Purposes of this Act; and so much of the said Sum as shall be raised and contributed by Subscription shall be divided into Shares of One hundred Pounds each, and that such Shares shall be numbered in regular Progression, and every such Share shall always be distinguished by the Number to be applied to the same; and that no Person subscribing thereto, or becoming a Proprietor in such Undertaking, do become a Proprietor of less than One Share or more than Fifty Shares, either in his or her own Name, or in the Name or Names of any other Person or Persons in Trust for him or her, unless the same shall come to him or her by Gift, Will, Bequest, Descent, Right of Administration or Marriage, upon pain of forfeiting to the said Company all such Shares exceeding Fifty Shares; and that the said Shares shall be and are hereby vested in the several Persons so raising and contributing the same, and their 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 Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said Undertaking, and other the Purposes of the said Subscription, shall be entitled to and receive, after the said Undertaking shall be completed, 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 other Sums of Money to be raised, recovered, or received by the said Company by the Authority of this Act; and every Body Politic, Corporate, or Collegiate, 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; and all and every the Shares and Proportions of all Bodies Politic, Corporate, or Collegiate, and all other Person or Persons of and in the said Undertaking, or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Shares deemed Personal Estate.

LXI. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, and other Person or Persons, who shall by virtue of this Act have subscribed for, or shall become entitled to and be in the actual Possession of One or more Share or Shares in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, shall be deemed a Proprietor for every such Share, and shall have a Vote for and in respect of every such Share in the stated and special General Assemblies to be held as herein appointed for carrying on the said Undertaking, which Vote or Votes may be given by them, him, or her, or by their or his or her Proxies or Proxy, constituted under the Seal of such Body Politic, Corporate, or Collegiate, or the Hands of such other Person, every such Proxy being a Proprietor of 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 such Question, Matter, or Thing which shall be proposed, discussed, or considered in any stated or special General Assembly of the said Company shall be determined by the Majority of Votes and Proxies then present, computing One Vote to every Share or Shares; the Appointment of which Proxies may be made according to the Form following:

Subscribers to have a Vote for every Share.

‘ I *A. B.* of _____ one of the Proprietors of the *Kidwelly*
 ‘ and *Llanelly* Canal and Tramroad, do hereby nominate, constitute,
 ‘ and appoint *C. D.* of _____ 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 pro-
 ‘ posed at any Assembly of the Company of Proprietors of the said Under-
 ‘ taking, in such Manner as he the said *C. D.* shall think proper, according
 ‘ to his Opinion and Judgment, 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 Proxy.

And that every Election of Committees and Officers, Questions, Matters, and Things whatsoever, which shall be proposed, discussed, or considered in any General or Special Assembly of the said Company to be held by virtue of this Act, shall be finally determined by a Majority of Votes and Proxies then present, computing One Vote to every Share as aforesaid; and that at every such Assembly one of the Proprietors present shall be appointed Chairman, who shall not only be entitled to vote as a Proprietor or Proxy, but in case of an Equality of Votes shall have the decisive and casting Vote.

LXII. And be it further enacted, That in case the Money herein-before authorized to be raised shall be found insufficient for the restoring, improving, and maintaining the said Harbour of *Kidwelly*, and for the making, completing, and maintaining of the said Canal and Cuts, Railways or Tramroads, and other the Works hereby authorized to be made, and defraying

Proprietors may raise an additional Sum amongst themselves, if necessary.

all

all necessary Charges and Expences relating thereto, then and in such Case it shall be lawful for the said Company to raise and contribute amongst themselves in manner and form aforesaid, and in such Shares and Proportions as to them shall seem meet, or raise by the Admission of new Subscribers, any further or other Sum of Money for completing and perfecting the said Undertaking, not exceeding the Sum of Twenty thousand Pounds; and every Body Politic, Corporate, or Collegiate, or other Person, being a Subscriber towards raising such further or other Sum of Money, shall be a Proprietor in the said Undertaking, and shall have a like Vote by themselves, himself, or herself, or their, his, or her Proxies or Proxy, in respect of every One hundred Pounds of the said additional Sum so to be raised, and shall also be liable to such Forfeitures, and stand interested in all the Profits and Powers of the said Undertaking, in proportion to the Sum that they, he, or she shall or may subscribe thereunto, as generally and extensively to all Intents and Purposes as if such further or other Sum hereby allowed to be subscribed for and raised had originally been Part of the said Sum of Sixty thousand Pounds: Provided always, that in case the said Company, or the Committee to be appointed by virtue of this Act, shall be desirous of raising the said Sum of Twenty thousand Pounds or any Part thereof by Mortgage of the said Undertaking, it shall be lawful for the said Company or the said Committee to borrow and take up at Interest all or any Part of the said Sum of Twenty thousand Pounds on the Credit of the said Undertaking, and to assign the Property of the said Undertaking, and the Rates arising or to arise by virtue of this Act, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Rates), as a Security for any Sum or Sums of Money so to be borrowed, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance the same; all which said Assignments shall be made under the Common Seal of the said Company in the Form and to the Effect following; (that is to say,)

Power to raise Money by Mortgage.

Form of Mortgage.

‘ BY virtue of an Act passed in the Fifty-second Year of King George
 ‘ the Third, intituled *An Act* [*here insert the Title of this Act*], we
 ‘ the Company of Proprietors of the said Undertaking, incorporated by and
 ‘ under the said Act, in consideration of the Sum of
 ‘ to us in hand paid by *A. B.* of _____ do hereby bargain, sell,
 ‘ and assign unto the said *A. B.*, his Executors, Administrators, and Assigns,
 ‘ the said Undertaking, and all and singular the Rates arising and payable
 ‘ unto us by virtue of the said Act, and all our Estate, Right, Title, and
 ‘ Interest of, in, and to the same, to hold unto the said *A. B.*, his Ex-
 ‘ ecutors, Administrators, and Assigns, until the said Sum of
 ‘ with Interest for the same after the Rate of _____ *per Centum*
 ‘ *per Annum*, shall be fully paid and satisfied. Given under our Common
 ‘ Seal this _____ Day of _____ .’

And all and every Person or Persons to whom such Assignments shall be made shall be equally entitled, one with the other, to his, her, or their Proportion of the said Rates and Premises, according to the respective Sums in such Assignments mentioned to be advanced, without any Preference by reason of Priority of any such Assignments, or on any other Account; and a Memorial of every such Assignment, containing the Date, Name or Names, Addition or Additions of the Person or Persons to whom made, the Sum of Money borrowed, and the Rate of Interest, shall, within Thirty Days from the Date of every such Assignment, be entered in One or
 more

more Book or Books to be kept by the Clerk to the said Company, which Book or Books shall and may be perused at all seasonable Times by any of the Proprietors or Creditors of the said Undertaking, and any other Person or Persons interested therein, without Fee or Reward; and the Person or Persons to whom any such Assignment shall be made as aforesaid, or who shall be entitled to the Money due thereon, shall and may from Time to Time transfer his or their Right or Interest therein to any Person or Persons by Writing under his, her, or their Hand and Seal or Hands and Seals, in the Form or to the Effect following:

‘ I *A. B.* of _____ in consideration of the Sum of _____ Form of
 ‘ _____ paid by *C. D.* of _____ do hereby transfer a Transfer of
 ‘ certain Mortgage, Number _____ made by the *Kidwelly* and *Lla-* Mortgage.
 ‘ *nelly* Canal and Tramroad Company, to
 ‘ bearing Date the _____ Day of _____
 ‘ for securing the Sum of _____ and all Interest
 ‘ now due or to become due thereon, and all my Right and Property
 ‘ therein, to the said *C. D.*, his Executors, Administrators, and Assigns.
 ‘ Dated this _____ Day of _____’

And every such Transfer shall, within Thirty Days next after the Date thereof, be produced to the Clerk of the said Company, who shall cause a Memorial to be made thereof in like Manner as the original Mortgages or Assignments, for which the said Clerk shall be paid the Sum of Two Shillings and no more; and after such Entry made every such Transfer shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and it shall not from thenceforth be in the Power of any Person or Persons who shall have made such Transfer to make void, release, or discharge the original Mortgage, or any Money thereby secured, or any Part thereof; and the Interest of the Money which shall be borrowed or raised by Mortgage as aforesaid shall be provided for and paid half-yearly to the several Persons entitled thereto, before any yearly or other Interest or Dividends due to the said Company or any of them shall be paid, made, or divided: Provided always, that no Person to whom any such Assignment shall be made or transferred as aforesaid shall be capable of acting or voting by virtue of such Assignment, either as Principal or by Proxy, at any Assembly or Meeting of the said Company, for or on account of his or her having lent or advanced Money on the Credit of any such Assignment.

Interest of Money borrowed to be paid in preference to Dividends. Assignees not to vote on account of having lent Money.

LXIII. And be it further enacted, That the First General Assembly of the said Company for putting this Act into execution shall be held at the *Pelican* Inn in the Town of *Kidwelly* in the said County of *Carmarthen*, upon the Sixth Day of *July* One thousand eight hundred and twelve, or as soon after as conveniently may be, at the Hour of Twelve at Noon; and all future General Assemblies of the said Company, except such General Assemblies as herein-after mentioned, shall be held on the First *Monday* in the Month of *August* in every Year, at the Hour of Twelve of the Clock at Noon, at such Place or Places as the said Company at their preceding General Assembly shall from Time to Time direct or appoint, of which future General Assemblies Fifteen Days previous Notice at the least shall be given by public Advertisement in some Newspaper usually circulating in the said County of *Carmarthen*, or in such other Manner as the said Company at their respective General Assemblies shall direct; and the said

General Assembly.

Company at such respective General Assemblies shall choose and elect, out of such of the said Proprietors as at the Time of such Election shall respectively be possessed of Stock to the Amount of Three Shares at the least in the said Undertaking, a Committee of Five or more Persons qualified as aforesaid to manage the Affairs of the said Company as herein directed; and the said Company shall have Power and Authority at any such General Assembly to remove and displace any Person or Persons who shall have been chosen a Member or Members of such Committee, or any Officer or Officers under them, and to choose and elect others in Cases of Death or other Vacancy, and to revoke, alter, amend, or change any of the Rules and Directions which may have been prescribed or laid down by virtue of this Act with regard to their Proceedings amongst themselves, as they shall think proper, (the Method of calling General or Special Assemblies, and their Time and Place of meeting and voting, and appointing Committees, only excepted), and shall have Power and Authority to make such Rules, Bye Laws, and Orders for the good Government of the said Company and the said Committee, and their Servants, Agents, and Workmen, and for the whole, complete, and total Superintendence, Regulation, Protection, and Management of the said Undertaking, and also for and concerning all such Goods, Wares, and Commodities as shall be conveyed thereon, and Persons using the said Canal and Cuts, Railways and Tramroads, and also for the well governing of all Persons who shall be employed in the conveying of any Goods, Wares, and Commodities, and other Articles and Things, upon any Part of the said Canal and Cuts, Railways or Tramroads, and from Time to Time to alter and repeal the said Bye Laws, Rules, Orders, and Regulations, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons who shall offend against the same, as to the major Part of such General Assembly shall seem meet, not exceeding the Sum of Ten Pounds for any One Offence; which said Rules, Bye Laws, and Orders, being reduced into Writing under the Common Seal of the said Company, and printed, shall be binding upon and observed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided that they be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions and Directions in this Act contained, or to any of them; and all such Rules, Bye Laws, Regulations, and Orders shall be subject to Appeal in manner herein-after directed; and every such General Assembly shall have Power to call for, audit, and settle all Accounts of Money received, laid out, and disbursed on account of the said Undertaking by the Treasurers, Receivers, or Collectors of the Rates, 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 Undertaking and the Works thereto belonging; but no Vote or Votes by Proxy shall be given or have any Power in or to the Audit and Settlement of Accounts; and the said Company shall have Power to adjourn themselves from Time to Time to such Place or Places as shall at any such General Assemblies be thought proper or convenient.

General Assemblies for choosing Committee to consist of 50 Shares.

LXIV. Provided always, and be it further enacted, That if at any such stated General Assembly there shall not be Persons present who shall be possessed or entitled unto at least Fifty Shares in the said Undertaking, either as Principals or Proxies, or both, no Choice of any Committee, nor any

Removal

Removal of any Person or Persons from any such Committee, nor any Election of a Person or Persons in the Room of such of the Members of any such Committee who shall die or decline to act, shall be made at that Time, but in such Case there shall be another Assembly of the said Company at the same Place upon that Day Fortnight, and so from Time to Time until there shall be Persons present at such Assembly having such Number of Shares as aforesaid; and such Choice, Removal, or new Appointment of any Member of any such Committee shall then take place, and not before; and such Committee so before appointed shall continue to act, and have the same Powers as they had and were possessed of, until a new Committee shall be appointed as aforesaid; and the Persons chosen as before mentioned to be of any such Committee shall have the same Powers which they would have had, and shall continue in such Offices until such Time as they would have done, had they been chosen by any such stated General Assembly on the Day first appointed for holding the same; and in case of Failure of the assembling of a sufficient Number of Proprietors having such Shares as Principals or Proxies, or both, at such stated General Assembly, every Proprietor who shall not attend such second or adjourned Assembly in Person or by Proxy shall forfeit to the said Company of Proprietors for every Share which he or she shall possess in the said Undertaking the Sum of Five Pounds, to be deducted out of his or her next succeeding Payment of Interest or Dividends of the Profits of the said Undertaking (as the Case may happen); and in case no Interest or Dividends shall be payable to such Person or Persons making default as aforesaid within Six Calendar Months next after the making of such Default, then the Payment of the said Forfeiture of Five Pounds may be recovered and enforced by the Ways and Means herein-after appointed for the Recovery of any other of the Penalties and Forfeitures imposed by this Act.

LXV. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act into execution a Special General Assembly of the said Company is or shall be necessary to be held, it shall be lawful for any Three or more of the said Proprietors, who may each of them be possessed of or entitled unto Three Shares at the least in the said Undertaking, to cause Twenty-one Days Notice at the least to be given thereof in some Newspaper usually circulated in the County of *Cardiff*, or in such other Manner as the said Company shall at any General Assembly direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special Assembly, and the Time when and the Place where the same shall be held, which Place shall be within Six Miles of the said Canal and Cuts, Railways or Tramroads; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company with respect to the Matters so specified only; and all and every such Act and Acts of the Proprietors or the major Part of them met together at every such Special General Assembly (provided such major Part shall be possessed of at least Fifty Shares in the said Undertaking, either as Principals or Proxies, or both,) shall be as valid with respect to the Matters specified in such Notice as if the same had been done at any stated General Assembly.

Assembly of Proprietors may be especially convened.

LXVI. And be it further enacted, That it shall be lawful for the said Company at any General Assembly, and they are hereby authorized and

General Assembly to appoint Officers.

required, from Time to Time to nominate and appoint a Treasurer or Treasurers, and One or more Collector or Collectors of the Land Rates, and also One or more Clerk or Clerks to the said Company and also to such Committee, and such other Officers as they shall think proper, and shall take sufficient Security from every such Treasurer or Treasurers, Collector or Collectors, Clerk or Clerks, or other Officers having the Care or Custody of any Money to be raised or renewed by virtue of this Act, for the due Execution of their respective Offices, as the said Company shall think proper, and from Time to Time to remove any such Treasurer or Treasurers, Collector or Collectors, Clerk or Clerks, or other Officers, or any of them ; and such Clerk or Clerks shall attend the General Assemblies of the said Company and the Meetings of the said Committee, and shall in a proper Book or Books to be provided by the said Company for that Purpose enter and keep a true and perfect Account of the Names and Places of Abode of the several Proprietors of the said Undertaking, and of the several Persons 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 and Committee respectively ; and every Proprietor of the said Undertaking shall and may at all convenient Times have recourse to and peruse and inspect the same, and also the Book or Books to be kept by the Clerk or Clerks to the said Commissioners, *gratis*, and may demand and have Copies thereof or of any Part thereof, paying for every One hundred Words so to be copied the Sum of Eight-pence ; and if any such Clerk or Clerks to the said Company and Committee, or to the Commissioners, shall refuse to permit any Proprietor to inspect or peruse any such Book or Books of Proceedings at all convenient Times and Seasons, or refuse to make any such Copy or Copies in a reasonable Time at the Rate or Price aforesaid, he shall for every such Offence forfeit and pay the Sum of Five Pounds for the Benefit of the said Undertaking ; and in case any such Treasurer, Collector, or Clerk shall die, be removed from or quit the Service of the said Company, it shall be lawful for the said Company at their said Stated or Special General Assemblies, or for the Committee of the said Proprietors, to appoint any other fit Person or Persons to execute such Office or Offices in the Place of such Person or Persons who shall so die, be removed from or quit the Service of the said Proprietors or of the said Committee ; but in case any such new Appointment be made by the said Committee, the same shall only continue until the next Stated or Special General Assembly of the said Proprietors, when the Appointment of such Person or Persons to such respective Office or Offices shall either be confirmed, or such other fit Person or Persons appointed to succeed to such Office or Offices as the said Proprietors at such Stated or Special General Assembly shall think proper.

Accounts to be laid before General Meetings, who are to appoint a Committee to audit and settle the same.

LXVII. And be it further enacted, That all Accounts of Monies received, laid out, and disbursed on account of the said Undertaking by the Treasurer, Receivers or Collectors of the said Rates, Tolls, and Duties, and other Officers of the said Company of Proprietors, or by any other Person or Persons whomsoever employed by or concerned for or under them in or about the said Undertaking, shall be laid before the said General Meetings, or general adjourned or special Meetings, who shall appoint a Committee of Three or more Persons of and out of the said Company of Proprietors, qualified as herein-before mentioned in regard to Committees appointed for general Purposes, to audit and settle the same

Accounts ;

Accounts; and any Three Members of the said Committee of Accounts shall constitute a Quorum, and shall have the same Powers to act in all respects as if all the Members of the said Committee were present, and which Committee of Accounts, or a Majority of the Members present, shall make their Report upon the said Accounts to the next General Meeting or the next General adjourned or Special Meeting of the said Company of Proprietors following that on which they were appointed, or in such Manner and at such Times as the said Meeting of Proprietors at which they were appointed shall direct; but no Vote or Votes by Proxy shall be given either at a Meeting of Proprietors or at a Meeting of any Committee, or have any Power in or as to the Audit or Settlement of Accounts.

LXVIII. And be it further enacted, That no Member of the said Committee, although he may be a Proprietor of many Shares in the said Undertaking, shall have more than One Vote in any Committee, except the Chairman, who in case of an equal Division shall always have a Second or casting Vote, although he may have given One Vote before; and every such Committee shall from Time to Time make Reports of their Proceedings to the said stated General Assemblies, and, if required, to the said Special General Assemblies of the Proprietors, and shall obey their Orders and Directions; but no Person holding any Place, Office, or Employment under the said Company shall be capable of being chosen to serve on such Committee during the Time of his Continuance in such Place, Office, or Employment; and in order to defray the Expences of their Meetings the said Committee shall from Time to Time receive out of the Capital Stock of the said Proprietors such Sum or Sums of Money as shall be directed, adjusted, and settled at such Stated General Assemblies and the said Committee, subject nevertheless at all Times to such Orders and Directions as aforesaid, and shall, by themselves or their Clerk or Clerks as aforesaid, keep a full and true Account of all Monies disbursed and Payments made by the said Committee, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive on behalf of or in respect of such Undertaking from any Collector or Collectors of the said Rates, or other Officer or Officers, or from any other Person or Persons whomsoever, employed in or having any Concerns, Dealings, or Transactions with the said Undertaking, or in or with any Part or Parts thereof, and shall regularly, by themselves or their Clerk or Clerks as aforesaid, write, insert, and enter, in a Book or Books to be from Time to Time provided at the Expence of the said Company for that Purpose, Notes, Minutes, or Copies (as the Case shall require) of every such Contract, Bargain, Receipt, and Disbursement, and of all other their Orders and Proceedings; which Book or Books shall be deposited with and kept locked up under the Care and Direction of the said Committee: (Provided always, that every Proprietor upon every reasonable Desire shall have free Access thereto, as hereinbefore mentioned, for his or her Inspection;) and the said Committee shall have Power from Time to Time to make such Call or Calls of Money from the Subscribers to and Proprietors of the said Undertaking, to defray the Expences of or to carry on the same, as they from Time to Time shall find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds for every One 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

Powers of the
Committees
and Regula-
tions.

Power of
Committee to
make Calls.

Undertaking ; and such Calls shall not be made but at the Distance of Twenty-eight Days at least from each other, and Twenty-one Days Notice at the least shall be given of all such Calls as aforesaid by Advertisement in some Newspaper usually circulating in the said County of *Carmarthen* ; and such Committee shall, until the next General Assembly to be taken in manner aforesaid, meet at such Time and at such Places, and from Time to Time adjourn themselves to such other Times and Places, as they shall think fit ; and at all Meetings of the said Committee One of the Members present shall be appointed Chairman, and all Questions, Matters, and Things which shall be proposed, discussed, or considered at such Meetings shall be finally determined by the Majority of Votes then present, the whole Number present not being in any Case less than Three ; and such Committee shall (subject nevertheless to the Orders and Directions of such General Assemblies as aforesaid) have full Power and Authority to direct and manage all and every the Affairs of the said Company, as well in contracting for and purchasing Messuages, Lands, Tenements, and other Hereditaments and Materials for the Use of the said Undertaking, as in employing, ordering, and directing the Works and Workmen, and in placing and displacing Officers, Clerks, Servants, Agents, and Workmen, and in making all Contracts and Bargains touching the said Undertaking ; and every Owner or Owners of any Share or Shares in the said Undertaking shall pay his or 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 Committee shall from Time to Time direct and appoint ; and if any Person or Persons shall neglect or refuse to pay his or their rateable or proportionable Part or Share of the said Money so called for as aforesaid at the Time and Place so to be appointed as aforesaid, it shall be lawful for the said Company to sue for and recover the same in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Wager, or Protection of Law, or more than One Imparlance, shall be allowed ; and if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Part or Share of the said Money so called for as aforesaid at the Time and Place appointed by such Committee, or within Fourteen Days then next ensuing, he, she, or they so neglecting or refusing shall forfeit a Sum not exceeding Ten Pounds for every such Share ; and in case such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable Call or Calls as aforesaid for the Space of Three Calendar Months next after the Time so appointed for Payment thereof at the Place so to be appointed as aforesaid, 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 Benefit thereof, all which Share or Shares so forfeited shall be vested in the said Company in Trust for and for the Benefit of all the rest of the said Proprietors, in proportion to their several Interests in the said Undertaking, or shall, at the Direction of the said Stated or Special General Assemblies, be publicly sold for the Use of and divided between the rest of the said Proprietors whose Shares and Interests shall not have been forfeited as aforesaid : Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking, until Notice in Writing under the Hand of the Clerk 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 the same Share or Shares shall likewise be declared to be forfeited

No Advantage to be taken of Forfeiture of Shares without personal Notice.

forfeited at some Stated or Special General Assembly of the said Company, within Two Years next after such Forfeiture shall have been incurred.

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

Proceedings
in Actions
for Calls.

LXX. And be it further enacted, That all and every Person or Persons who hath or have already subscribed or who shall hereafter subscribe to advance any Money for or towards the making and maintaining the said Canal and other Works hereby authorized to be made as aforesaid, shall from Time to Time pay his, her, or their Proportion of the Money so to be called for as herein-before is mentioned into the Hands of the Treasurer or Treasurers to the said Company, at such Time and Place as shall be appointed for that Purpose by the Committee of Management making such Call, and of which such Notice shall be given as herein-before is directed; and that if any Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid at the Time and Place which shall be appointed for that Purpose in manner aforesaid, it shall be lawful for the said Company of Proprietors, in case they shall so think fit, to sue for and recover the same in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case; or the Person or Persons so refusing or neglecting to pay such his, her, or their proportionable Part of such Money as aforesaid shall forfeit to the said Company of Proprietors the Sum of Five Pounds for every Share which he, she, or they shall have or possess in the said Undertaking; and in case any such Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid for the Space of Three Calendar Months after the Time to be appointed for Payment thereof as aforesaid, and the same shall not have been sued for by the said Company of Proprietors as aforesaid, or if sued for shall not have been recovered by them, then and in such

Proprietors
to pay their
Shares of the
Money called
for at the
Place ap-
pointed.

Case

Case the Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, and Interest whatsoever in the said Undertaking, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on account thereof; and all Shares that shall or may be so forfeited shall be sold by the said other Proprietors by public Auction for the most Money that can be gotten for the same, and the Produce thereof shall be applied by the said Company of Proprietors to the finishing and Completion of the said Canal: Provided always nevertheless, that no Advantage shall be taken of such Forfeiture of any Share or Shares in the said Navigation or Undertaking as aforesaid until after personal Notice shall be given by the Treasurer or principal Clerk of the said Company of Proprietors to the Owner or Owners thereof, or until Notice in Writing signed by such Treasurer or Clerk shall be left at his, her, or their usual or last Place or Places of Abode, nor unless the same shall be declared to be forfeited at some General Meeting of the Committee of Management within Three Calendar Months next after such Forfeiture shall have been incurred: Provided also, that every such Forfeiture, after the same shall be taken advantage of by the rest of the said Company of Proprietors as aforesaid, shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors so forfeiting against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors so forfeiting and the rest of the said Company, with regard to the future carrying on and Management of the said intended Navigation and Undertaking.

On the Death of any Subscriber before Shares completed, Executors may do it.

LXXI. And be it further enacted, That if any Owner or Owners of any Share or Shares in the said Undertaking shall happen to die before such Call or Calls shall have been made for the full Sum to be advanced on any Share, or 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 Call or Calls in respect thereof shall be paid to the said Company for the Purpose of the said Undertaking, then and in such Case the Executors or Administrators of such Owner so dying, or the Trustee or Trustees, Committee or Committees of any Lunatic or Lunatics, 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 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 shall not have left Assets sufficient, or in case the Executors or Administrators, Trustee or Trustees, Committee or Committees, Guardian or Guardians, shall refuse or neglect to answer 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, Guardian or Guardians of any Infant or Infants, or to any other Person or Persons who may be entitled to his or her Effects, the full Sum or Sums of Money which shall have been paid by such Owner or Owners in his, her, or their Lifetime, by virtue of or in pursuance of any Call or
Calls,

Calls or otherwise upon such Share or Shares, or other Sum or Sums of Money, as the same can be sold for; and in case no Person or Persons can be found who is or are willing to be admitted on such Conditions as aforesaid, then and in 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 Undertaking, and shall be subject to be sold and disposed of in like Manner as other forfeited Shares may be sold and disposed of by virtue of this Act.

LXXII. And be it further enacted, That it shall and may be lawful 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:

Shares may be sold.

‘ I *A. B.* of _____ in consideration of _____ paid
 ‘ to me by *C. D.* of _____ do hereby bargain, sell, assign, Form of Con-
 ‘ and transfer to the said *C. D.* the Sum of _____ veyance of
 ‘ Capital Stock of and in the Undertaking called *Kidwelly* and *Llanelly* Shares.
 ‘ Canal and Tramroad Company, to hold unto the said *C. D.*, Execu-
 ‘ tors, Administrators, and Assigns, subject to the same Rules, Orders,
 ‘ and Restrictions, and on the same Conditions, that I held the same im-
 ‘ mediately before the Execution hereof; and I the said *C. D.* do hereby
 ‘ agree to take and accept the said Capital Stock or Share of
 ‘ 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 or 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 to be kept 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 for each Share so transferred, and the said Clerk or Clerks is or 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 or Votes in respect thereof, as a Proprietor or Proprietors of the said Undertaking.

LXXIII. And be it further enacted, That after any such Call of such Money shall have been made by such Committee as aforesaid no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, on pain of forfeiting his, her, or their respective Share or Shares therein to the said Company, in Trust for the Benefit of all the said Proprietors, unless he, she, or they, at the Time of such Sale or Transfer, shall have paid or discharged to the Treasurer of the said Company the whole and entire Sum of Money which shall have been called for upon each Share so sold or transferred, such Forfeiture

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

nevertheless to be notified and declared at a General Assembly in manner before directed.

Regulations
as to the Ac-
quisition of
Shares,

or Will, or in
Course of Ad-
ministration.

LXXIV. 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 belong; be it further enacted, That before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking in right of Marriage shall be entitled to receive the same, an Affidavit, containing a Copy of the Register of such Marriage, shall be made and sworn to by some credible Person before One of the Judges at *Westminster*, or before either of His Majesty's Justices of the Courts of Great Sessions for the said County of *Carmarthen*, a Master or Master Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace for the said County of *Carmarthen*; and the said Judges, Justices, 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 of 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 said Clerk or Clerks for the Entry of Transfers and Sale of Shares in the said Undertaking; and that before any Person or Persons who shall claim 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, or such Letters of Administration, shall be produced and shown to the Law Clerk of the said Company, 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 the Executor or Executors of such Will, or by the Administrator or Administrators of the Estate and Effects of the Proprietor dying intestate, (as the Case may happen to be,) before One of the Judges at *Westminster*, or One of His Majesty's Justices of the Court of Great Sessions for the said County of *Carmarthen*, or a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace for the said County of *Carmarthen*, and shall also be transmitted to the said Clerk or Clerks, who shall file and enter the same in manner herein-before mentioned.

Names of
Proprietors
to be en-
tered, and
Tickets of
their Shares
to be deliver-
ed them.

LXXV. And for the better Security of the several Proprietors of the said Undertaking to their respective Shares therein, be it further enacted, That the said Company shall and they are hereby required, at their First or some subsequent General Assembly, to cause the Names and proper Additions of the several Persons who shall then be entitled to the Shares in the said Undertaking, with the Number of the Shares, or the Amount of all the Subscriptions which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk to the said Company, and after such Entry to cause their Common Seal to be affixed thereto, and also shall cause a Ticket or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every such Subscriber on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking, every such Proprietor paying to the
Clerk

Clerk Five Shillings, and no more, for every such Ticket or Instrument; and such Ticket or Instrument shall be admitted in all Courts whatsoever as Evidence of the Title of such Subscriber, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified, but the Want of such Ticket or Instrument shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

LXXVI. And in consideration of the great Charge and Expence which the said Company must incur and sustain in making and maintaining the said Canal and Cuts, Railways or Tramroads, and other Works hereby authorized to be made and maintained, and in improving the said Harbours, be it further enacted, That it shall be lawful for the said Company from Time to Time and at all Times hereafter to ask, demand, take, recover, and receive, to and for the Use and Benefit of the said Company, the several Rates herein-after mentioned for the Tonnage and Wharfage of all Coals, Limestone, Timber, Merchandize, and other Goods, Matters, and Things whatsoever, which shall be navigated, carried, or conveyed upon any Part of the said intended Canal, Collateral Cuts, Branches, Railways, or Tram-Roads; (that is to say,)

Power to
take Rates,
&c.

For all Goods, Wares, Merchandize, and other Things which shall be navigated, carried, or conveyed upon the said intended Canal, Collateral Cuts, Railways, or Tramroads, (except Pig Iron, Iron Castings, Calcined Iron, Ore, Stone, Iron Ore, Rotten Stone, Charcoal, Coal, Culm, Stone Coal, Cokes, Cinders, Timber, Deals, Stones, Tiles, Slates, Bricks, Clay, Limestones, Lime, Sand, and all Kinds of Manure,) any Sum not exceeding the Sum of Four-pence *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile :

Rates.

And for all Iron Castings which shall be navigated, carried, or conveyed upon the said intended Canal, Collateral Cuts, Railways, or Tramroads, any Sum not exceeding Three-pence *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile :

And for all Pig Iron which shall be navigated, carried, or conveyed upon the said intended Canal and Cuts, Railways or Tramroads, any Sum not exceeding Two-pence Halfpenny *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile :

And for all Calcined Iron Ore, Rotten Stone, Coals, Culm, Stone Coal, Cokes, Cinders, Charcoal, Timber, Deals, Stones, Tiles, Slates, and Bricks which shall be navigated, carried, or conveyed upon the said intended Canal and Cuts, Railways or Tramroads, any Sum not exceeding One Penny Three Farthings *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile :

And for all Ironstone, Iron Ore, Limestone, Lime, Sand, Clay, and all Kinds of Manure which shall be navigated, carried, or conveyed upon the said intended Canal and Cuts, Railways or Tramroads, any Sum not exceeding One Penny *per Ton per Mile*, and so in proportion for any greater or less Quantity than a Ton, or greater or less Distance than a Mile.

LXXVII. And be it further enacted, That all and every the Masters or Commanders and Owners of all and every Ship, Bark, Barge, Boat, and

Power to levy
Duties for
Kidwelly
other
Harbour

other Vessel, and all and every Person or Persons whomsoever, trading to and from or using or resorting to the said Harbour of *Kidwelly*, and also every Coal Owner or Shipper of Coal or Culm at or in the said Harbour, Dock, Quay, or Wharf hereby authorized to be made, and all and every Person and Persons whomsoever whom it doth, shall, or may import or concern, when and as soon as the said Cuts or Canal shall be made to communicate with the said Harbour, Dock, Quay, or Wharf, and for ever thereafter, pay towards the Purposes of this Act the Duty herein-after particularly specified and set forth; (that is to say,)

Duties.

For every Ship, Bark, Barge, Boat, and other Vessel, agreeably to the Burthen or Tonnage thereof, to be ascertained by their respective Registers, (where there shall be a Register thereof, and in all other Cases by the actual Admeasurement thereof, to be made in such Manner as herein-after is described and authorized,) entering and using the said Harbour of *Kidwelly*, such Sum of Money as the said Company of Proprietors shall from Time to Time direct or appoint, not exceeding the Sum of One Penny *per* Ton.

The aforesaid Duties to be carried to a separate Account, and applied in restoring and improving the Harbour of *Kidwelly*.

LXXVIII. Provided always, and be it further enacted, That all and every the Duties or Sums of Money which shall be raised, collected, or received for and in respect of the said Harbour of *Kidwelly* by virtue of this Act shall be carried in the Books of the said Company of Proprietors to a separate Account, and shall be applied and disposed of, in the first place, in restoring, improving, and maintaining the said Harbour, prior to any Division of Profits arising from the said Harbour made to the Subscribers to the said Undertaking, and for the manifesting and making evident the said Account, and also an Account of all Monies expended by the said Company in restoring, improving, and maintaining the said Harbour, it shall and may be lawful for all and every Landowner, and other Person and Persons interested in the Improvement of the said Harbour of *Kidwelly*, to inspect and examine the said Accounts, and to make Extracts therefrom, at the Office of the said Company of Proprietors, the Person or Persons requiring the same paying the Sum of Two Shillings for every such Inspection and Examination to the Clerk of the said Company of Proprietors.

Lord Ashburnham not to permit any Coal, &c. to be shipped at his Canal except what shall belong to him.

LXXIX. Provided nevertheless, That it shall not be lawful for the Earl of *Ashburnham*, or any Owner or Owners, Occupier or Occupiers, for the Time being, of the Canal called Lord *Ashburnham's* Canal, situate in the said Parish of *Pembrey* in the said County of *Carmarthen*, to permit any Person or Persons carrying or conveying any Coal, Culm, or other Commodity along the said Canal, Railway, or Tramroads hereby authorized to be made to ship the same at the Shipping Places belonging to and adjoining the said Canal called Lord *Ashburnham's* Canal, other than and except such Coals, Culm, and other Commodities as shall *bonâ fide* belong to the said Earl of *Ashburnham*, or the Owners or Occupiers for the Time being of the said Canal called Lord *Ashburnham's* Canal.

Exemption from the Rates or Duties in favour of His Majesty's Ships and others.

LXXX. And be it further enacted, That no Ship or Vessel of War belonging to or in the Service of His Majesty, His Heirs and Successors, nor any Post Office Packet, or Transport with Troops, Ammunition, or Provision, on His Majesty's Service, and that no Fishery Salt imported or exported in Bulk or otherwise, or any Vessel in the Service of the Customs or Excise, or which may be seized by the Officers thereof, shall be liable to the

the Payment of any of the said Rates or Duties ; and no Ship or Vessel carrying Stones, Wood, or other Materials into the said Harbour for the Use of the Works authorized to be made by virtue of this Act shall be liable to the Payment of any of the aforesaid Rates or Duties in respect of such Voyage or Goods.

LXXXI. And be it further enacted, That all and every the Masters and Commanders and Owners of all and every Ship, Bark, Barge, Boat, and other Vessel, and all and every Person and Persons whomsoever trading to and from and using or resorting to the Shipping Places, Docks, Wharfs, Quays, and other Conveniences intended to be made and erected between the present Southern Boundary of the *Carmarthenshire* Railway and Tramroad Company and a certain Dock called *Bowen and Rodericks Dock*, or any other Shipping Places, Docks, Wharfs, Quays, and other Conveniences which the said Company may think proper to make or erect under the Authority of this Act, shall pay towards the Purposes of this Act the Duties herein-after particularly provided for ; that is to say, for every Ship, Bark, Barge, Boat, and other Vessel, agreeable to the Burthen or Tonnage thereof, to be ascertained by their respective Registers, (where there shall be a Register thereof, and in all other Cases by the actual Admeasurement thereof, to be made in such Manner as herein-after is described and authorized,) entering and using the said intended Shipping Places, Docks, Wharfs, Quays, and other Conveniences, such Sum of Money as the said Company of Proprietors shall from Time to Time direct or appoint, not exceeding the Sum of One Penny *per* Ton, payable and to be paid by such Masters, Commanders, and Owners as aforesaid, and One Penny *per* Ton for all Goods exported, and One Penny *per* Ton for all Goods imported, payable and to be paid by the Owner or Owners of the same.

Power to take Dock Dues on Vessels resorting to any Shipping Places, &c. to be erected by the Company.

LXXXII. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and such Person and Persons as they shall from Time to Time appoint, to ask, demand, take, recover, and receive, to and for the proper Use and Benefit of the said Company of Proprietors, of and from all and every Person and Persons whomsoever subject or liable to pay the same, the further Rates and Tolls following ; (that is to say,)

Company empowered to take Tolls for Horses, &c. passing Railways.

For every Horse, Mare, Gelding, Mule, or Ass, (not employed in drawing, carrying, or removing any Waggon, Wain, Tram, or other Carriage, for the Purpose of conveying any Goods, Wares, Merchandises, or other Commodity,) which shall go or travel upon such Railways or Tramroads or any of them as aforesaid, or shall pass through or by any Toll House or Toll Bar to be erected or placed upon or across the same or any of them by the said Company of Proprietors, and which they are hereby authorized and empowered from Time to Time to set up and erect at such Place or Places as they shall think proper, and before such Horse, Mare, Gelding, or Ass shall be permitted to pass through or by the same, the Sum of One Penny (except such as are going from one Farm to another Farm of the same Occupier, or the Commons only) :

For every Cow and other Neat Cattle (except Sheep, Swine, and Calves,) which shall or may go or be driven upon such Railways or Tramroads, or any of them, and shall pass through or by any such Toll House or Toll Bar as aforesaid, and before such Cows or other Neat Cattle shall be permitted to pass through or by the same, the Sum of One Penny each (except such as are going from one Farm to another Farm of the same Occupier, or to the Commons only) :

And for all Sheep, Swine, and Calves which shall or may go or be driven upon such Railways or Tramroads, or any of them, and shall pass through or by any such Toll House or Toll Bar as aforesaid, and before they shall be permitted to pass through or by the same, the Sum of Eight-pence *per* Score, and so in proportion for any greater or less Number than a Score (except such only as are going from one Farm to another Farm of the same Occupier, or to the Commons only).

Tickets to be given and Tolls not to be payable more than once a Day.

LXXXIII. Provided always, and be it further enacted, That the Collectors or other Persons appointed by the said Company to receive the last-mentioned Tolls or Rates shall, on Payment and Receipt thereof, and upon being required so to do, give and deliver to the Person or Persons paying and requiring the same a Ticket specifying the Day when and the Number of Horses or other Beasts or Cattle for which the same shall be paid; and that such Tolls or Rates shall not be demanded or taken or be payable more than once in any one Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, for any Horse, Mare, Gelding, Mule, Ass, Cow, or other Beast or Cattle which shall pass or repass by or through all or any of the said Toll Houses or Toll Bars to be erected or placed upon or across the said Railways or Tramroads, or any of them, so that the Person or Persons who shall be attending such Horse, Mare, Gelding, Mule, Ass, Cow, or other Beast or Cattle, do and shall produce to the Collectors or other Persons appointed by the said Company to receive such Rates or Tolls, at every such Toll House or Toll Bar through or by which the same shall pass (if demanded), the Ticket which he or they shall have received at the said Toll House or Toll Bar as aforesaid at which he or they shall on the same Day have paid the said Rate or Toll.

For Recovery of Rates.

LXXXIV. And be it further enacted, That all and every the respective Rates and Tolls herein-before respectively authorized to be levied, demanded and taken shall be paid to such Person or Persons, in such Manner, and under such Regulations, as the said Company at any General Assembly or Assemblies shall direct or appoint; and in case of Denial or Neglect of Payment of any such Rates or Tolls, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same as aforesaid, the said Company may sue for and recover the same by Action of Debt or upon the Case in any of His Majesty's Courts of Record; or the said Company of Proprietors, or other Person or Persons, Collector or Collectors, to whom such Rates or Tolls ought to have been paid, may and he or they is and are empowered to seize and distrain the Goods or other Things for or in respect whereof any such Rates or Tolls ought to have been paid, or any Part thereof, and the Boat or other Vessel, Waggon or other Carriage, laden therewith, and the Horse or Horses, Beast or Beasts, or other Cattle, or Harness, Bridles or Saddles thereof, or any Part thereof, or in respect whereof such Tolls ought to have been paid as aforesaid, and to detain the same until such Payment shall be made, and also until Payment of all Arrears of the said Rates or Tolls which may be due from the Owner or Owners of such Boat or Vessel, Waggon or other Carriage, Horse or Horses, Beast or Beasts, or other Cattle, to the said Company, together with reasonable Charges for such Seizure and Detention; and if such Goods shall not be redeemed within Five Days next after the taking thereof the same shall be appraised and sold as the Law directs in Cases of Distress for Rent; and the said Company shall have full Power from Time to Time at any General Assembly to lower or reduce all or any of the

the said Rates or Tolls, and again to raise the same, as they shall think proper, not exceeding the Rates or Tolls herein-before mentioned, as often as it shall be deemed necessary for the Interests of the said Undertaking.

LXXXV. Provided nevertheless, and be it further enacted, That in all Cases where any Boat, Barge, or other Vessels, Waggon or other Carriage shall be navigated, or pass by any Post or Mark, or Place where such Post or Mark should have stood or have been fixed, on the Side of the said Canal and Cuts, Railways or Tramroads, describing and regulating the Length of a Quarter of a Mile, the full Tonnage shall be paid for a Quarter of a Mile, (Limestone, Lime, and all Kinds of Manure excepted,) although the said Boat, Barge, or other Vessel, Waggon or other Carriage, shall not pass the full Quarter of a Mile; and that in all Cases where the Weight of Lading in any Boat, Barge, or other Vessel so to be navigated on the said Canal and Cuts, or in any Waggon or other Carriage so to be carried or conveyed on the said Railways or Tramroads, shall not make up an even Hundred Weight, yet One full Hundred Weight shall be paid for to the said Company of Proprietors, except with respect to Lime, Limestone, and Manure; and for the better ascertaining the Tonnage of Stone, Timber, and other Goods to be charged with the Payment of such Rates as aforesaid, and the Contents or Burthen of the Boats, Barges, and other Vessels, Waggons or other Carriages, carrying and conveying such Stone, Timber, and other Goods, Matters, and Things, on the said Canal and Cuts, Railways or Tramroads, be it further enacted and declared, That Fifty Cubic Feet of round and Forty Cubic Feet of square Oak, Ash, Elm, or Beech Timber, and Forty Cubic Feet of Fir or Deal, Balk, Poplar, Birch, or other Timber or Wood, not cut into Scantlings, shall for the Purposes of this Act be respectively deemed, rated, and estimated as and for One Ton Weight; and that One hundred and twelve Pounds Weight Avoirdupois of Coal, Coke, Culm, Lime, Freestones, Limestone, Timber, and all other Commodities shall for the Purposes of this Act be deemed, rated, or estimated as and for One Hundred Weight, and Twenty Hundred Weight of all Commodities whatsoever shall for the Purposes of this Act be deemed One Ton, any Usage of rating or estimating the same to the contrary thereof notwithstanding; and if any Difference shall arise between any Collector of the said Rates and the Master, Owner, or other Person having the Care or Charge of any Boat, Barge, or other Vessel, Waggon or other Carriage, or the Owner of any Goods, Wares, Merchandise, or other Things embarked or loaded therein, concerning the Weight or Quantity of the Goods, Wares, Merchandise, or other Matters or Things therein embarked or contained, it shall be lawful for any such Collector to stop and detain any such Boat, Barge, or other Vessel, Waggon or other Carriage, and to weigh, measure, or gauge, or cause to be weighed, measured, or gauged, such Boat, Barge, or other Vessel, Waggon or other Carriage, and all such Timber, Goods, Wares, and Merchandise, or other Matters or Things, as shall be therein embarked or contained; and in case the same shall, upon such weighing, measuring, and gauging, appear to be of greater Measure, Weight, or Quantity than the Account given thereof by such Master, Owner, or other Person, then the same Master, Owner, or other Person giving such Account shall pay the Costs and Charges of such weighing, measuring, and gauging, all which Costs and Charges, upon Refusal of Payment thereof upon Demand, shall and may be recovered and levied in
the

Full Tonnage
to be paid for
a Quarter of
a Mile.

the same Manner as the said Rates are hereby appointed to be recovered and levied ; but if such Timber, Goods, Wares, Merchandise, or such other Matters and Things shall appear to be of the same or less Weight or Quantity than the Account given thereof by the said Master, Owner, or other Person, then the said Collector shall pay the Costs and Charges of such weighing, measuring, and gauging, and shall also pay to such Master, Owner, or other Person, or to the Owner or Owners of such Goods, Wares, Merchandise, or other Things, such Damages as shall appear to the said Commissioners, upon the Oath of any credible Witness, (which Oath the said Commissioners, or any Three or more of them, are hereby empowered and required to administer,) to have arisen from such Detention ; and in default of the immediate Payment thereof the same shall be recovered from the said Company by Action of Debt in any of His Majesty's Courts of Record, or in such other Manner as any of the Penalties or Forfeitures hereby imposed upon the said Company, their Agents, Servants, or Workmen, may be recovered and levied by virtue of this Act.

Power to fix
the Price of
small Parcels.

LXXXVI. And be it further enacted, That it shall be lawful for the said Company from Time to Time, at any General Assembly (with the Consent of the major Part of the said Commissioners present at any General Meeting of the said Commissioners), to ascertain and fix the Price or Sum or Sums of Money to be charged or taken for the Carriage of any Parcel (not exceeding Five hundred Pounds Weight) upon the said Canal and Cuts, Railways or Tramroads, or upon any Part thereof ; and the said Company shall from Time to Time cause to be printed and affixed upon any public Wharf on the said Canal and Cuts, Railways or Tramroads, in some conspicuous Place, a List or Account ascertaining and particularizing the Price or Sum or Sums of Money so to be charged or taken for the Carriage of such Parcels as aforesaid ; and in case any Owner or Master, or other Person having the Care of any Boat, Barge, or other Vessel, Waggon or other Carriage, navigating or passing upon the said Canal and Cuts, Railways or Tramroads, or upon any Part or Parts thereof, after such List or Account so ascertaining and particularizing the Price or Sum or Sums of Money at which every such Parcel shall be so carried and conveyed, shall be so fixed up as aforesaid, shall demand or take for the Carriage of any such Parcel as aforesaid more than the Price or Sum or Sums of Money in such List or Account ascertained and particularized for that Purpose, such Owner, Master, or other Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, at the Discretion of the Magistrate before whom such Person shall be convicted.

Navigation,
&c. to be free
upon Pay-
ment of
Rates, under
certain Re-
strictions.

LXXXVII. And be it further enacted, That all Persons whomsoever shall have free Liberty to use, with Horses, Cattle, and Carriages, the Roads, Ways, and Passages, (except the Towing Paths to be made by virtue of this Act,) for the Purpose of conveying any Timber, Goods, Wares, Merchandise, and other Things to or from the said Canal and Cut, Railways or Tramroads, and every Part thereof, and also to navigate and pass upon and use the said Canal and Cuts with any Boats or Vessels, and to pass upon the said Railways or Tramroads with Waggons and other Carriages, Horses and other Cattle, and to employ the said Wharfs and Quays for loading and unloading such Merchandise, Timber, and other Goods and Things, and also to use the said Towing Paths with Horses

and other Cattle for hauling and drawing such Boats or Vessels, upon Payment of such Rates as shall be demanded by the said Company, not exceeding the respective Sums herein mentioned, and subject to the Rules and Regulations which shall be from Time to Time made by the said Company by virtue of the Powers herein granted; provided the said Boats, or other Vessels, Waggon, or other Carriages, shall not, without the Consent of the said Company or their General Committee, pass upon the said Canal and Cuts, Railways or Tramroads, at any other Times than between the Hours of Seven in the Morning and Five in the Evening during the Months of *November, December, January, and February*, and between the Hours of Five in the Morning and Eight in the Evening in the Months of *March, April, September, and October*, and between the Hours of Four in the Morning and Ten in the Evening during the Months of *May, June, July, and August* in every Year.

LXXXVIII. And be it further enacted, That no Boat, Barge, or other Vessel of less Burthen than Fifteen Tons when the Water does not, or of less than Ten Tons when the Water does, flow over the Wears of any of the Locks of the said intended Canal and collateral Cuts, shall pass through any of the Locks to be made by virtue of this Act without the Consent of the said Company of Proprietors, or their principal Agent for the Time being, in Writing first had and obtained, or unless the Owner or Navigator of such Boat, Barge, or other Vessel shall pay Tonnage equal to a Boat, Barge, or other Vessel of Fifteen or Ten Tons, and according to the Articles with which it shall be loaded.

Vessels under Fifteen or Ten Tons not to pass Locks without the Consent of the Proprietors.

LXXXIX. Provided also, and be it further enacted, That all Ships, Barges, Boats, and other Vessels used and employed in and for the Purpose of carrying or conveying any Coal or Culm, or other Goods, Wares, Merchandizes, or other Things, from any Coal Work or Colliery, or from the said Town of *Kidwelly*, or from any other Place within the said Harbour of *Kidwelly*, to be loaded or put on board any other Ship, Barge, Boat, or Vessel in or within the said Harbour of *Kidwelly*, shall not by reason of any such Use or Employment be subject to or charged with the Payment of the Harbour Duties hereby granted, any thing herein contained to the contrary notwithstanding.

Vessels carrying Coals to other Vessels within the Harbour of *Kidwelly* to be exempt from Duties.

XC. Provided always, and be it further enacted, That all Ships and other Vessels entering and using the said Harbour of *Kidwelly* for the Purpose of supplying the said Town of *Kidwelly* with Fish, Flesh, or Vegetables, and having no other Articles for Sale on board, and all Pilot Boats, and all other Boats and Vessels going, coming, or returning to or from Ships and other Vessels, or Persons in Distress at Sea, and all Boats and Vessels for Pleasure, of or under Ten Tons Burthen, entering and using the said Harbour, shall be exempted from the Payment of all and every the Harbour Duties by this Act granted for and upon Ships and other Vessels entering and using the said Harbour, any thing herein contained to the contrary notwithstanding.

Fishing Boats, &c. exempt from Duties.

XCI. And be it further enacted, That no Person or Persons whatsoever shall pass upon any Part of the said Canal and Cuts, Railways or Tramroads, with any Boat, Barge, or other Vessel, Waggon or other Carriage whatsoever, unless the same shall be constructed agreeably to the

No Waggon, &c. to pass unless constructed as directed by the Company.

[*Loc. & Per.*]

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Orders

Orders and Regulations of the said Company, which Orders and Regulations shall be affixed upon a conspicuous Part of every Toll House erected on such Canal and Cuts, Railways or Tramroads, for the collecting of the Rates and Tolls by this Act imposed (except in crossing the said Railways or Tramroads for the convenient Occupation of the adjacent Grounds, or in passing any public or private Carriage Road which may happen to cross the said Railways or Tramroads); and if any Person, or Persons whomsoever shall pass upon any Part of the said Canal and Cuts, Railways or Tramroads, with any Boat, Barge, or other Vessel, Waggon, or other Carriage, not constructed in the Manner herein-before directed, (except as aforesaid,) he, she, or they so offending shall for every such Offence forfeit to the said Company any Sum not exceeding Five Pounds.

Masters of Barges, &c. to give an account of their Loading.

XCII. And for the better ascertaining and more easy and effectual collecting of the said Rates hereby directed to be paid to the said Company, be it further enacted, That the Master or Owner or other Person or Persons having the Care of any Boat, Barge, or other Vessel navigating upon the said Canal and Cuts, and the Owner or other Person having the Care of any Waggon or other Carriage passing upon the said Railways or Tramroads, or upon any Part or Parts thereof respectively, shall give to the Collector of the said Rates, or to any other Officers to be appointed for such Purpose by the said Company, at the Place or Places where he or they shall attend for that Purpose, a just Account in Writing signed by him or them of the Quantities, Qualities, and Weight of the Goods or other Things which shall be embarked or put in or upon each such Boat, Barge, or other Vessel, Waggon or other Carriage, from whence brought, and where the same is intended to be landed and discharged; and if the Goods or other Things contained in any such Boat, Barge, or other Vessel, Waggon or other Carriage, shall be liable to the Payment of different Rates, then such Master, Owner, or other Person or Persons shall specify the Quantities liable to the Payment of each of the said Rates; and in case he or they shall neglect or refuse to give and deliver such an Account, or shall refuse to produce his or their Invoice or Bill of Lading, to the Officer demanding the same, or shall, with Intent to avoid the Payment of the said Rates or Duties, or any Part of them, give a false Account, or shall deliver out any Part of such Lading or Goods at any other Place or Places than what is or are mentioned in such Invoice or Bill of Lading, every Person so offending shall forfeit and pay any Sum not exceeding Ten Shillings for every Ton of Goods or other Things, and so in proportion for any less Quantity than a Ton, which shall be in or be conveyed by such Boat, Barge, or other Vessel, Waggon or other Carriage respectively, of which or of whose Lading such Account shall be neglected or refused, or such false Account given, or whose Lading shall be delivered out as aforesaid (as the Case shall happen), to be over and above the aforesaid respective Rates which shall be payable for the same.

Persons eluding Payment of Duties, &c. to pay Double Duties, &c.

XCIII. And be it further enacted, That if any Master, Owner or Owners, or other Person or Persons having the Charge or Command of any Ship or other Vessel, or any Owner or Owners, Consignee or Consignees, or any other Person or Persons owning or having Charge or commanding any Ship or other Vessel, or any Owner or Owners, Consignee or Consignees, or any other Person or Persons owning or having Charge of any Goods, Wares,

Wares, or Merchandize imported into or exported from the said Ports or Harbours, or any Coal Owner or Coal Owners, or Shipper or Shippers of Coal or Culm, or any Owner or Owners, or other Person or Persons having the Charge, Care, or Custody of any Goods, Wares, Merchandize, or other Articles or Things, hauled, borne, or carried upon the said Railways or Tramroads, or any of them, or any Part or Parts thereof respectively, shall, by any Means whatsoever, at any Time or Times, elude or evade the Payment of the Rates, Tolls, or Duties by this Act granted and made payable, or any of them, or any Part or Parts thereof respectively, each and every Person so eluding or evading the Payment thereof as aforesaid shall stand and be charged and chargeable with, and forfeit and pay to the said Company of Proprietors, a Sum of Money equal to Double the Rates or Duties so eluded or evaded, and to be recovered and recoverable by the same Ways and Means and in such Manner as are herein-after directed for recovering and levying Fines, Penalties, and Forfeitures by this Act inflicted or authorized to be imposed.

XCIV. And to the Intent that the Rates or Duties by this Act imposed may be duly accounted for and paid, be it further enacted, That from and after the Time that the said Harbours and Works, or such Part and Parts thereof, shall be so far complete as that any Ship or Vessel may be enabled to load and unload Goods and Effects at any of the Wharfs or Quays hereby authorized to be made, no Collector or other Officer of His Majesty's Customs at the said Harbour, or at the Port to which the same shall be attached, shall from thenceforth afterwards, on any Pretence whatever, permit or allow any Ship or other Vessel on which Duties of Tonnage are by this Act imposed to be entered Inwards from Foreign Ports or Coastwise, unless and until the Master or other Person having Charge of such Ship or Vessel shall have paid the Duties of Tonnage by this Act granted or imposed, and shall have produced to the said Collector or other Officer of the Customs a Certificate under the Hand of a Collector or Person appointed under the Authority of this Act to collect and receive the Tonnage Rates and Duties due and payable by virtue of this Act, purporting that the said Rates and Duties payable on account of any such Ship or Vessel have been fully paid and satisfied; and that no such Collector or Collectors, upon pain of forfeiting for every such Offence any Sum not exceeding Ten Pounds, together with Costs of Suit, and to be recovered and levied in the same Manner as other Fines, Penalties, and Forfeitures may be recovered and levied under this Act, and which such Collector or Collectors, or other Person or Persons appointed under the Authority of this Act to collect and receive the said Tonnage Rates, Tolls, or Duties hereby granted or imposed are required to sign and give accordingly without Fee or Reward, upon pain of forfeiting for every Refusal thereof upon Demand any Sum not exceeding Ten Pounds, together with Costs of Suit, and which Sum when forfeited shall and may be recovered and levied in the same Manner as other Fines, Penalties, and Forfeitures under this Act may be recovered and levied.

Custom-House Officers not to discharge Vessels before Duties paid.

XCV. Provided also, and be it further enacted, That it shall and may be lawful for the said Company of Proprietors and their Committee of Management to compound with and to receive and accept of and from any Master, Commander, or Owner of any Ship or Vessel, Bark, Barge, or Boat, not exceeding the Burthen of Two hundred Tons, trading to and from

Compositions may be made for Tonnage Duties on Vessels not exceeding

Two hundred Tons Burthen.

from and using the said Harbours, such Composition for the said Tonnage Rates and Duties, and to be paid and payable at such Times and in such Manner, as shall be agreed upon by and between the said Company of Proprietors, or their Committee of Management, and any such Master, Commander, or Owner, but so nevertheless that such Composition do not in any Case exceed the Amount of the Tonnage Rates and Duties by this Act charged and payable.

For ascertaining the Tonnage or Admeasurement of Shipping.

XCVI. And be it further enacted, That the Tonnage and Admeasurement of all Ships and Vessels required to be registered by any Act or Acts of Parliament of the Kingdom of *Great Britain*, or of the United Kingdom of *Great Britain and Ireland*, and trading or coming to or departing from the said Harbour, and liable to the Payment of any of the Rates or Duties by this Act imposed, shall be ascertained according to the certified Tonnage in the Ship's Register; and the Master or other Person having the Command of any such Ship or Vessel is hereby required to produce the Certificate or Registry of such Ship or Vessel, at the Time of Payment of the said Rates or Duties, to the Person or Persons who shall be authorized to collect or receive the said Rates or Duties; and in case of any Dispute in, about, or concerning the same, or in case of any Dispute in respect of the Tonnage of any Ship or Vessel not required to be registered, or of any Foreign Ship or Vessel, then the Tonnage of every such Ship or Vessel about or concerning which any such Dispute may arise shall be ascertained and determined in the Manner and according to the Directions of an Act made and passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled *An Act for the Encouragement of the Shipping and Navigation*.

Power to measure Ships.

XCVII. And be it further enacted, That if the Collector or Collectors of any of the said Rates or Duties, or such other Person or Persons as the said Company of Proprietors shall in that Behalf nominate or appoint, and the Master or other Person or Persons having Charge or Command of any Ship or other Vessel, cannot agree about or otherwise ascertain the Tonnage of such Ship or other Vessel, then and in every such Case it shall and may be lawful for the said Collector or Collectors, or Person or Persons appointed as aforesaid, from Time to Time and at all convenient and reasonable Times to stop, detain, enter into, measure, and gauge the same; and in Case the same shall, upon such measuring or gauging, appear to be of greater Tonnage than shall be set forth and contained in the Account which shall be given thereof, then the Master, Owner, or Person giving in such Account shall pay the Costs and Charges of such measuring and gauging; all which Costs and Charges, upon Refusal of Payment thereof on Demand, shall and may be recovered and levied by such Ways and Means and in such Manner as the Rates and Duties hereby granted or imposed are hereby appointed to be recovered and levied; but if any such Ship or other Vessel shall be found to be of the same or of less Tonnage than the same shall by such Account appear to be of, then the said Collector or Collectors, or such other Person or Persons appointed as aforesaid respectively, shall pay the Costs and Charges of such measuring or gauging, and shall also pay such further Damages as shall appear to Two or more Justices of the Peace for the County or Place, on the Oath of One or more credible Witness or Witnesses, to have arisen from such Detention; and if any Master, Commander, or other Officer of any Ship or Vessel, or any Person
or

or Persons whomsoever, shall obstruct or hinder any Person or Persons so employed in or from measuring or gauging any Ship or Vessel in pursuance of this Act, every such Master, Commander, or other Person shall for every such Offence forfeit any Sum not exceeding Ten Pounds nor less than Two Pounds over and above the said Rates.

Penalty for obstructing such Measurement.

XCVIII. And for the better ascertaining and the more easy collecting the Rates, Tolls, or Duties by this Act charged and made payable in respect to the said Railways or Tramroads hereby authorized to be made, be it further enacted, That the Owner or Owners, or Person or Persons having the Care of any Waggon, Tram Cart, or other Carriage passing upon the said Railways or Tramroads, or any of them, or any Part thereof respectively, shall deliver and give in an exact and true Account in Writing, signed by him or them, to the Collector or Collectors of the said Rates, Tolls, or Duties appointed by the said Company, at the Place or Places where such Collector or Collectors shall attend for that Purpose, of what Quantity of Goods or other Things shall be in such Waggon or other Carriage respectively, and from whence brought, and where the same are intended to be unloaded or left; and in case any such Owner, or Person or Persons, shall neglect or refuse to give such Account to any such Collector demanding the same, or shall wilfully give a false Account, or shall deliver any Part of his or their Goods, or other Things, at any other Place than what is or are mentioned in such Account, in order to avoid the Payment of the said Rates or any Part of them, he or they so offending or doing shall for every such Offence forfeit and pay any Sum not exceeding Five Shillings for every Ton of Goods and other Things, and so in proportion for any less Quantity than a Ton, which shall be in any such Waggon, or other Carriage respectively of which such Account shall be so refused to be given, or which shall be fraudulently delivered out as aforesaid, (as the Case shall happen to be,) over and above the respective Rates, Tolls, and Duties by this Act directed to be paid for the same in respect to the said Railways or Tramroads.

Owners of Waggons, &c. to give an Account in Writing of Lading.

XCIX. And be it further enacted, That when it shall be found necessary, in making the said Canal and Cuts and other the Works hereby authorized, to cut through or take, or so much injure any Part of any Carriage Road, Horse Road, or Footway, either public or private, as to render the same inconvenient and bad, or dangerous for Travellers or Carriages, or the Persons entitled to the Use thereof, the said Company of Proprietors shall at their own Expence, before any such Road or Way shall be cut through, taken, or injured as aforesaid, cause a good and sufficient Carriage Road, Horse Road, or Footway, as the Case may require, to be set out and made instead thereof, as convenient for Passengers and Carriages as the Road to be cut through, taken in, or injured as aforesaid, or as nearly as Circumstances will permit, and shall cause the same to be put in good Order and Condition; and also that where the said Railways or Tramroads hereby authorized to be made, or any of them, shall cross any Turnpike Road, public Highway, or private Way or Road, the Plates of the said Railway or Tramroads shall be made for the Wheels of the Carriages used thereon to run in a Groove, and from the highest Part of the Plates the Sides each Way shall be made aslant in such a Way as that Carriages of all Kinds may easily pass over the same.

Powers to alter and divert Roads.

Goods not to remain on the Quays, &c. beyond a limited Time.

C. And be it further enacted, That it shall not be lawful for nor in the Power of any Person or Persons who shall have landed or deposited, or caused to be landed or deposited, any Goods, Wares, Merchandize, Commodities, Articles, or Things whatsoever, other than Materials for the necessary making, completing, repairing, and maintaining of the Locks, Entrances, Quays, Wharfs, Railways, or Tramroads, and other Works by this Act authorized to be made, and for immediate Use in shipping upon any of the Quays, Wharfs, or Landing Places, or other Works hereby authorized to be made within or belonging to the said Harbour, Cuts, Canal, Reservoirs; and other Works as aforesaid; or any of the Avenues leading thereto, or any of them, to continue or permit the same to remain and be thereon for any longer Time than the Space of Twenty-four Hours in the whole; and in all such Cases where such Goods, Wares, Merchandize, Commodities, Articles, or Things as aforesaid shall have so continued or been permitted to remain beyond the aforesaid Time or Space of Twenty-four Hours, it shall and may be lawful for the said Company of Proprietors, or any Person or Persons appointed by them, to remove or cause to be removed all such Goods and other Articles or Things as shall be found so lying, continuing, and being on the said Quays, Wharfs, Landing Places, and other Parts of the Works by this Act authorized to be made, above the aforesaid limited Time or Space of Twenty-four Hours, or any Part or Parts thereof, to some Place or Places of Safety, and therein to detain and keep the same till Payment of the Charges and Expences of such Removal and Detention; and if such Charges and Expences shall not be paid within the Space of Six Days after Demand thereof by the said Company, or some Person or Persons employed by them, then and in all such Cases the said Company of Proprietors, and the Person and Persons employed by them, are hereby authorized and empowered to levy the same by Distress and Sale of the said Goods and other Articles and Things so respectively detained and kept as aforesaid, or any Part or Parts thereof, in such Manner as the Law directs in Cases of Distress for Rent in Arrear, rendering the Overplus (if any) to the Owner or Owners of such Goods, Articles, and Things, the Charges and Expences of taking, keeping, and making such Sale and Distress as aforesaid being first deducted on the same being demanded.

Allowances to the Company for Goods, &c. remaining upon their Works above a limited Time.

CI. And be it further enacted, That if any Goods, Wares, Merchandizes, Commodities, or Things whatsoever shall be permitted to lie or remain upon any Wharf or Wharfs, Quay or Quays, or other Works by this Act authorized to be made, for above the Space of Twenty-four Hours, then and in every such Case it shall and may be lawful to and for the said Company of Proprietors, and such Person or Persons as they shall appoint, to demand and receive, over and above the Rates, Tolls, and Duties herein-before authorized to be taken, such further Rate or Sum not exceeding the Rate or Sum of One Halfpenny *per* Ton, for every Day which the same shall remain and be upon such Wharf and Quay respectively, as shall be agreed upon between the said Company of Proprietors, or their Agent or Agents, and the Owner or Owners of such Goods, Wares, and Merchandizes, and other Things; to be collected and levied in such Manner as is herein-before directed in respect of the collecting and laying of any other Rates, Tolls, or Duties by this Act granted or authorized to be imposed; and in case of any Dispute concerning the Amount
of

of such further Allowances or Rates the same shall be ascertained and adjusted by the said Commissioners, who are hereby authorized and empowered to make such Regulations from Time to Time as they may think fit for ascertaining and determining such further Allowances and Rates as last aforesaid to be taken by the said Company of Proprietors.

CII. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons whomsoever, other than the said Company of Proprietors, their Engineers, Workmen, and Servants, acting and employed for the Purposes of this Act, without the express Licence and Directions in Writing of the said Company of Proprietors, or of such Engineer or other Officer who shall for the Time being be by them intrusted with the Care and Direction of the Preservation of the said Harbour, to throw or empty any Ballast, Dust, Ashes, or Rubbish, Shingle, Stone, or other Thing or Things whatsoever, into any Part of the said Harbour, or of the said Rivers called *Great Gwendraeth* and *Little Gwendraeth*, Six hundred and sixty Yards above *Kymer's* Canal or Dock, or into any of the Cuts, Canal, Reservoirs, Docks, or other Works hereby authorized to be made, or any of them, or into the Entrance thereof, or any of them, or to dig, cut, or take away any Ballast, Shingle, Stone, or other Things therefrom, or from any of them, or any Part thereof, or with such Licence into, out of, or from any other Part or Parts thereof respectively, other than and in such Manner as such Licence shall direct and express, on pain of forfeiting for every such Offence any Sum not exceeding Five Pounds, besides the Charges and Expences of raking up and removing all such Ballast, Dust, Ashes, Rubbish, Shingle, Stones, and other Things which may be so thrown or emptied into the said Harbour or other Works as aforesaid, or of filling up the Cavities or vacant Places occasioned by digging any such Ballast or other Matter, and restoring the same, or the like Quantity of some proper and convenient Substance, and of repairing the Damage occasioned by any such respective Acts, and which the said Company of Proprietors are hereby authorized and empowered to do at the Expence of such Defaulter or Defaulters.

Ballast, &c.
not to be
thrown into
the Harbours
or Works.

CIII. And be it further enacted, That at all Times after the passing of this Act every Person or Persons who shall or may have Occasion to throw or cast out any Shingle, Stones, Gravel, Dust, Ashes, Rubbish, or other Ballast from or out of any Ship or other Vessel which shall come into the said Harbour, shall throw and cast out the same in such Part and Parts of the said Harbour or of the said Rivers called *Great Gwendraeth* and *Little Gwendraeth*, Six hundred and sixty Yards above *Kymer's* Canal or Dock, or of the said Canal, Reservoirs, Cuts, Entrances, and other Works, if the same Vessels respectively can come thereto upon such Quays, Wharfs, Entrances, Breasts, or other Works wherein or whereupon the said Company of Proprietors shall direct and appoint the same respectively to be thrown, and not elsewhere; and if any such Person or Persons shall omit or refuse to throw or cast out any such Shingle, Stones, Gravel, Dust, Ashes, Rubbish, or other Ballast, from and out of any such Ship or other Vessel, into or upon such Place and Places where they shall respectively be required to cast and throw the same, or shall cast

Ballast to be
removed from
the Quays,
&c.

or

or throw the same in or upon any Quay, Wharf, Entrance, Bank, Breast, or other Work in or belonging to the said Harbour, Cuts, Canal, Reservoirs, Docks, and Basins hereby authorized to be made, or any of them, contrary to or without any such Direction and Appointment as aforesaid, and shall not immediately cart and carry the same to such Place or Places as the said Company for such Cases shall from Time to Time provide and appoint, then and in every such Case such Person and Persons shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, besides the Charges and Expences of removing, carting, and carrying away all such Shingle, Stones, and other Ballast as aforesaid, and which the said Company of Proprietors are hereby authorized and empowered to do, at the Expence of such Defaulter or Defaulters.

No Person to ride or drive Cattle on the Railways.

CIV. And be it further enacted, That if any Person or Persons (save and except the said Company of Proprietors, their Agents or Servants, or others in Company with them, or with their Permission,) shall wilfully ride, lead, or drive, or cause to be rode, led, or driven, upon the said Railways or Tramroads by this Act authorized to be made, or any of them, or any Part thereof respectively, any Horse, Mare, Gelding, Mule, or Ass, or other Animal, or shall lead or drive, or cause to be led or driven thereon, any Ox, Cow, Sheep, Swine, or any other Beast or Animal, (except only in crossing the same respectively at such Places as shall from Time to Time be appointed for that Purpose,) he, she, or they so offending shall forfeit and pay to the said Company of Proprietors for every such Offence any Sum not exceeding Five Pounds.

Power to regulate the Passage of Waggons, &c. on the Railways.

CV. And be it further enacted, That if any Waggon, Wain, Tram or other Carriage shall be placed or suffered to remain on the said Railways or Tramroads, or any of them, or any Part thereof respectively, or other Works hereby authorized to be made, so as to obstruct the Passage thereof, and the Person having the Care of such Waggon, Wain, Tram, or other Carriage shall not immediately upon Demand remove such Waggon, Wain, Tram, or other Carriage, he shall forfeit for every such Offence any Sum not exceeding Five Shillings for every Hour such Obstruction shall continue; and it shall and may be lawful for any Officer, Agent, or Servant of the said Company of Proprietors to cause any Waggon, Wain, Tram, or other Carriage that shall be suffered to remain or obstruct the free Passage or Use of the said Railways or Tramroads, or any of them, or any Part thereof respectively, or other Works by this Act authorized to be made, to be unloaded, if necessary, and to be removed in such Manner as shall be proper for preventing such Obstruction, and detain such Waggon, Wain, Tram, or other Carriage, and the Loading thereof, or any Part of such Loading, until the Charges and Expences occasioned by such Removal shall be paid; and if such Payment shall not be made within the Space of Seven Days, then it shall and may be lawful for the said Company of Proprietors or their said Committee of Management, and they are hereby respectively authorized and empowered, to sell and dispose of such Waggon, Wain, Tram, or other Carriage, with the Loading thereof or of any Part thereof, in such Manner as the Law directs in Cases of Distress for Rent in arrear, rendering to the former Owner of such Waggon, Wain, Tram, or other Carriage the

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Overplus,

Overplus, if any, after such Expence and the Charges of such Sale shall be deducted.

CVI. And be it further enacted, That if any Person shall suffer the Loading of any Waggon, Tram, or other Carriage using the said Railways or Tramroads, or any of them, to lie over the Sides or Ends of such Waggon or other Carriage respectively, or shall overload any such Waggon or other Carriage so as thereby or by any other Means to obstruct the passing or Way of any other Waggon or other Carriage, and shall not immediately upon being required remove such Obstruction, or if any Person or Persons shall throw or place any Stones, Wood, Rubbish, or other Matter or Thing into or upon the said Railways or Tramroads, or any of them, or any Part thereof respectively, or other Works to be made by virtue of this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

No Loadings of any Waggon to be over the Sides.

CVII. And be it further enacted, That all and every Person and Persons opening any Gate or Bar to be set up across any of the said Railways or Tramroads hereby authorized to be made shall, and he, she, or they is and are hereby required and directed, so soon as he, she, or they, and the Waggon or other Carriage (in case he, she, or they shall have any such under his, her, or their Care or Management,) shall have passed through the same, to shut and fasten all and every such Gate and Bar; and every Person neglecting so to do shall for every such Offence forfeit and pay any Sum not exceeding Five Shillings, to be recovered and levied as herein-after mentioned; and the Money arising from every Fine or Forfeiture shall be paid and applied in manner following; (that is to say,) one Half thereof shall be paid to the Informer or Informers, and the other Half to the said Company of Proprietors, anything in this Act contained to the contrary notwithstanding.

Gates to be shut and fastened after Waggons have passed.

CVIII. And be it further enacted, That in case any Person or Persons whomsoever shall wilfully or maliciously cut, break, or in any Manner destroy any Rope, Chain, or other Thing by which any Ship, Barge, Boat, or other Vessel lying in the said Harbour, Cuts, Canal, Reservoirs, Docks, or other Works by this Act authorized to be made, shall be moored or fastened, every such Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, besides paying the Damage thereby occasioned.

Penalty for destroying Ropes of Vessels.

CIX. And be it further enacted, That if any Person or Persons whomsoever shall take away any Stones, Gravel, Sand, Clay, Rubbish, Bog, or Peat, Timber or other Materials, which shall have been cut, dug, got, or gathered by or by the Order of or for the said Company of Proprietors in any Waste Lands, Fields, Waste or Open Ground, Seashore Sands, Rivers, or Brook, for the several Purposes of this Act, or shall get or take away any Stones, Gravel, Sand, Clay, or other Materials out of any Pit or Quarry which shall have been made for the Purposes of getting any such Materials for the several Purposes of this Act, before the Person or Persons appointed or acting by or for or under the Authority of the said Company shall have discontinued working therein for the Space of Three Calendar Months, except the Owner or Occupier of such Lands or

Penalty for taking away Materials got by the Company for the Use of the Works.

Grounds, for his or her own private Use only and not for Sale, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Owners to put their Names on the Outside of Boats.

CX. And be it further enacted, That every Owner or Owners of any Boat, Barge, or other Vessel, not being a Pleasure Boat, passing upon the said Canal and Cuts, shall cause his, her, or their Name or Names and Place and Places of Abode, and the Number of his, her, or their Boat, Barge, or other Vessel, to be entered with the Clerk or Clerks to the said Company; and shall also cause such Name or Names and Number to be painted in large White Capital Figures or Letters on a Black Ground, Three Inches high at least and a proportionable Breadth, on the Outside of the Head or Stern of every such Boat or Barge or other Vessel, higher than the Place to which the same shall sink into the Water when full laden; and also shall and is hereby required to fix on each Side thereof respectively correct Indexes of Copper, Lead, or other Metal, of such graduated Dimensions and of such convenient Heights and under such Regulations as the said Company shall from Time to Time direct; or other proper Means shall be used under the Direction of the said Company, so that the true Weight of the Lading on board may at all Times be ascertained and shown; and the Owner or Owners of any Waggon or other Carriage passing along the said Railways or Tramroads shall cause his, her, or their Name or Names and Place or Places of Abode, and the Number of his, her, or their Waggon or other Carriage, to be entered with the Clerk or Clerks to the said Company; and shall also cause such Name or Names and Number to be painted in large White Capital Letters and Figures on a Black Ground, Three Inches high at the least and of a proportionable Breadth, on some conspicuous Part of the Outside of every such Waggon or other Carriage; and shall permit and suffer every such Boat, Barge, or other Vessel, Waggon or other Carriage, to be gauged, weighed, and measured, at the Expence of the said Company, whenever it shall be required by them or any Person or Persons by them appointed for that Purpose; and every Owner or Owners, Master, or other Person having the Care or Command of any Boat, Barge, or other Vessel, Waggon or other Carriage, or who shall navigate or convey the same upon the said Canal and Cuts, Railways or Tramroads, without having such Names, Figures, and Indexes thereon respectively as are herein-before directed, or who shall alter, erase, deface, or destroy such Name, Figure, and Index, or either of them, or any Part thereof, or shall fix thereon any false Name, Figure, or Index, or who shall refuse to permit and suffer such Boat, Barge, or other Vessel, Waggon or other Carriage, to be gauged, weighed, and measured, or shall wilfully suffer or permit any Boat, Barge, or other Vessel navigating upon or lying in the said Canal and Cuts to be loaded or unloaded without a Stage being laid from the Side of such Boat, Barge, or other Vessel to the Bank of the said Canal and Cuts, so effectually to prevent any Soil or other Matter or Thing intended to be taken on board, or discharged out of such Boat, Barge, or other Vessel, from falling into the said Canal and Cuts, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Boat Owners to be accountable for Damages

CXI. And be it further enacted, That the Master and Owner or Owners of every Boat, Barge, or other Vessel navigating upon the said Canal and Cuts, or of any Waggon or other Carriage passing upon the said Railways

or Tramroads, shall be and he and they is and are hereby respectively made answerable for any Trespass, Damage, Spoil, or Mischief that shall be done by his, her, or their Boat, Barge, or other Vessel, Waggon or other Carriage, or by any of the Boatmen, Watermen, Waggoners, or other Person or Persons belonging to or employed in or about the same respectively, to any of the Bridges, Wears, Dams, Engines, Railways, or Tramroads, or to any of the Trenches, Aqueducts, Sluices, Passages, or other Works or Conveniences to be made by virtue of this Act, either by the loading or unloading of any Boat, Barge, or other Vessel, Waggon or other Carriage, or by any Means whatsoever, or to the Owners or Proprietors of any Building or other Erection, Lands, Tenements, or Hereditaments, adjoining or lying near to the same, or any other Trespass whatsoever; and the said Master, Owner or Owners of such Boat or other Vessel, Waggon or other Carriage, shall for every such Damage, upon Conviction of such Person or Persons before any One Justice of the Peace, either by the Confession of the Party or Parties offending or upon the Oath or Oaths of One or more credible Witness or Witnesses (which Oath or Oaths such Justice is hereby empowered and required to administer), pay the Person or Persons injured the Damages to be ascertained by such Justice, provided that such Damages do not exceed the Sum of Ten Pounds, and also shall, over and above such Damages, forfeit and pay to the Informer any Sum not exceeding Five Pounds, and all the Costs, Charges, and Expences attending such Conviction; which Damages, Penalties, and Costs shall be levied by Distress and Sale of the Goods and Chattels of the Master or Owner and Owners of such Barge or other Vessel, Waggon or other Carriage, by Warrant or Warrants under the Hand and Seal of such Justice; and the Overplus (if any), after such Penalty, Damages, and the Costs and Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, to the Master or Owner or Owners of such Goods and Chattels; or if the Damages shall exceed the Sum of Ten Pounds, then and in such Case the Master or Owner or Owners of such Boat or other Vessel, Waggon or other Carriage, may be sued or prosecuted for the same in any of His Majesty's Courts of Record; and if a Verdict or Judgment shall be given against him, either on Proof made, or by Default or upon Demurrer, the Plaintiff in any such Case shall recover his Damages thereby sustained, with full Costs of Suit.

CXII. And be it further enacted, That in case the Owner or Owners of any Boat, Barge, or other Vessel, Waggon or other Carriage, as aforesaid, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage or Trespass, by reason of any wilful Neglect or Default done or committed by his, her, or their Servants, Boatmen, Watermen, or Waggoners, or any of them, such Servants, Boatmen, Watermen, or Waggoners, and each and every of them, shall be liable to repay such Penalty or Damage (with the Costs thereof) to such Owner or Owners; and in case of Nonpayment thereof upon Demand, and Oath made by such Owner or Owners of the Payment made by him, her, or them of such Penalty or Satisfaction for Damages, and that the same and the Costs thereof have or hath not been repaid to him, her, or them by such Servants, Boatmen, Watermen, or Waggoners, or any of them, although demanded, (such Oath to be made before any One Justice of the Peace for the County or Place where such Penalty and Satisfaction shall have been incurred or paid,) the Amount thereof shall be recovered and levied, by Warrant

done by the
Boatmen,
&c.

Owners to
recover from
their Servants
any Sum
for their
Default.

Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of such Servant, Boatman, Waterman, or Waggoner, together with all Costs and Charges attending such Distress and Sale; and the said Penalty and Satisfaction, when recovered, shall be repaid to such Owner or Owners in discharge of such Penalty and Satisfaction so by him, her, or them paid for the wilful Act or Default of such Servant as aforesaid; and in case no sufficient Distress can be had such Justice shall and is hereby empowered to commit such Servant or other Person to the House of Correction for the said County or Place, there to remain without Bail or Mainprise for any Time not exceeding Three Calendar Months.

Places to be
made for
Boats to turn
or lie in, or
for other
Boats to pass.

CXIII. And be it further enacted, That the said Company shall and may, in such Parts of the said Canal and Cuts as shall not be of sufficient Breadth for admitting a Boat, Barge, or other Vessel to turn about or lie whilst another Boat, Barge, or other Vessel shall pass by, or to admit Two Boats, Barges, or other Vessels to pass each other, and they are in such Cases hereby empowered to make and cut proper Spaces and Openings into the Lands adjoining to the said Canal and Cuts, at convenient Distances from each other, for the turning, lying, or passing of any such Boats, Barges, and other Vessels; and all such Boats, Barges, and other Vessels which shall be hauled or navigated upon the said Canal and Cuts shall, upon meeting any other Boat, Barge, or other Vessel navigating thereon, stop at or go back to and lie in the said Spaces or Openings, in such Manner as the said General Committee shall from Time to Time direct and appoint; and if any Boat, Barge, or other Vessel shall be placed or lie abreast in any Part of the said Canal and Cuts, or any Trench, Sluice, or Passage belonging thereto, not being moored at both Ends, or if any Person or Persons navigating or having the Care of any Boat, Barge, or other Vessel shall wilfully obstruct the Navigation of the said Canal and Cuts by means of the displacing or otherwise misconducting such Boat, Barge, or other Vessel, and shall not immediately upon Request made moor the same at both Ends, or alter the Situation of such Boat or Barge, or otherwise stop or effectually secure the same (as the Case shall require), every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds, and also the Sum of Ten Shillings for every Hour during the Continuance of such Obstruction after the making of such Request; and it shall be lawful for the Agents or Servants of the said Company or any of them to cause any such Boat, Barge, or other Vessel to be unloaded, if necessary, and to be removed, in such Manner as shall be proper for preventing or removing such Obstruction, and to seize and detain such Boat, Barge, or other Vessel, and the Loading thereof or any Part thereof, until the Charges occasioned by such unloading and Removal shall be paid; and if any Boat, Barge, or other Vessel shall be sunk in any Part of the said Canal and Cuts, or in any such Trench or Sluice as aforesaid, and the Owner or Owners or other Person or Persons having the Care of such Boat, Barge, or other Vessel shall not without Loss of Time weigh or draw up the same, it shall be lawful for the Agents or Servants of the said Company, or any of them, to cause such Boat, Barge, or other Vessel to be weighed or drawn up, and to retain, keep, and use the same until Payment be made of all the Expences necessarily incurred and occasioned in and about the weighing and drawing up the same; and if such Payment shall not be made in the Space of Seven Days, then it shall

shall be lawful for the said Company to sell and dispose of such Barge or other Vessel, with the Loading thereof, in such Manner as the Law directs in Cases of Distress for Rent in arrear, rendering to the former Owner of such Barge or other Vessel the Overplus, after the Expences and the Charges of such Detention and Sale shall be deducted.

CXIV. And be it further enacted, That no Boatman or other Person navigating or having the Care of any Boat, Barge, or other Vessel upon the said Canal and Cuts, which shall pass through any Lock to be made thereon, shall suffer the Water to remain in such Lock longer than is necessary for his Boat, Barge, or other Vessel to pass through the same; and also that every such Boatman or other Person as aforesaid, in going down the said Canal and Cuts, shall, previous to his bringing his Boat, Barge, or other Vessel into any Lock, shut the lower Gates of such Lock, and the Sluices thereto belonging, before he shall draw the Cloughs of the upper Gates thereof; and after he shall have brought such Boat, Barge, or other Vessel through the said Lock he shall then shut the upper Gates before he shall draw the Cloughs of the lower Gates thereof; and in going up the said Canal and Cuts towards the Head Level or Head Levels thereof, such Boatman or other Person, so soon as he shall have passed with his Boat, Barge, or other Vessel through the said Lock, shall shut the upper Gates of the same before he shall draw the Cloughs of the lower Gates thereof, unless there shall then be a Boat, Barge, or other Vessel coming down the said Canal and Cuts in sight of the said Boatmen or other Person passing such Lock, in which Case the lower Gates of the said Lock shall be left shut, and the upper Gates shall be left open; and in all dry Seasons, when there shall be a Scarcity of Water in the said Canal and Cuts, the Boat, Barge, or other Vessel so going up the same, (if within sight of a Boat, Barge, or other Vessel so coming down,) and at a Distance not exceeding Five hundred Yards below a Lock, shall pass through such Lock before the Boat, Barge, or other Vessel coming down, and then such other Boat, Barge, or other Vessel shall come into the said Lock; and if there shall be more Boats, Barges, or other Vessels than One below and above any Lock at the same Time in any such dry Season within the Distance aforesaid, (which Distance shall be distinguished by a Post or Mark to be set up and made for that Purpose,) such Boats, Barges, or other Vessels shall go up and come down at such Lock by Turns as aforesaid, until all the Boats, Barges, and other Vessels so going up or coming down shall have passed the same, by which Means One Lock full of Water may serve Two Boats, Barges, or other Vessels; and any Person or Persons acting contrary to these Directions in passing any such Lock or Locks shall forfeit the Sum of Five Pounds for every such Offence; but if any Question or Dispute shall arise on his or their Conviction, whether it was or was not a dry Season at the Time of such Offence committed, such Question shall be determined by the said Commissioners.

Regulations
of Vessels
passing the
Locks.

CXV. And be it further enacted, That the said Company shall at their own Costs (within Six Calendar Months after any Part of the said Canal and Cuts and Towing Paths thereto belonging, Railways or Tramroads, shall be dug, laid out, and formed,) divide and separate, and keep constantly divided and separated, the Towing Paths on each Side of the said Canal and Cuts, and the Trenches, Feeders, and Passages hereby authorized to be made, and the said Railways or Tramroads, or such Part or

For fencing
off Towing
Paths, and
making
Bridges, &c.

[*Loc. & Per.*]

Parts thereof respectively as shall be declared necessary by the said Commissioners in case there shall be any Doubt or Dispute about the same, from the adjoining Lands or Grounds, by Posts, Rails, Hedges, Ditches, Trenches, Banks, or other Fences sufficient to keep off Sheep and other Cattle, the same to be set out and made on the Lands or Grounds which shall be purchased by, conveyed to, or vested in the said Company as aforesaid; and the said Company shall, at their own proper Costs and Charges, from Time to Time maintain and support the said Towing Paths, and the said Posts, Rails, Hedges, Ditches, Trenches, Banks, and other Fences so set up and made as aforesaid, and also shall, at their own like Costs and Charges, make, erect, and set up, and from Time to Time maintain and support, such and so many convenient Gates, Bridges, and Stiles in, over, and through all the Hedges and Fences to be by them so made on the Side of such Towing Paths and Railways or Tramroads as aforesaid, and also such Bridges, Arches, Culverts to and Passages over, under, or by the Side of or into the said Canal and Cuts, and the Feeders, Trenches, and Aqueducts communicating therewith, and the Towing Paths at the Side thereof, of such Dimensions and in such Manner as the said Commissioners shall at any Time at their public Meetings from Time to Time judge necessary and appoint, in case there shall be any Dispute about the same, for the Use of the Owners and Occupiers of the Lands and Grounds, Mills or Hereditaments, adjoining to such Canal and Cuts, Railways or Tramroads, and other Works, or any of them respectively; and the said Company shall not make the said Canal and Cuts, or any Trench or other Watercourse belonging to the same, in or across any common Highway, public Bridleway or Footpath, until they shall, at their own proper Costs and Charges, have made and perfected such Bridge or Bridges, Passage or Passages, Arch or Arches, over or across or under the same Highway, public Bridleway or Footpath, of such Dimensions and in such Manner as the said Commissioners shall at some public Meetings from Time to Time judge necessary and appoint, not being contrary to the true Intent and Meaning of this Act; and all such Gates, Stiles, Bridges, Arches, and other Works and Conveniences so to be made as aforesaid shall from Time to Time and at all Times hereafter be supported, maintained, and kept in sufficient Repair by the said Company; and in case the said Company or their Agent shall refuse or neglect to divide and separate, and to keep divided and separated, the Towing Paths of the said Navigation, and the said Railways or Tramroads, in manner herein-before directed, or to make, erect, and set up such Gates, Fences, Bridges, and Stiles in, over, and through the Fences on the Sides of the said Towing Paths, or such Bridges, Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages over, under, or by the Sides of or into the said Canal and Cuts, and the said Trenches, Streams, and Watercourses as aforesaid, or to make such Watering Places for Cattle as herein-before directed, for the Use and Convenience of the respective Owners and Occupiers of the Lands, Mills, or Hereditaments adjoining or near to the said Canal and Cuts, or to maintain and support such Gates, Stiles, Bridges, Arches, Passages, and Watering Places, when erected, set up, and made, of such Dimensions and in such Manner as aforesaid, for the Space of Three Calendar Months next after the Time to be appointed for those Purposes by the said Commissioners, or after Notice shall be given by or on behalf of the Owners or Occupiers of any such Lands or other Hereditaments, who may be aggrieved by any such Refusal or Neglect, then and in every such Case it shall be lawful for any or every

every of the Owners or Occupiers of the said adjoining Lands, Grounds, Mills, or Hereditaments, who shall find himself, herself, or themselves aggrieved by such Refusal or Neglect to make, erect, and set up all such Fences, Gates, Stiles, Bridges, Arches, Passages, or Watering Places, and other Conveniences, as the said Commissioners shall have before directed or appointed to be made and set up by the said Company as aforesaid, and to maintain, repair, and support the same from Time to Time, as Occasion shall require, so that in making and maintaining such Works as aforesaid the said Canal, Cuts, and Navigation, or the Banks thereof, or the Feeders or Aqueducts belonging thereto, or the said Railways or Tramroads, shall not be stopped or injured for any longer Space of Time or in any other Manner than shall be absolutely necessary for the doing thereof; and all the reasonable Costs and Charges thereof (to be settled and allowed by the said Commissioners) shall be repaid to the respective Owners or Occupiers of the said adjoining Lands, Grounds, Mills, or other Hereditaments, who shall have so erected and made, repaired or maintained, such Works as aforesaid, by the said Company, within the Space of Three Calendar Months next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered and made thereof to and from the said Company or any of their Clerks for the Time being; and in default of Payment of the said Costs and Charges within the Time aforesaid the said Commissioners or any Three of them shall and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Company which shall be found in or upon the said Canal and Cuts, Railways or Tramroads, or the Wharfs, Quays, or Warehouses adjoining or near to the same, belonging to the said Company, to be applied to and for the Use of such Person or Persons who shall have so incurred such Costs and Charges as aforesaid, rendering to the said Company, or to some of their known Agents or Collectors, the Overplus (if any) after deducting the reasonable Charges of making such Distress and Sale (to be settled by the said Commissioners); and every or any of the said Owners or Occupiers, upon Refusal or Neglect of the said Company to pay the said Costs and Charges as aforesaid, shall and may also have such and the like Remedy against the said Company for the Recovery thereof by Action at Law, to be commenced and prosecuted in such Manner as in other Cases are in and by this Act directed.

CXVI. Provided always, and be it enacted, That the Ascents and Descents or Inclined Planes leading to or from any and every Bridge and Bridges in a public Street, Highway, or Road to be made, raised, or altered by or under the Authority of this Act, shall be regular and gradual, and shall not be steeper than at and after the Rate of One Yard for every Four Inches of perpendicular Height, to be measured from the Surface of the Street, Road, or Way in which any Cut, Canal, or Lock, or other Works hereby authorized to be made, shall be made.

Ascents to
Bridges and
Descents to
be regular
and gradual.

CXVII. Provided always, and be it further enacted, That if the Owners or Occupiers of any Lands or other Hereditaments through which the said Canal and Cuts, Railways or Tramroads, shall be made, do or shall at

If Bridge,
&c. made by
the Company
be insuffi-
cient,
any

Landowners
may make
others at
their own
Expence.

any Time or Times hereafter apprehend that any of the Fences, Gates, Stiles, Bridges, Passages, Arches, Tunnels, Drains, Back Drains, Trenches, or other Passages, Watering Places, and other Conveniences respectively, which the said Commissioners shall have so directed or appointed to be made by the said Company, are insufficient, either in their Number or Situation, for the commodious Use and Occupation of their respective Lands, Grounds, Mills, or Hereditaments, then and so often, or in any such Case, it shall be lawful for all or any such Owners or Occupiers, with the Consent and Approbation of the said Committee, upon Request made to them for that Purpose, or in case of their Refusal for the Space of Thirty Days next after such Request, then with the Consent and Approbation in Writing of the said Commissioners or any Three of them, to make, fix, and erect, at their own Costs and Charges, any such other Fences, Gates, Stiles, Bridges, Passages, Arches, Culverts, Watering Places, and other Conveniences of the same or the like Construction with those made and erected by the said Company in, over, or near to the said Canal and Cuts, or the Towing Paths thereof respectively, Railways or Tramroads, in such Places as shall be found and adjudged most necessary and convenient for the better Use, Cultivation, Improvement, or Occupation of such Lands and other Hereditaments, and to repair and support the same at their own like Costs and Charges as Occasion shall require, so as that the Navigation of, in, or upon the said Canal and Cuts, or the Passage through or along the said Railways or Tramroads, be not prevented or obstructed thereby for any longer Space of Time or in any other Manner than the same would have been if such Fences, Gates, Stiles, Bridges, Passages, Arches, Watering Places, or other Conveniences had been made and erected by the said Company.

Swivel or
Drawbridges
to be shut
after Vessels
are passed.

CXVIII. And be it further enacted, That if any Swivel Bridge or Drawbridge shall be laid over or across the said Canal and Cuts, or any Cuts, Trenches, or Passages to be made by virtue of this Act, all and every Person or Persons opening any such Drawbridge or Swivel Bridge shall, and he and they is and are hereby required and directed, so soon as any Vessel shall have passed any such Bridge, to shut and fasten the same (except such Bridges as may be erected for the private Use of Occupiers of Land); and every Person neglecting so to do, or wilfully opening any such Swivel Bridge or Drawbridge when no Vessel is to pass through the same, shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings; and in case any such Bridge shall be left open longer than necessary for the Passage of any Vessel as aforesaid, through the Neglect or Carelessness of any Person belonging to any such Vessel, then the Master or Owner of such Vessel shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety of which said respective Penalties shall go to the Informer.

Drains to be
made to con-
vey Water
from the
Lands
adjoining.

CXIX. And to the End that the said Navigation may be carried on with as little Damage to private Property as possible, be it further enacted, That the said Company shall and they are hereby required, at their own proper Costs and Charges, to make or cause to be made such Arches, Tunnels, Culverts, Drains, Sewers, or other Passages over, under, by the Side of, or into the said Canal and Cuts, and the Trenches, Streams, and Watercourses communicating therewith, and the Towing Paths on the Sides thereof respectively, of such Depth, Breadth, and Dimensions as shall be sufficient

sufficient at all Times to convey the Water clear from the Lands adjoining or lying near to the said Canal and Cuts, without obstructing or impounding the same; and likewise to make or cause to be made such Back Drain or Drains as may be necessary, and shall be sufficient to carry off any Water which may ooze or pass through any of the Banks of the said Canal to the Prejudice of any of the Lands or Grounds contiguous thereto, and also to make proper Watering Places for Cattle in all Cases where, by means of the said Canal and Cuts, or any other of the Works hereby authorized to be made, any Person or Persons occupying Lands adjacent thereto shall be deprived of their ancient Watering Places, and to supply the same at all Times with Water; and that all such Arches, Tunnels, Culverts, Drains, and other Passages shall from Time to Time be supported, maintained, cleansed, scoured, and kept in good and sufficient Repair by the said Company; and if at any Time or Times after Thirty Days Notice in Writing shall, by or on behalf of any of the said Owners or Occupiers of Lands adjoining or lying near to the said Canal and Cuts, or any other of the Works hereby authorized to be made, be given to the said Company, or to their Clerk or Clerks, known Agent or Collectors, that the said Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages, or any of them, is or are not made, cleansed, maintained, and repaired according to the true Intent and Meaning of this Act, it shall be lawful for any Person or Persons to apply for and obtain an Order in Writing from any Three or more of the said Commissioners, though not assembled at any Meeting, from Time to Time as often as there shall be Occasion, (and the said Commissioners are hereby authorized and required at their Discretion to grant such Order as aforesaid,) enabling such Person or Persons to make, cleanse, and repair such Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages accordingly, as well through the Lands or Grounds of the Person or Persons obtaining such Order as aforesaid as through any other Lands or Grounds in or through which such Arches, Tunnels, Culverts, Drains, Back Drains, or other Passages may, by the Order of such Three or more Commissioners, be directed to be made; and the reasonable Expences thereof (to be ascertained by the said Commissioners) shall be defrayed by the said Company; and in case of Neglect or Refusal to satisfy and defray such Expences for the Space of Three Calendar Months next after Demand thereof made upon the said Company, or upon their Clerk or known Agent or Collector, such Expences shall and may be recovered and levied in such Manner as any other Money is by this Act directed to be recovered from the said Company: Provided always, that such Owner or Occupier of the said contiguous or adjoining Lands shall, at the Time of making such Complaint, have his or her respective Ditches, Drains, Passages for Water or Watercourses, leading to or from the Drains, Culverts, and Passages of the said Canal, Cuts, and other Works as aforesaid, and each and every of them, sufficiently cleansed and opened to convey Water into the same: Provided also, that nothing herein contained shall extend to enforce the admitting any Water arising from Floods into the said Canal and Cuts which may injure the said Navigation.

CXX. And whereas it may happen from Floods, or some unexpected Accidents, that the Wears, Floodgates, Dams, Banks, Reservoirs, Trenches, or other Works of the said Navigation may be injured or destroyed, and the adjacent Lands may thereby suffer Damage, and it may be necessary that the same should be immediately repaired or rebuilt to prevent

Works damaged by Floods to be repaired by the Company.

[*Loc. & Per.*]

43 P

further

further Damage ; be it therefore further enacted, That when and as often as any such Case shall happen it shall be lawful for the said Company from Time to Time, or for their or any of their Servants, Agents, or Workmen, without any Delay or Interruption from any Person or Persons whatsoever, to enter into any Lands, Grounds, or Hereditaments adjoining or near to the said Canal and Cuts, or other Works or Conveniences, or any of them, (not being the Ground whereon any House or other Building stands, or an Orchard, Park, Paddock, planted Walk, Nursery for Trees, or Avenue to a House,) and to dig for, work, carry away, and use all such Stones, Gravel, and other Materials as may be necessary or proper for the Purposes aforesaid, without any previous Treaty whatsoever with the Owner or Owners, Occupier or Occupiers, or other Person or Persons interested in such Lands, Grounds, or Hereditaments, or any of them, doing as little Damage thereby as the Nature of the Case will permit, and making Recompence for the same to the Owners and Occupiers thereof, or other Persons interested in such Lands, Grounds, or Hereditaments, within the Space of Thirty Days next after the same shall be demanded ; which Damages, and the Compensation to be made in respect thereof, shall be settled and determined, or assessed and recovered, by the Ways and Means herein-before prescribed and directed with respect to other Damages to be done in or about the making and completing the said Undertaking.

The Com-
pany to
cleanse the
adjoining
Water-
courses, at
the Land-
owner's
Expence.

CXXI. And be it further enacted, That if at any Time hereafter the Ditches or Drains belonging to any Owner or Occupier of any Lands adjoining or lying contiguous to the said Canal, Cuts, and other Works, or any of them, shall, by reason of their being not sufficiently cleansed or opened, hinder and obstruct the free Passage of the Water from the Drains, Culverts, and Passages belonging to the said Undertaking, and if the same shall not be perfectly cleansed and opened within Fourteen Days after Notice in Writing shall have been given thereof to any Owner or Occupier by the Clerk or any Agent of the said Company, it shall then be lawful for the said Company, an Order in Writing for that Purpose having first been obtained from any Three or more of the said Commissioners, although not assembled at any Meeting, from Time to Time, as often as there shall be Occasion, to open and cleanse or cause to be opened and cleansed the said Ditches and Drains ; and the reasonable Expences thereof, when ascertained and allowed by the said Commissioners, shall be repaid to the said Company by the Owners or Occupiers of such Lands or Grounds to which the said Ditches and Drains so opened and cleansed shall belong ; and in case of Refusal or Neglect to satisfy the same for the Space of Fourteen Days next after Demand shall have been made thereof from the respective Owner or Owners, Occupier or Occupiers of the Lands and Grounds as aforesaid, such Charges and Expences shall and may be recovered in such Manner as the Forfeitures and Penalties are herein-after directed to be recovered.

Lords of
Manors and
Landowners
may erect
Wharfs.

CXXII. And be it further enacted, That the Lord or Lords, Lady or Ladies of any Manor or Manors, and the Owner or Owners of any Lands or Grounds, near to, through, or by which the said Canal and Cuts, Railways or Tramroads, or the said Branch Canal towards the Bridge at *Kidwelly*, shall be made by virtue of this Act, may build, construct, or use any Wharfs, Shipping Places, Quays, Landing Places, Cranes, Weighbeams, or Warehouses in or upon his, her, or their respective own proper Lands, Grounds, or Wastes adjoining to the said Canal and Cuts, Railways
or

or Tramroads, as well for the Purposes of opening a Communication with the Rivers *Great Gwendraeth* and *Little Gwendraeth* aforesaid, and may make and use proper and convenient Places for Boats and other Vessels, and Waggon and other Carriages, to lie and turn in and pass by each other, so that the making, constructing, or using thereof respectively do not obstruct or prejudice the Navigation of the said Canal and Cuts, or any Towing Paths on the Sides thereof respectively, or the using of the said Railways or Tramroads, and so as such Wharfs, Shipping Places, Quays, Landing Places, Cranes, Weighbeams, or Warehouses be made, constructed, and built in such Manner and Form as the said Commissioners, or such Person or Persons as they shall appoint, shall direct; and all Rates which shall be paid for the Use and Benefit of the said Wharfs, Shipping Places, Quays, Landing Places, Cranes, Weighing Beams and Warehouses, respectively shall be subject to the Power herein contained for the said Commissioners to limit and make Regulations of and concerning such Rates of Wharfage, and are hereby vested in such Lord or Lords, Lady or Ladies of such Manor or Manors, or in the Owner or Owners of such Lands, Grounds, or Wastes, who shall make, construct, and erect the same respectively as aforesaid, and his, her, and their Representatives, so that the Rates and Powers herein granted to the said Company shall not be thereby reduced, altered, or infringed.

CXXIII. Provided always, and be it further enacted, That if any Lord or Lady of a Manor, or Landowner, shall not, within the Space of Six Calendar Months next after Notice given in Writing to him, her, or them, or left at his, her, or their usual Place or Places of Abode, by or on the Behalf of the said Company, signifying that any Part or Parts of such Lands, Grounds, or Works is or are necessary or proper to be used for the Purpose of making and erecting Wharfs, Shipping Places, Landing Places, Warehouses, Buildings, or other Conveniences as aforesaid, for the Use of the said Undertaking, as well for the Purpose of opening a Communication with the Rivers *Great Gwendraeth* and *Little Gwendraeth* aforesaid, as for laying out and making necessary and convenient Roads for the Conveyance of Goods to and from the said Canal and Cuts, Railways or Tramroads, to or from such Wharfs, Shipping Places, Landing Places, Warehouses, Buildings, or other Conveniences as aforesaid, lay out, construct, and make, and from Time to Time maintain and keep in good and substantial Repair, such proper and sufficient Wharfs, Shipping Places, Landing Places, Quays, Warehouses, Buildings, Roads, and other Conveniences as aforesaid, for the Use of the said Undertaking, as the said Commissioners or such Person or Persons shall think necessary, on the respective Parts of the Lands, Grounds, or Wastes described in such Notice, then and in such Case the said Company shall have full Power and Authority, without any Hinderance or Restraint whatsoever, to make use of any such Lands, Grounds, or Wastes, (not being the Ground whereon any House or Buildings stand, or any Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any House,) for erecting or constructing proper and sufficient Wharfs, Landing Places, Warehouses, Buildings, and other Conveniences as aforesaid, and for laying out and making necessary and convenient Roads to or from the said Canal and Cuts, Railways or Tramroads, to or from such Wharfs, Shipping Places, Landing Places, Warehouses, Buildings, and other Conveniences as aforesaid, agreeably to such Notice to be delivered as aforesaid, they the said Company first making Satisfaction for the same in such Manner as is and hath been herein-before directed with respect to
other

If not done by Landowners, or within a certain Time, Company may build Wharfs, &c.

other Lands or Grounds which shall be taken or used for the Purposes of this Act.

Commissioners to regulate Rates of Wharfage.

CXXIV. And be it further enacted, That the said Commissioners or any Three of them are hereby authorized and empowered to make such Regulations from Time to Time as they may think fit for limiting and ascertaining the Rates of Wharfage to be taken by the said Company, and all and every such Person or Persons being the Owners of any such Wharfs, Shipping Places, or Quays as aforesaid.

Company not to use private Wharfs.

CXXV. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company or any Person or Persons to make use of any Wharf, Shipping Place, Quay, Landing Place, Crane, Weighbeam, or Warehouse which shall be set out, erected, or made by the Lord or Lords, Lady or Ladies of any Manor, or the Owner or Owners of any Lands or Grounds adjoining or near to the said Canal and Cuts, Railways or Tramroads, for his, her, or their private exclusive Use only, nor to set up, erect, repair, or use any Crane or Weighing Machine in or upon any such Wharf, Shipping Place, Quay, or Landing Place, without the Consent in Writing of the Owners or Occupiers thereof respectively, any thing herein contained to the contrary notwithstanding.

Company to erect Wharfs on Request of Landowners.

CXXVI. And be it further enacted, That the said Company shall and they are hereby directed, within the Space of Six Calendar Months after they shall be required so to do by Notice in Writing, or by any Owners of Lands or Grounds on the Line of the said Canal and Cuts, Railways or Tramroads, to make and erect at their own Expence, and for ever afterwards maintain and keep in repair, good and sufficient Wharfs on the Sides of the said Canal and Cuts where the several collateral Branches of Railways or Tramroads herein authorized to be made shall communicate with the said Canal and Cuts, and that the said Wharfs shall and may be used by all Persons navigating the said Canal and Cuts, and using the said Railways or Tramroads, for the Purpose of landing and shipping any Coal, Culm, Limestone, Stones, Goods, Wares, and Merchandize, without rendering any Satisfaction for the same to the said Company, provided the using thereof shall occasion no Injury to the said Navigation and Railways or Tramroads.

Penalty on Persons obstructing the Navigation, opening Locks, &c.

CXXVII. And be it further enacted, That if any Person or Persons shall wantonly or maliciously, and to the Prejudice of the said Canal and other Works hereby authorized to be made, throw any Ballast, Gravel, Stones, or Rubbish, or other Matter or Thing, into or upon any Part of the said Canal and Cuts, Trenches or Watercourses, Railways or Tramroads, to be made by virtue of this Act, or shall wantonly or unnecessarily open or cause to be opened any Lock, Gate, Paddle, Valve, or Clough belonging to the said Canal and Cuts, or suffer any Boat, Barge, or other Vessel to strike or run upon any or either of the Bridges or Locks thereof, or if any Person or Persons shall wilfully flush or draw off, or cause to be flushed or drawn off, the Water from any Part of the said Canal and Cuts, or shall leave any of the said Valves or Cloughs open and running after any Boat, Barge, or other Vessel shall have passed any Lock belonging to the same, or shall draw or cause to be drawn any Paddle, Valve, or Clough in any of the Locks or Gates on the said Navigation, so as to misspend or waste the Water thereof,

or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act, or shall do any other Act, Matter, or Thing to obstruct the free Passage of the said Canal and Cuts, Railways or Tramroads, or any Part thereof, every Person so offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

CXXVIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously, and to the Prejudice of the said Navigation, Railway, or Harbour, break, throw down, or destroy, or steal or take away, any Buoy or Buoys, Bank or Banks, or any Part or Parts of the said Railways or Tramroads, or other the Works to be erected, maintained, and supported by virtue of this Act, every Person so offending, and being lawfully convicted thereof, shall be deemed guilty of Felony, and shall be transported for the Term of Seven Years, in like Manner as Felons are directed to be transported by the Laws and Statutes of this Realm; or otherwise the Court before whom such Person shall be convicted may, in mitigation of such Punishment, if the said Court shall think fit, award any such other Punishment as the Law directs in Cases of Petit Larceny.

Penalty on Persons destroying the Banks of the Canal, &c.

CXXIX. And be it further enacted, That if any Lock-keeper, Wharfinger, or other Servant belonging to the said Company of Proprietors shall give any undue Preference, or show any Partiality to any Boat, Barge, or other Vessel in passing through any Lock or Locks upon the said Canal and Cuts, or in loading or unloading any Goods or other Things at any of the Wharfs, Warehouses, Weighbeams, Cranes, or other Machines belonging to the said Company of Proprietors, every Person so offending shall forfeit and pay any Sum not exceeding Twenty Shillings to the Informer.

Lock-keepers not to give Preference.

CXXX. And be it further enacted, That the Lands, Dwelling Houses, Wharfs, Warehouses, Lock Houses, and other Houses of and belonging to the said Company shall be rateable and chargeable to the Maintenance of the Poor, and to all other Parochial Rates and Taxes in the several Parishes and Places where they are respectively situated, the Lands according to the Quantity and Quality, and the Dwelling Houses, Wharfs, Warehouses, Lock Houses, and other Houses according to the Nature and respective Uses, Dimensions, and Descriptions thereof, and shall be charged and assessed in like Manner as Lands of a like Quantity, and Dwelling Houses, Wharfs, Warehouses, Lock Houses, and other Houses of a like and similar Size, Nature, Dimension, or Description, in the respective Parishes where the same shall be situate, are or shall be assessed and charged; and that the Rates, Duties, and other Personal Property of the said Company liable to be rated to the Poor or other Parochial Taxes in any such Parishes or Places shall be rated and assessed in like Manner and in the same Proportions as other Personal Property rateable in the said Parishes and Places respectively shall be rated and assessed, and according to the Length of the Line of the said Canal and Cuts, Railway or Tramroads, in such respective Parishes and Places, and not otherwise, or in any other Manner; provided that before such Personal Property shall be rated Ten Days Notice shall be given in Writing to or left at the Dwelling Houses or usual Place of Abode of the Treasurer or Clerk, or any other Officer of the said Company residing in the Parish or Place where such Rate shall be intended to be made, by the respective Overseers of the Poor of the Intention so to do.

Property of the Company chargeable to Poor Rates.

[*Loc. & Per.*]

43 Q

CXXXI. And

Land Owners
to use Plea-
sure Boats.

CXXXI. And be it further enacted, That it shall be lawful for the Owners and Occupiers of any Lands or Hereditaments adjoining to the said Canal and Cuts to use any Pleasure Boat or Boats upon the said Canal and Cuts without Interruption from the said Company, or any of their Officers or Agents, and without paying any Rate for the same, so as the same Pleasure Boat or Boats be not made use of for carrying any Goods or other Things, and so as the same shall not obstruct or prejudice the Navigation of the said Canal and Cuts, or the Towing Paths or other Works belonging thereto; but no such Pleasure Boats shall at any Time pass through any Lock on the said Navigation without the Consent of the said Committee of Management, or their Principal Agent for the Time being, in Writing first had and obtained.

Mines re-
served to
Lords of
Manors and
other Pro-
prietors.

CXXXII. Provided always, and be it further enacted, That nothing herein contained shall extend to prejudice or affect the Right of any Lord or Lords, Lady or Ladies of any Manor or Manors, or the Owner or Owners of any Lands or Grounds, in, upon, or through which the said Canal and Cuts or Towing Paths, Wharfs, Shipping Places, Quays, Reservoirs, Trenches, Sluices, Passages, Watercourses, or other Conveniences aforesaid, Railways or Tramroads, shall be made, to the Mines and Minerals lying and being within and under the said Lands or Grounds, but all such Mines and Minerals are hereby reserved to such Lord or Lords, Lady or Ladies of such Manors, and to such Owner or Owners of such Lands or Grounds respectively; and it shall be lawful for the Lord or Lords, Lady or Ladies of such Manor or Manors, and for such Owner or Owners of such Lands or Grounds respectively, subject to the Conditions and Restrictions herein contained, to work, get, win, take, and carry away, to his, her, or their own Use, such Mines and Minerals in such Manner as he, she, or they may now lawfully do, not thereby injuring, prejudicing, or obstructing the said Undertaking, or any of the Works or Conveniences belonging thereto.

Company's
Agents may
enter Lands
or Mines to
review the
Works.

CXXXIII. And be it further enacted, That it shall be lawful for the said Company, by themselves or their Agents or Servants, with the Consent of any Three or more of the said Commissioners herein-before mentioned, (although they shall not then be assembled together at a Meeting,) at any Time or Times, upon reasonable Notice, in the Day-time to enter upon any Lands or Grounds through or near which the said Canal, Cuts, and Works hereby authorized to be made shall be or pass, wherein any Coal or other Mines shall or may have been dug, opened, or wrought, and likewise to enter into such Coal or other Mines, and there to view, search, and measure, latch-dial, and use all other Means for the discovering the Distance of the said Canal, Cuts, and Towing Paths from the working Parts of such Mines respectively; and in case it shall appear that any Mine hath been opened or wrought under the said Canal and Cuts, or any of the Works belonging thereto, or so near thereto as to endanger or damage the same, and that such endangering or damaging of the said Canal and Cuts has been wilful, it shall be lawful for the said Company, and for their Agents, Servants, or Workmen, at the Expence, Cost, and Charges of the Owners or Proprietors of such Mine or Mines, to enter into and upon such Mine or Mines, and from Time to Time to use all reasonable Ways and Means for repairing, supporting, securing, and making safe the said Canal, Cuts, Towing Paths, or other Works; and such Costs, Expence, and Charges shall,

shall, in case such Mines shall have been so worked or wrought subsequent to the Commencement of this Act, be recovered by the said Company, in case of Nonpayment thereof upon Demand, in such and the same Manner as any Penalty is herein directed to be recovered, and shall be paid into the Hands of the Treasurer to the said Company for the Use and Benefit of the said Company.

CXXXIV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Company to restrain, hinder, or prevent the Lord or Lords, Lady or Ladies of any Manor, and the Owner or Owners of any Estates or Lands containing any Mines, Seams, or Veins of Coal, Culm, or Clay, Iron, Iron Ore, Rotten-stone, Iron-stones, Lead or other Minerals, or Quarries of Limestone or other Stone or Slate, from making any navigable Cut or Cuts with Locks, Stopgates, and Towing Paths, and with or without Rollers or Inclined Planes, and also to make any Railways or Tramroads, in such Manner as he, she, or they shall think proper, in, through, or upon his, her, or their Lands or Grounds, to communicate with the said Canal, Cuts, and Railways or Tramroads, so that the same be done without diverting any Water which shall be necessary for the working any Furnaces, Forges, Mill, or other Works, and without doing any Injury or Damage to the said Canal and Cuts, Railways or Tramroads, and other the Works authorized to be made by virtue of this Act.

Saving Rights of Lords of Manors.

CXXXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges of the Mayor, Aldermen, Bailiffs, and Burgesses of the Borough of *Kidwelly* aforesaid, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the Mayor, Aldermen, Bailiffs, and Burgesses of the said Borough of *Kidwelly* did or might lawfully claim, use, or exercise.

Saving the Rights of the Corporation of Kidwelly.

CXXXVI. And be it further enacted, That if the said Company shall think it necessary or expedient that the whole of the Track or Line of the said Canal and Cuts, Railway or Tramroad, should be a Railway or Tramroad only, and not a Canal and Cuts, it shall and may be lawful to and for the said Company at any General or Special General Assembly to cause such Railways or Tramroads alone to be made and substituted instead of being only or partly Canal and Cuts, agreeable to the Powers herein contained for that Purpose; and such Railways or Tramroad shall be subject and entitled to the same Powers, Privileges, Restrictions, Matters, and Things as the Canal and Cuts, Railway or Tramroad, herein-before directed to be made is or are subject, liable, or entitled to, in every respect as if the same were herein repeated *verbatim*, any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Company may make a Railway or Tramroads instead of a Canal.

CXXXVII. Provided always, and be it further enacted, That if the said Company of Proprietors shall not, within the Space of Six Years from and after the passing of this Act, restore, improve, and maintain the said Harbour of *Kidwelly* in manner herein directed, and complete the said Canal hereby authorized to be made from or from near the East or upper End

Powers of the Act to cease if Works not completed in Six Years.

of

of *Kymer's Canal* to *Pontyats*, and also from another Part of *Kymer's Canal* at or near *Spudder's Bridge* aforesaid to *Lord Ashburnham's Canal*, and also the said Branch Canal from *Kymer's Canal* towards the said Bridge at *Kidwelly* aforesaid, that then and from thenceforth from and after the End or Expiration of the said Term or Space of Six Years from and after the passing of this Act, and for ever thereafter, all and every the Powers and Authorities by this Act vested in the said Company of Proprietors shall cease and determine to all Intents and Purposes whatsoever.

Recovery of
Forfeitures.

CXXXVIII. And be it further enacted, That all Penalties or Forfeitures for Offences committed against this Act, or any Rule, Bye Law, or Order to be made by any General Assembly as aforesaid, shall, upon Proof of the Offences respectively before any Justice of the Peace for the said County of *Carmarthen*, or Place where the Offence shall be committed, either by the Confession of the Party or Parties offending or by the Oath of any credible Witness or Witnesses, be levied and recovered by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is empowered and required to grant); and the Overplus, after such Penalties and Forfeitures, and the Costs and Charges attending such Distress and Sale, are recovered and deducted, shall be returned, upon Demand, to the Owner or Owners of such Goods or Chattels; and in case sufficient Distress cannot be found, or such Penalties or Forfeitures, and all such Costs and Charges, shall not be forthwith paid, it shall be lawful for such Justice by Warrant under his Hand and Seal to cause such Offender or Offenders to be committed to the House of Correction for the County or Place wherein the Offence shall be committed, there to remain without Bail or Mainprize for such Time as such Justice shall direct, not exceeding Four Calendar Months, unless such Penalties, and all such Costs and Charges attending the Recovery thereof, shall be sooner paid and satisfied; and such Penalties and Forfeitures, the Application whereof is not herein-before particularly directed, shall go and belong to the said Company, and be applied for the Purposes of this Act.

Persons ag-
grieved by
Irregularity
in Distress
to recover
only special
Damages.

CXXXIX. 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 shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, 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.

Form of
Conviction.

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

‘ Carmarthenshire } BE it remembered, That on the Day of
 ‘ to wit. }
 ‘ in the Year of our Lord
 ‘ A. B. is convicted before me C. D., one of His
 ‘ Majesty’s Justices of the Peace for [specifying the Offence,
 ‘ and the Time and Place when and where committed, as the Case may be,]
 ‘ contrary to an Act passed in the Fifty-second Year of the Reign of King
 ‘ George the Third, intituled [here set forth the Title of this Act]. Given
 ‘ under my Hand and Seal the Day and Year first above written.’

CXLI. And be it further enacted, That all and every Person and Persons who have or hath already subscribed or who shall hereafter subscribe any Money for and towards the making the said Canal and Cuts, Railways or Tramroads, and other Works hereby authorized to be made as aforesaid, shall pay the Sum or Sums of Money by him, her, or them respectively subscribed or to be subscribed, or such Part or Parts thereof as shall from Time to Time be called for by the said Committee, or any Three or more of them, by virtue of the Powers and pursuant to the Directions of this Act, at such Time and Times, Place and Places, as shall be appointed for that Purpose by the said Committee, or any Three or more of them, in the Manner herein-before mentioned; and in case any Person or Persons shall neglect or refuse to pay the Sum or Sums so to be called for from him, her, or them at the Time or Times and Place or Places and in the Manner to be appointed for that Purpose as aforesaid, it shall be lawful for the said Committee to sue for and recover the same in any Court of Law.

Compelling
 Payment of
 Subscription
 Money.

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

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

[Loc. & Per.]

43 R—S

CXLIII. And

Limitation of
Actions.

CXLIII. And be it further enacted, That no Action, Suit, or Information shall be brought, commenced, or prosecuted against any Person or Persons for any thing done or to be done in pursuance of this Act, or in the Execution of the Powers and Authorities or any of the Orders made, given, or directed in, by, or under this Act, unless One Calendar Month's previous Notice shall be given by the Person or Persons intending to commence and prosecute such Action, Suit, or Information, to the said Company, or to the Clerk or Treasurer for the Time being, nor unless such Action, Suit, or Information shall be brought or commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards, and shall be laid and brought in the County where the Matter in dispute or Cause of Action shall arise, or in the County of *Hereford*, and not elsewhere; and the Defendant or Defendants in such Action, Suit, or Information shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if such Action, Suit, or Information shall have been brought and commenced before or after the Time so limited for bringing the same, or in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer or otherwise, Judgment shall have been given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law.

Public Act.

CXLIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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