



ANNO SEXTO

GEORGII IV. REGIS.

Cap. cxv.

An Act for making and constructing a Harbour and other Works in the Parish of *Pembrey* in the County of *Carmarthen*; and for making a Canal and Railway from the said Harbour to the *Kidwelly* and *Llanelly* Canal in the said County.

[10th June 1825.]

WHEREAS the establishing a safe and commodious Harbour on the North Side of *Burry* River, upon the Sands and certain Commonable Land in the Parish of *Pembrey* in the County of *Carmarthen*, sufficient for the Accommodation and Safety of Vessels resorting thereto, will be not only highly useful to the Proprietors of Estates and Collieries in the Neighbourhood thereof, but also of great Advantage to the Public in general: And whereas the several Persons herein-after named are willing and desirous, at their own Expence, to form and complete such a Harbour, with proper Quays, Piers, Wharfs, and other necessary and convenient Works thereto: And whereas the making and maintaining a Canal navigable for Barges, Boats, and other Vessels, and a Railway or Tramroad for the Passage of Waggons and other Carriages, from such Harbour to the Line of a certain Canal called The *Kidwelly* and *Llanelly* Canal, passing, or intended to pass, through the said Parish of *Pembrey*, and through the Parishes of *Langendiern*, *Kidwelly*, and *Llanelly*, in the said County of *Carmarthen*, will be of very beneficial Consequences to the Proprietors of the said Canal, and also to

[Local.]

Proprietors.

the Proprietors of Estates, Collieries, and other Works in the Neighbourhood: But inasmuch as the beneficial Purposes aforesaid cannot be carried into execution without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir *Edward Banks*, *James Brogden*, *William Custance*, *Richard Eaton*, *Charles Hammond* the younger, *Francis Charles James Pemberton*, *Christopher Pemberton*, *Edward Picton* Clerk, *Robert Sutton*, *Elizabeth Sutton*, *John Sutton*, *Sarah Sutton*, and their several and respective Successors, Administrators, and Assigns, together with such other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, as shall at any Time hereafter be possessed of any Share or Shares of or in the said Harbour, Canal, Railway, or Tramroad, and the Piers, Quays, Wharfs, and other Works to be constructed and made by virtue of or under the Authority of this Act, shall be and they are hereby united into and declared to be a Company, for the constructing, making, completing, maintaining, and supporting the said Harbour, Canal, and Railway, or Tramroad at *Pembrey* aforesaid, and all Piers, Quays, Wharfs, Buildings, and such other Works, Requisites, Matters, and Things as shall or may be necessary for the constructing, completing, and maintaining of the same, for the Accommodation of the Vessels resorting to and using the same, and for the other Purposes of this Act, according to the Directions and subject to the several Provisions, Regulations, and Restrictions hereinafter contained, and for the Purposes of this Act are and shall be One Body Politic and Corporate, by the Name and Style of "The New *Pembrey* Harbour Company;" and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm; and by that Name and Description may and shall have full Power and Capacity to purchase, take, have, hold, and enjoy any Messuages, Lands, Tenements, and Hereditaments whatsoever, to the Use of themselves and their Successors, for the Purposes of this Act, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, or any of them, and also to sell any of the Messuages, Lands, Tenements, or Hereditaments purchased for the Purposes aforesaid.

Company to be a Body Corporate, and have a Common Seal.

Not to deviate from the Line laid down on the Plan, without Consent.

II. And whereas a Map or Plan describing the said intended Harbour, Canal, and Railway or Tramroad, and the Land and Ground upon which the same are intended to be made, together with a Paper containing an Account of the Owners and Occupiers of such Land or Ground, has been lodged in the Office of the Clerk of the Peace for the County of *Carmarthen*; be it therefore enacted, That the Proprietors for the Time being of the said Harbour, Canal, and Railway or Tramroad shall not deviate more than One hundred Yards from the Line described in the said Map or Plan; and the said Map or Plan shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same,

and to take Copies thereof or Extracts therefrom at their Will and Pleasure, paying to the said Clerk of the Peace for the Time being the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan, or any Copy or Copies thereof, certified by such Clerk of the Peace to be a true Copy or true Copies of such Map or Plan, shall be and is and are hereby declared to be good Evidence in all Courts of Law, and shall be admitted as such by and before all Judges, Justices, and others.

III. Provided always, and be it further enacted, That if any of the Land or Ground intended to be taken or used for the Purposes of this Act shall happen not to be described in the said Map or Plan, or any of the Owners or Occupiers of the same, or any of the Land or Ground described in the said Map or Plan, or any Part thereof, shall happen to be omitted, misnamed, or inaccurately described in the said Paper, or either of them, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of this Act, but the Land or Ground and every Part thereof shall or may be taken and used for the Purposes of this Act as fully and effectually as if the Owners and Occupiers of the same had not been omitted, or were properly and accurately named, in case it shall appear to any Two or more Justices of the Peace of the County wherein such Land or Ground shall be situated, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only, or that the real Owners or Occupiers of such Land or Ground had Notice that the same would be wanted for the Purposes thereof.

Misnomers
not to pre-
vent the
Execution
of this Act.

IV. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Officers, Workmen, Servants, and others, to make, construct, erect, build, and maintain, and from Time to Time support and keep in repair, on the Sands, Land, and Ground in *Pembrey* aforesaid in manner by this Act directed, such Quays, Piers, Wharfs, and other Works, Buildings, Matters, and Things as they shall deem necessary or expedient for the Formation of a commodious Harbour, and for making the same fit for the Reception, Accommodation, and Security of Ships, Barges, Boats, and other Vessels, and the Officers and Crews thereof, and for the more convenient loading and unloading of such Ships, Barges, Boats, and other Vessels, and also to erect and make, or cause to be erected and made, such Buildings and Warehouses for receiving of Goods and Merchandizes, and such Dwelling Houses and other Buildings, Accommodations, Matters, and Things, and in such Manner as the said Company of Proprietors shall deem necessary or expedient; and also to make and maintain a Canal to be navigable and passable for Barges, Boats, and other Vessels, and also a Railway or Tramroad for the Passage of Waggons and other Carriages, from the said Harbour, to join the Line of the said Canal called *The Kidwelly* and *Llanelly* Canal, all in the said Parish of *Pembrey*, at or near a Place called *Gors*; 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, Railway, or Tramroad.

Company
may build
Quays, Piers,
&c.

Canal and
Railway from
the Harbour
to the Kid-
welly and
Llanelly
Canal.

V. And

Width of
Canal, Rail-
way, and
Towing
Paths.

V. And be it further enacted, That the Lands or Grounds to be taken or used for the Canal, Railway, or Tramroad hereby authorized to be made, and for the Towing Paths, Banks, and Side Drains thereof respectively, and the Ditches and Fences to separate such Towing Paths, Banks, and Side Drains from the adjoining Lands, shall not exceed Fifty Yards in Breadth, measured horizontally.

For making
Approaches
to the Har-
bour or
Canal.

VI. And be it further enacted, That it shall be lawful for the said Company of Proprietors to make, maintain, and repair a public Carriage Road or public Carriage Roads over the Common in the said Parish of *Pembrey*, for the Purpose of communicating with and making Approaches to and from the said Harbour, Canal, and other Works.

Power to
purchase
Lands, &c.

VII. And be it further enacted, That the said Company of Proprietors shall have full Power and Authority to contract and agree with the Owner or Owners, Occupier or Occupiers of all such Lands, Grounds, Buildings, or Hereditaments near or adjoining to the said intended Harbour, Canal, Railway or Tramroad, Piers, Quays, Wharfs, and other Works, in the Parish of *Pembrey* aforesaid, which they are by this Act enabled to purchase, as they shall think necessary or proper to purchase and make use of in and about the Works of the same Harbour, Canal, Railway, or Tramroad, Piers, Quays, Wharfs, and Premises, or for the Purpose of enlarging or improving the same, or otherwise for the Uses and Purposes of this Act.

For the Pro-
tection of
Pembrey
Harbour and
Collieries
Company.

VIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize and empower the said Company of Proprietors to take or make use of any of the Lands or Grounds of or belonging to the Right Honourable *George* Earl of *Ashburnham*, in Lease to a certain Company called The *Pembrey* Harbour and Collieries Company, under the Name or Style of Messieurs *Gaunt* and Company: Provided also, that the Harbour and Works intended to be made and formed under the Authority of this Act shall be so made and formed as not to injure or destroy the Sand Banks intervening between the existing Works of the said last-mentioned Company and the said intended new Harbour and Works: Provided also, that no Breakwater, Weir, or other Work to be formed or made by the said Company of Proprietors be extended further outwards towards the Sea than the Works of the said Harbour and Collieries Company now are or may in future be extended.

Company not
to take cer-
tain Lands,
without
Consent.

IX. And be it further enacted, That nothing herein contained shall extend to authorize or empower the said Company, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Harbour, Canal, and Railway or Tramroad, or for any other of the Purposes of this Act, any House or other Building which was erected or built on or before the First Day of *January* One thousand eight hundred and twenty-five, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, or any enclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, without the Consent, in
Writing,

Writing, of the Owners or Proprietors thereof, and Persons interested therein respectively.

X. And be it further enacted, That after any Lands, Grounds, Buildings, or Hereditaments shall be set out and ascertained for the Purposes aforesaid, it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenant for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, and all 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, or other Person or Persons, and for all 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 for every other Person or Persons whomsoever who is, are, or shall be seised, possessed of, or interested in any Lands, Grounds, Tenements, or Hereditaments which shall be so set out and ascertained for the Purposes aforesaid, to contract for, sell, and convey the same and every Part thereof unto the said Company of Proprietors; and all such Contracts, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors, and shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; (that is to say,)

Bodies Politic, &c. empowered to sell and convey Lands.

Contracts and Sales to be made at the Expence of Company.

I of the Sum of of in consideration to be paid by the Company, of Proprietors of "The New Pembrey Harbour Company," do hereby grant and release to the said Company all [*describing the Premises to be conveyed*], and all my Right, Title, and Interest to and in the same and every Part thereof, to hold to the said Company and their Successors for ever by virtue and according to the true Intent and Meaning of an Act passed in the Sixth Year of the Reign of King George the Fourth, intituled *An Act* [*here insert the Title of this Act*]: In witness whereof I have hereunto set my Hand and Seal this Day of in the Year of our Lord

Form of Conveyance to the Company.

And all such Conveyances and Assurances shall be valid and effectual in the Law to all Intents and Purposes whatsoever, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, and shall be kept by the Clerk or Clerks to the said 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, and so in proportion for any less Number of Words.

XI. And be it further enacted, That in all Cases where there shall be occasion to cut through, take, or use Part of any Commons or Waste Grounds for the Purposes of this Act, a Conveyance thereof by the Lord or Lady, Lords or Ladies of the Manor or Manors wherein the same shall be situate shall be a good and sufficient Conveyance to the said Company

Conveyance by Lords of Manors of Land taken from Commons to be sufficient,

[Local.]

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of

of Proprietors, for the Purpose of vesting in them the Fee Simple and Inheritance thereof, as fully and effectually as if every Person having Right of Common upon such Commons or Waste Grounds had joined in and executed such Conveyance; and One Fourteenth Part of the Compensation to be paid for any such Commons or Waste Grounds as aforesaid shall be paid by the said Company of Proprietors to the said Lord or Lady, Lords or Ladies of the said Manor or Manors, and the Remainder thereof to the Churchwardens of the said Parish of *Pembrey*, to be by such Churchwardens received and applied for such general or public Purposes within the said Parish as a Vestry of such Parish to be convened by such Churchwardens for that Purpose shall direct; any thing contained in this Act to the contrary notwithstanding.

Satisfaction
to be made.

XII. Provided always, and be it further enacted, That all and every Body or Bodies Politic, Corporate, or Collegiate, Trustees, or other Persons herein-before capacitated to sell or convey Lands, Tenements, and other Hereditaments, or any other Owner or Owners, and the Occupier or Occupiers of any Lands, Tenements, or other Hereditaments, in, upon, or over which the said Harbour, Canal, Railway or Tramroad, Piers, Quays, Wharfs, and other Works hereby authorized are intended to be made; shall and may accept and receive Satisfaction for the Value of such Lands, Grounds, Tenements, and Hereditaments, and for Damages to be sustained by making and completing the said Works herein-before directed, in gross Sums, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Company of Proprietors; and in case the said Company of Proprietors and the said Parties interested in such Lands, Grounds, Tenements, or other Hereditaments cannot agree as to the Amount or Value of such Satisfaction, the same shall be ascertained and settled by the Verdict of a Jury in manner by this Act directed.

If Parties
cannot agree,
Price to be
settled by
a Jury.

Damages not
provided for
how to be
settled.

XIII. And be it further enacted, That if any Person or Persons shall sustain any Damage in his, her, or their Lands, Tenements, or other Hereditaments, by reason of the Execution of any of the Powers given by this Act, and through or by Means not herein provided for, then and in every such Case such Damages shall be so settled by the said Company of Proprietors, or by a Jury as herein-after mentioned, and the Amount of such Damages may be recovered, levied, and applied in manner herein directed with regard to other Damages; and in every such Case the said Company of Proprietors or any Three of them are hereby empowered and required to issue a Warrant or Warrants, under their Hands and Seals, to the Sheriff of the said County of *Carmarthen*, commanding him to summon a Jury in manner herein-after mentioned.

If Parties
cannot agree,
Value to be
ascertained
by a Jury.

XIV. Provided always, and be it further enacted, That if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons interested or entitled as aforesaid, 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 which the said Company of Proprietors are enabled to purchase and make use of for the Purposes of this Act, for the

Space

Space of Sixty Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Company of Proprietors, or by reason of Absence or otherwise shall be prevented from treating, or through Disability, by Nonage, 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 Sixty Days produce and fully disclose the State of the Title to the Premises of which they are or shall be in possession, and to the Interest which they shall claim therein, then and in every such Case it shall be lawful for the said Company of Proprietors, or any Three of them, and they are hereby empowered and required from Time to Time to issue a Warrant or Warrants under their Hands and Seals to the Sheriff of the said County of *Carmarthen*, commanding him to impanel and return a Jury of Twelve Persons, and the said Sheriff is hereby required to summon and choose accordingly in the Manner in which Juries are or may be summoned and chosen by Sheriffs of Counties in *Wales*; and every such Jury 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 Sheriff is hereby empowered and required, by a Summons or Notice, under his Hand, either previous to or at the Time of any such Meeting or Meetings, to summon and 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, and to hear and examine such Witness or Witnesses upon Oath; and the said Sheriff 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 Sheriff is hereby empowered to administer), shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of such Lands, Tenements, 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 Sheriff shall give Judgment for such Purchase Monies, 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 Sheriff, 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 thereof notwithstanding.

XV. And be it further enacted, That if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or in any other Manner wilfully neglect his Duty contrary to the true Intent of this Act, having no reasonable Excuse to be allowed by the said Sheriff; or if any Person so to be summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his, her, or their Costs and Expences, or appearing shall refuse to be sworn or examined, or to give Evidence, then and in such Case every Person so offending shall for every such Offence

Fine upon
Persons
making de-
fault.

forfeit

forfeit and pay any Sum not exceeding Five Pounds, to be levied by virtue of any Warrant under the Hand and Seal of the said Sheriff, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering him the Overplus after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty shall go and be paid to the Person or Persons who shall appear to the said Sheriff to be injured by the Default of such Person so offending.

By whom
Expences of
Jury shall
be paid.

XVI. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Company of Proprietors, as a Recompence or Satisfaction for any such Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, impanneling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Company of Proprietors, out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same, within Twenty-one Days after Demand made thereof from the said Company, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Company, or of any Goods or Chattels of the Treasurer or Treasurers of the said Company (unless such Treasurer or Treasurers shall pay such Costs and Charges out of any Monies received by him by virtue of this Act, which he is hereby authorized to do), under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Carmarthen*, which Warrant any such Justice is hereby authorized and required to issue, under his Hand and Seal, on Application made to him for the Purpose by the Party or Persons entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Company of Proprietors as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Company; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Company, the Costs and Charges so incurred shall be borne by the said Company in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County of *Carmarthen*, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Company as aforesaid, the Amount thereof, having been first paid by the said Company, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to
such

such Party or Parties, or otherwise if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Company, from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

XVII. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Jury in manner aforesaid, for the Purchase of any such Lands, Tenements, or other Hereditaments, or as a Compensation for Damages as herein mentioned, to the Proprietor or Proprietors of such Lands or other Hereditaments, or to such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, within Three Calendar Months next after the same shall be so agreed for or assessed, upon Payment of the said Sum or Sums of Money within the said Three Calendar Months into the Bank of *England*, as herein-after directed and required, for the Use of the Person or Persons entitled thereto (but not before), it shall be lawful for the said Company of Proprietors, and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Tenements, and other Hereditaments respectively, and then and thereupon such Lands and Grounds, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Company of Proprietors to and for the Purposes of this Act for ever; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person 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 the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment as aforesaid it shall not be lawful for the said Company of Proprietors, or any Person acting under their Authority, to dig or cut the Lands or Grounds, Tenements, or other Hereditaments of the Person or Persons entitled to such Payment, for the Purpose of making the said Harbour, Canal, and Railway or Tramroad, or either of them, without the Leave and Consent of such Person or Persons respectively; and in case any Person or Persons shall enter upon any such Premises for any of the Purposes of this Act, before such Payment or Deposit into the Bank of *England* as aforesaid shall have been made, every Person or Persons so offending shall forfeit and pay the Sum of Ten Pounds for every Day he or they shall remain on the said Premises.

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

XVIII. And be it further enacted, That each and every Verdict shall be transmitted to and kept by the Clerk of the Peace, or other Person having the Custody of the Records of the Quarter Sessions for the said County of *Carmarthen*, and shall be deemed to be Records of such Quarter Sessions to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to have Copies thereof, paying for every Copy the Sum of One Shilling for every One hundred Words, and so in proportion for any less Number of Words.

Verdicts to be recorded.

[*Local.*]

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XIX. And

Application
of Compens-
ation where
amounting
to 200*l*.

1 G. 4. c. 35.

XIX. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds; with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General, of the Court of Exchequer, to be placed to his Account *ex parte* the said Company of Proprietors, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*; and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, 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 of the Land Tax, or the Discharge of any Debt or Debts; or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, 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, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such 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 said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purpose aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by the 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, Tenements, and Hereditaments to be purchased by virtue of this Act, in case such Purchase or Settlement were made.

Application
where the
Compensa-
tion is less
than 200*l*.
and exceeds
20*l*.

XX. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Politic, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed 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

being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Company of Proprietors, or by any Three or more of them, 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 said Court of Exchequer.

XXI. And be it further enacted, That when such Money so agreed or awarded to be paid as herein-before is mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Company of Proprietors, 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, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application when less than 20*l.*

XXII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Company of Proprietors, or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded or assessed as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Company of Proprietors to order the Sum or Sums of Money so awarded or assessed as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such

In case of not making out Titles, Money to be paid into the Bank.

such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in possession presumptively entitled.

XXIII. 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 Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends and Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

XXIV. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, Body or Bodies Politic or Corporate, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court 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, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Company of Proprietors, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XXV. 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 Harbour, Canal, Railway or Tramroad, Piers, Quays, Wharfs, and other Works hereby authorized to be made, 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 to any Person or Persons whomsoever, 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

said 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 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 so 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 Owner or Owners of the adjoining Lands and Buildings, and such Owners or Owners, in case he, she, or they shall be desirous of purchasing the same, shall signify such his, her, or their Desire and Intention in that Behalf to the said Company, within Twenty-one Days after such Offer or Resale shall have been made, the Price at which the same shall be resold being adjusted and settled by a 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, an Affidavit made and sworn to before a Master Extraordinary of 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 Owner or Owners did not agree or refused to purchase such Lands or Buildings (as the Case may be), shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and not agreed to, or refused.

XXVI. And be it further enacted, That the said Harbour, Canal, Railway or Tramroad, Piers, Quays, Wharfs, 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.

Harbour, &c.
not to be
subject to
Commissioners
of Sewers.

XXVII. And whereas the probable Expences of making and completing the several Works herein-before described and intended to be carried into effect under the Authority of this Act will, according to an Estimate made thereof, amount to the Sum of Sixteen thousand four hundred and fifty Pounds or thereabouts, and the Sum of Thirteen thousand two hundred Pounds, being more than Four-fifth Parts thereof, has already been subscribed for defraying such Expences by several Persons, under a Contract, binding themselves, their Heirs, Executors, and Administrators, for the Payment of the several Sums of Money so subscribed by them respectively; be it therefore further enacted, That the whole of the said Sum of Sixteen thousand four hundred and fifty Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

The whole of
the probable
Expence of
making the
Harbour, &c.
to be sub-
scribed be-
fore the Act
is put in
force.

[*Local.*]

32 E

XXVIII. And

Proprietors
to raise Mo-
ney among
themselves
for making
and com-
pleting the
Harbour.

Shares to be
100*l.* each.

XXVIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute amongst themselves a competent Sum of Money for making, maintaining, and improving the said Harbour, Canal, and Railway or Tramroad, and all the Piers, Quays, Wharfs, Warehouses, Buildings, and other Works, Conveniences, Matters, and Things belonging or requisite thereto, not exceeding the Sum of Twenty thousand Pounds in the whole (save and except as herein mentioned), and the same shall be divided into equal Shares of One hundred Pounds each, which Shares shall be numbered in numerical Progression; and no Person subscribing thereto, or becoming a Proprietor in such Undertaking, shall become a Proprietor of less than One Share or more than Thirty Shares; and the said Shares shall be and are hereby vested in the several Persons so having subscribed or hereafter subscribing, and their several and respective Executors, Administrators, Successors, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sums they shall severally subscribe and contribute; and all Bodies Politic, Corporate, and Collegiate, and all and every Persons and Person, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, and shall pay such Sum or Sums as shall be demanded on account thereof, according to the Provisions in that Behalf herein-after contained, towards carrying on and completing the said Harbour, Canal, Railway or Tramroad, Piers, Quays, Wharfs and Works, and other the Purposes of the said Undertaking, and shall be entitled to and receive the entire and net Distribution of an equal proportionate Part, according to the Money so by them respectively paid, out of the Profits and Advantages that shall and may arise and accrue by the Rates and Duties and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors by the Authority of this Act, after the several Disbursements herein respectively provided for; and every Body Politic, Corporate, or Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall respectively pay such proportionable Sums towards carrying on the same in manner herein directed and appointed as shall from Time to Time be duly required from him, her, or them, so that the Sums upon each Share shall not exceed the original Amount thereof.

Shares to be
Personal
Estate.

XXIX. And be it further enacted, That 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 and be deemed to be Personal Estate, and be transmissible as such, and not of the Nature of Real Property.

Subscribers
to have a
Vote for every
Share, and
may vote by
Proxy.

XXX. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for One Share in the said Undertaking, and his, her, and their Successors, Executors, Administrators, and Assigns, shall be and be deemed a Proprietor and constituent Member of the said Corporation by this Act created, and shall have a Vote for every such Share in the several Meetings of the said Company of Proprietors, to be holden for the Purposes of this Act, which Vote or Votes may be given by him, her, or them, or by his, her, or their Proxy or Proxies, constituted under the Seal of such Body Politic, Corporate, or Collegiate, or the Hand of such other Person or Persons (every Proxy being a Proprietor in the said

Undertaking); and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if such Principal had voted in Person; and every Question, Matter, or Thing which shall be proposed, discussed, or considered in any Meeting of the said Company of Proprietors shall be determined by the Majority of Votes and Proxies then present, computing One Vote to every Share; and the Appointment of such Proxies shall be in the Form or to the Effect following; (that is to say,)

‘ I of One of the Pro-
 ‘ prietors of the New *Pembrey* Harbour in the County of *Carmarthen*, Form of
 ‘ now holding Share [or Shares therein, as the Case may be] constituting
 ‘ do hereby nominate, constitute, and appoint of Proxies.
 ‘ to be my Proxy, in my Name and in my Absence
 ‘ to vote or give my Assent or Dissent to any Business, Matter, or Thing
 ‘ relating to the said Undertaking that shall be mentioned or proposed
 ‘ at any Meeting of the said Company of Proprietors in such Manner as
 ‘ he the said shall think proper, according to his
 ‘ Opinion and Judgment, for the Benefit of the said Undertaking, or
 ‘ any thing appertaining thereto, until I shall revoke this Appointment
 ‘ by Notice in Writing under my Hand to the Clerk to the said Com-
 ‘ pany of Proprietors. In witness whereof I have hereunto set my Hand
 ‘ the Day of

XXXI. And be it further enacted, That in case the Money herein- Proprietors
 before authorized to be raised shall be found insufficient for the making, may raise an
 completing, maintaining, and improving of the said Harbour, Canal, additional
 Railway or Tramroad, Piers, Quays, Wharfs, and other the Works hereby Sum by
 authorized to be made, and all necessary Charges and Expences relating Mortgage.
 thereto, then and in such Case it shall be lawful for the said Company of
 Proprietors to raise any further or other Sum of Money for completing
 and perfecting the said Undertaking, not exceeding in the whole the
 Sum of Ten thousand Pounds, by Mortgage of the said Undertaking,
 and may make an Order, or enter into a Resolution to that Effect, at a
 Special Meeting of the said Proprietors to be called for that Purpose, of
 which Meeting Fourteen Days previous Notice shall be given in some
 One public Newspaper circulated in the said County of *Carmarthen*, men-
 tioning the Time and Place of such Meeting; and it shall be lawful for
 the said Company of Proprietors, pursuant to such Order or Resolution,
 to borrow and take up at Interest all or any Part of the said Sum of Ten
 thousand Pounds on the Credit of the said Harbour, Canal, Railway or
 Tramroad, Piers, Quays, Wharfs, and other Works, and the Rates and
 Duties thereof, and to assign the Property of the said Undertaking, and
 the Rates and Duties arising or to arise to the said Company of Propri-
 etors by virtue of this Act, or any Part thereof (the Costs and Charges
 of assigning the same to be paid out of such Rates and Duties), as a
 Security for any Sum or Sums of Money to be borrowed, with Interest,
 to such Person or Persons, or to his, her, or their Trustee or Trustees,
 who shall advance and lend the same; all which said Assignments shall
 be made under the Common Seal of the said Company of Proprietors,
 in the Form or to the Effect following; (that is to say,)

‘ BY virtue of an Act passed in the Sixth Year of the Reign of King Form of
 ‘ *George* the Fourth, intituled *An Act* [here set forth the Title of Mortgage.
 ‘ *this Act*], We, the *New Pembrey* Harbour Company, incorporated by
 ‘ and

or other Interest or Dividends due to the said Company of Proprietors, or any of them, shall be paid, made, or divided.

ference to
Dividends.

XXXII. Provided always, and be it further enacted, That no Sum or Sums of Money so lent and advanced on Mortgage shall be paid off and discharged (save and except with the Consent or Consents of the Person or Persons so lending and advancing such Sum or Sums of Money) unless Six Calendar Months previous Notice, signed by the Clerk to the said Company of Proprietors, shall have been given to the Person or Persons lending and advancing such Sum or Sums of Money, of such their Intention to pay off and discharge the same.

Six Months
Notice to
be given of
paying off
Money.

XXXIII. Provided always, and be it further enacted, 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 an Assembly or Meeting of the said Company of Proprietors, for or on account of his or her having lent or advanced any Money on the Credit of any such Assignment.

Assignees
not to vote
on account
of having
lent Money.

XXXIV. And be it further enacted, That the First General Meeting of the said Company of Proprietors for putting this Act into execution shall be held at the *Pelican Inn* in the Borough of *Kidwelly* in the said County of *Carmarthen*, upon the Fourth *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, at the Hour of Twelve at Noon; and all future General Meetings of the said Company (except such Special General Meetings as herein-after mentioned) shall be held on such of the first Twenty Days in the Month of *August* in every Year, at the Hour of Twelve at Noon, and at such Place or Places in the said Borough of *Kidwelly*, or in the said Parish of *Pembrey*, as the said Company of Proprietors, at their preceding General Meeting, shall from Time to Time direct and appoint, and in default of such Direction or Appointment on the First *Tuesday* in the Month of *August*, at the *Pelican Inn* in the said Borough of *Kidwelly*, of which General Meetings Fourteen Days previous Notice at the least shall be given by public Advertisement in some Newspaper or Newspapers usually circulated in the said County of *Carmarthen*, or in such other Manner as the said Company of Proprietors, at their respective General Meetings, shall direct; and the said Company of Proprietors, at such respective General or Special General Meetings, shall and may appoint a Chairman, and such Chairman shall not only vote as a Proprietor or Proxy, but in case of an Equality of Votes shall have the decisive or casting Vote; and the said Company of Proprietors, at their respective General Meetings, shall and are hereby directed to choose and elect out of such of the said Proprietors as at the Time of such Election shall respectively be possessed in their own Right of Stock to the Amount of Two Shares at the least in the said Undertaking, a Board of Directors to manage and conduct the Affairs of the said Company of Proprietors as herein-after directed, the said Board of Directors to consist of Five Persons; and the said Company of Proprietors shall have Power and Authority, at any such General Meeting, to remove and displace any Person or Persons who shall have been chosen a Member or Members of such Board of Directors, or any Officer or Officers under them, and to appoint another or others in their Stead; and every such General Meeting shall have Power to call for, audit, and

First and
other General
Meetings of
the Company.

May appoint
a Chairman.

May choose
a Board of
Directors.

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 Harbour, Canal, and Railway or Tramroad, and the several Works thereto belonging; but no Vote or Votes by Proxy shall be given or have any Power in or as to the Audit and Settlement of Accounts; and the said Company of Proprietors shall have Power to adjourn themselves from Time to Time to such Place or Places as shall at such General Meetings be thought proper and convenient.

Power to
make and
change Bye
Laws, &c.

XXXV. And be it further enacted, That the said Company of Proprietors, at every or any General Assembly, shall have Power and Authority to revoke, alter, amend, or change any of the Rules, Orders, and Directions prescribed and 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 Meetings, and the Time or Place of meeting and voting, and appointing Directors, only excepted), and shall have Power to make such Bye Laws, Rules, Orders, and Regulations for the good Government of the said Company of Proprietors, and of the said Directors, and of the Clerks, Collectors, Treasurer, Harbour Master, Officers, Assistants, Servants, Workmen, and others appointed or employed under or by virtue of this Act, and for better regulating the said Harbour, and the mooring or stationing of Vessels therein, and for well governing, ordering, and managing the Officers and Crews of such Vessels, and the Bargemen, Watermen, Boatmen, Fishermen, Porters, Carters, Carmen, and others, who shall carry any Goods, Wares, or Merchandizes, or use or drive Horses, Carts, Drays, or Trucks, Sledges, or other Carriages within, or frequent, resort to, seek Shelter in, or use the said Harbour, Canal, Railway or Tramroad, Piers, Quays, Wharfs, or Landing Places, and for better regulating and managing the several Works, Matters, and Things by this Act authorized and directed to be made, done, and constructed, as well while the same are doing as after they shall be finished; and for the whole, complete, and total Superintendence and Management of the said Work, as to the said General Meetings shall seem meet, and to impose and inflict such reasonable pecuniary Fines or Forfeitures upon all Persons who shall offend against any such Bye Laws, Rules, Orders, and Regulations, as to such General Meetings shall seem meet, not exceeding the Sum of Five Pounds for any one Offence, to be recovered in manner herein-after mentioned; which said Bye Laws, Rules, Orders, and Regulations, and all Alterations thereof, being reduced into Writing, shall be binding upon and observed by all Parties using or in any way concerned in the said Harbour, Canal, and Railway or Tramroad, and the Piers, Quays, Wharfs, and other Works thereof, 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 inconsistent with or repugnant to the Laws of those Parts of the United Kingdom of *Great Britain and Ireland* called *England* and *Wales*, or either of them, or to the Provisions and Directions in this Act contained, or to any of them; and provided that Copies of such Rules, Orders, and Bye Laws, or such of them as shall concern or relate to the using the said Harbour, Canal, Railway or Tramroad, and Works, or to the Conduct and Behaviour of Sailors, Bargemen, Boatmen, Watermen, Fishermen, Porters, Carters, Carmen, and

and others carrying Goods within, or upon, or otherwise using the same, or to the Conduct and Behaviour of any Officers, Servants, or other Persons employed in or about the said Harbour, Canal, Railway or Tramroad, and Works; or of the Persons resorting to or making use thereof, shall be painted on Boards in large Characters, and be affixed and continued in some conspicuous Place or Places upon or near adjoining the said Harbour, Canal, and Railway or Tramroad, or the Wharfs thereto belonging, and renewed as often as the same shall be obliterated or defaced.

XXXVI. Provided always, and be it further enacted, That in all Cases of Prosecution for Offences against the said Bye Laws, Rules, Orders, and Regulations it shall be sufficient to prove the Existence of the same by the Production of the Book or Books in which the Entries of the Proceedings of the said Company at their several Meetings are made, and that a painted Board, in Characters sufficiently plain, purporting to be a Copy of such Bye Laws, Rules, Orders, and Regulations, hath been affixed and published in manner aforesaid, and in case of its being afterwards displaced or damaged hath been replaced with another such Board, as soon as conveniently might be, in some conspicuous Place upon or near adjoining the Place where the Offence was committed; unless Proof shall be adduced by the Defendant that such painted Board is not a Copy of such Bye Laws, Rules, Orders, and Regulations, or hath not been duly kept up and generally continued at or near the said Harbour, Canal, Railway or Tramroad, or the Wharfs thereto belonging, in manner aforesaid.

Authenti-
cating Bye
Laws.

XXXVII. Provided always, and be it further enacted, That Thirty Days previous Notice at the least shall be given to the Clerk for the Time being of the said Company of Proprietors, signed by Three or more Proprietors entitled to vote at such General Meeting, who shall propose to revoke, alter, amend, or change any such Bye Laws, Rules, Orders, or Regulations, or to propose any new Bye Laws, Rules, Orders, or Regulations; and such Notice shall state specifically the Bye Laws, Rules, Orders, or Regulations proposed to be provoked, altered, amended, or changed, and the Particulars of the proposed Alterations or Amendments, and also the Particulars of any new Bye Law, Rule, Order, or Regulation intended to be proposed; and the Clerk for the Time being to the said Company of Proprietors shall and he is hereby required, Twenty-one Days at least before such General Meeting, to transmit a Copy of such Notice to each of the Proprietors whose Residence or Place of Abode shall be known, and also shall publish such Notice in One Newspaper usually in Circulation in the said County of *Carmarthen*, and in case there shall be no such Newspaper in Circulation, then in One of the *London Morning Newspapers*; and it shall not be competent for such General Assembly to revoke, alter, amend, or change any Bye Law, Rule, Order, or Regulation, or to make any new Bye Law, Rule, Order, or Regulation not specially mentioned and particularized in such Notice, nor unless such Notice shall have been transmitted to the Proprietors, and published as aforesaid.

Notice to be
given of any
proposed
Alteration in
Bye Laws.

XXXVIII. Provided always, and be it further enacted, That if at any such stated General Meeting there shall not be Persons present who shall be possessed of or entitled unto at least Sixty Shares in the said Undertaking,

General
Meetings for
choosing
Directors to

consist of
Persons en-
titled to at
least Sixty
Shares.

Undertaking, either as Principals or Proxies, no Choice of any Directors, nor any Removal of any Person or Persons from amongst such Directors as aforesaid; nor any Election of any Person or Persons in the Room of such of the Directors who shall be removed, die, or decline to act, or become disqualified to act, shall be made at that Time; but in such Case there shall be another Meeting of the said Company of Proprietors, at the same Place, upon that Day Three Weeks, and so from Time to Time until there shall be present at such Meeting so many Persons having such Number of Shares as aforesaid, and such Choice, Removal, or new Appointment of any such Director or Directors shall then take place, and not before; and the Person or Persons then chosen to be such Director or Directors shall have the same Powers which he or they would have had, and shall continue in such Office until such Time as he or they would have done, had he or they been chosen by any such stated General Meeting 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, at such stated General Meeting, every Proprietor who shall not attend such second or adjourned Meeting (provided he be within the United Kingdom of *Great Britain* and *Ireland*) 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 Twenty Shillings, to be deducted out of his or her next succeeding Payment of Dividends of the Profits of the said Undertaking; and in case no Dividends shall be payable to such Person or Persons making default as aforesaid, within Twelve Calendar Months next after the making of such Default, then the Payment of the said Forfeiture of Twenty Shillings may be recovered and enforced by the Ways and Means herein-after appointed for the Recovery of any other of the Penalties or Forfeitures imposed by this Act; but no Person holding any Place, Office, or Employment under the said Company, or concerned or interested in any Contract or Contracts with the said Company, shall be capable of being chosen to serve as a Director during the Time of his Continuance in such Place, Office, or Employment, or during the Time of his being concerned in such Contract or Contracts.

Meeting of
Proprietors
may be spe-
cially con-
vened.

XXXIX. 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 Meeting of the said Company of Proprietors is necessary to be held, it shall be lawful for any Number of the said Proprietors who may be possessed of or entitled unto Sixty Shares at the least in the said Undertaking to require such Meeting to be held, and to cause Fourteen Days Notice at least to be given thereof in some Newspaper or Newspapers usually circulated in the said County of *Carmarthen*, or in such other Manner as the said Company of Proprietors shall at any General Meeting direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special Meeting, and the Time when and the Place where the same shall be held (such Place being where the same shall be directed from Time to Time by the General Meetings of the said Company of Proprietors, and not elsewhere); and the said Company of 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 of
Proprietors

Proprietors with respect to the Matters so specified only; and all such Acts of the Proprietors, or of the major Part of them met together at every such Special General Meeting, (provided such major Part shall be possessed of at least Forty Shares in the said Undertaking, either as Principals or Proxies,) shall be as valid, with respect to the Matters specified in such Notice, as if the same had been done at any stated General Meeting.

XL. And be it further enacted, That it shall be lawful for the said Company of Proprietors, at any General Meeting, and they are hereby authorized, from Time to Time to nominate and appoint a Treasurer or Treasurers, and One or more Clerk or Clerks, Collector or Collectors, Receiver or Receivers of the Rates and Dues, Harbour Master or Harbour Masters, and such other Agents, Officers, and Servants as may from Time to Time appear expedient, and to allow them respectively such Salaries, Allowances, or Recompence for their Time and Trouble as to them shall seem meet.

General Meeting of Proprietors to elect and appoint Officers.

XLI. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act; or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk of the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall act as Treasurer, or being the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Clerk and Treasurer not to be the same Person.

XLII. And be it further enacted, That the said Company of Proprietors shall and they are hereby required to take such Security from the Treasurer or Treasurers, Collector or Collectors, Harbour Master, or other Agents, Officers, and Servants to be appointed for the Purposes of this Act, for the due Execution of their Offices, and for their faithfully accounting for all the Monies received by them, or Services to be performed by them in virtue of their said Offices, as to the said Company of Proprietors or the said Directors shall seem meet.

Officers to give Security.

Books to be kept, in which the Names of Proprietors are to be entered.

XLIII. And be it further enacted, That the said Clerk or Clerks shall, in a proper Book or Books to be provided by the said Company of Proprietors 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 Harbour and 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 of Proprietors and Directors respectively; and each of the said Proprietors of the said Undertaking shall and may at all convenient Times have recourse to and peruse and inspect the same, and to the Books of Account of the Treasurer or Treasurers, Collector or Collectors of the said Company of Proprietors, *gratis*, and may demand and have Copies thereof or of any Part thereof, paying for every One hundred Words to be copied the Sum of One Shilling; and if any such Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors to the said Company or Directors, shall not permit or shall refuse to permit any Proprietor or Proprietors so interested as aforesaid to inspect or peruse such Book or Books of Proceedings at all convenient Times and Seasons, or refuse to make any such Copy or Copies at the Rate or Price aforesaid, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and in case any such Treasurer, Clerk, Collector, Receiver, Harbour Master, or other Agent, Officer, or Servant, shall die, or quit the Service of the said Proprietors or of such Directors, or by reason of any Negligence, Misconduct, or Inability in any such Treasurer, Clerk, Collector, Receiver, Harbour Master, Agent, Officer, or Servant to execute such Office or Offices, it shall be requisite to displace or remove him or them, and in every such Case it shall be lawful for the Proprietors assembled at any such stated or special General Meeting as aforesaid, or for the said Directors, to remove any such Treasurer, Clerk, Collector, Receiver, Harbour Master, Agent, Officer, or Servant; and in case any such Treasurer, Clerk, Collector, Receiver, Harbour Master, Agent, Officer, or Servant shall so die, be removed from or quit the Service of the said Company of Proprietors or of the said Directors, then it shall be lawful for the said Company of Proprietors, at their said General or Special General Meetings, or for the said Directors, to appoint any other fit Person or Persons to execute such Office or Offices in the Place of the Person or Persons who shall so die, be removed from or quit the Service of the said Proprietors or of the said Directors; but in case any such new Appointments be made by the said Directors the same shall only continue until the next General or Special General Meeting 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 General or Special General Meeting may think proper.

Appointment of Officers in case of Vacancy by Death, &c.

Regulations respecting the Directors.

XLIV. And be it further enacted, That no Member of the said Board of Directors (although he may be a Proprietor of many Shares in the said Undertaking) shall have more than One Vote in any Meeting of the said Directors, except the Chairman, who shall be chosen by and out of the said Directors, and who, in case of an Equality of Votes upon any Question which may be agitated at any Meeting of the said Directors, shall

shall have the casting Vote, although he may have given One Vote before; and all the Powers and Authorities hereby vested in or directed to be exercised by the said Directors may be done and exercised by the major Part of them present at their respective Meetings (the whole Number present being not less than Three); and the said Directors shall from Time to Time make Reports of their Proceedings to the said General Meetings, and, if required, to the said Special General Meetings of the Proprietors, and shall obey their Orders and Directions; and the said Directors shall (subject nevertheless at all Times to such Orders and Directions as aforesaid) meet at such Times and Places, and shall from Time to Time adjourn themselves to such other Times and Places, as they shall think fit.

XLV. And be it further enacted, That in order to defray the Expences of the Meetings of the said Directors the said Directors 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 General Meetings; and the said Directors (subject nevertheless at all Times to such Orders and Directions as aforesaid) shall have full Power and Authority to contract for and purchase Lands, Messuages, Tenements, Hereditaments, and Materials for the Use of the said Undertaking, to employ, order, direct, and dismiss the Workmen, to make Agreements and Bargains with the Workmen, Agents, Undertakers, and other Persons employed or concerned in making, completing, and improving the said Harbour, Canal, and Railway or Tramroad, and the Piers, Quays, Wharfs, Warehouses, and other Works, Matters, and Things hereby authorized to be made, and all and every Part and Parts thereof, and to do, execute, and perform all other Matters and Things whatsoever necessary and expedient to be done in and about the said Undertaking, and which the said Company of Proprietors are by this Act empowered to do, save and except such Acts, Matters, and Things as are hereby directed to be done by the Proprietors at their General Assemblies as herein mentioned; and the said Directors shall, by themselves, or their Clerk or Clerks aforesaid, keep a full and true Account of all Money disbursed and Payments made by the said Directors, and by all and every Persons and Person employed by or under them, and of all and every Sums and Sum of Money which they shall receive on behalf or in respect of such Harbour, Canal, Railway or Tramroad, and other Works, from any Collector or Collectors of the said Rates or Duties, 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 Harbour, Canal, Railway or Tramroad, or 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 of Proprietors 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 Directors: Provided always, that every Proprietor, upon every reasonable Desire, shall have free Access thereto, as herein-before mentioned; for his or her Inspection.

Expences of Meetings of Directors.

Powers of Directors.

XLVI. And

Directors to
make Calls
on Shares.

XLVI. And be it further enacted, That the said Company of Proprietors, or the said Directors (if any such Directors are appointed), shall have Power from Time to Time to make such Call or Calls of Money from the Subscribers to or Proprietors of the said Undertaking, in order 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 or in respect of every One hundred Pounds Share in the said Undertaking: Provided always, that no such Calls shall be made but at the Distance of Three Calendar Months at least from each other; and provided also, that Fourteen Days Notice at the least shall be given of all such Calls as aforesaid, by Advertisement in some One or more Newspaper or Newspapers usually circulated in the said County of *Carmarthen*, and by Letter, to be signed by the Clerk to the said Company, addressed to the respective Subscribers at his, her, or their Place of Abode, as the same stand described or recorded in the Books of the said Company of Proprietors; all which Money so to be called for shall be paid into the Hands of the Treasurer or Treasurers of the said Company of Proprietors, to be issued, paid, and applied in such Manner as the said Company of Proprietors or the said Directors shall from Time to Time order and direct; and all and every Owners or Owner, Proprietor or Proprietors of any Share or Shares in the said Undertaking, shall and they are hereby required to pay the Sum or Sums by them respectively subscribed, or such rateable Proportions thereof as shall be called for as aforesaid, at such Times and Places and in such Manner as the said Company of Proprietors or the said Directors shall from Time to Time appoint and direct.

If Calls not
answered,
Shares may
be forfeited;
but no Ad-
vantage to be
taken of For-
feiture with-
out Notice.

XLVII And be it further enacted, That if any Person or Persons shall neglect or refuse to pay his, her, or their rateable or proportionable Share or Shares of the said Money so to be called for as aforesaid, at the Time and Place to be appointed as aforesaid, or within Thirty Days next ensuing, he, she, or they so neglecting or refusing shall forfeit and pay a Sum not exceeding Twenty Shillings for every Share; and in case such Person or Persons shall continue to neglect or refuse to pay his, her, or their rateable Calls as aforesaid for the Space of Three Calendar Months next after the Time so appointed for Payment thereof, then he, she, or they so neglecting or refusing shall, at the Option of the said Company of Proprietors, forfeit his, her, or their respective Share and Shares in the said Undertaking, and all the Profits and Benefits thereof; all which Shares so forfeited shall be vested in the said Company of Proprietors in Trust for and for the Benefit of all the rest of the said Proprietors, in proportion to their respective Interests in the said Undertaking, or shall, at the Discretion of the Proprietors assembled at the said stated or special General Meetings, be sold by public Auction or private Contract, for the Use or Benefit of the rest of the said Proprietors whose Shares and Interests shall not have been forfeited as aforesaid; and the said Company of Proprietors shall, by Writing or Writings under their Common Seal, assign and transfer such forfeited Share or Shares unto the Person or Persons who shall become the Purchaser or Purchasers thereof, his, her, or their Executors, Administrators, and Assigns; and such Assignment and Transfer shall be good,
valid,

valid, and effectual against the Owner or Owners of all and every such Shares or Share so forfeited to or vested in the said Company of Proprietors, and sold as aforesaid, and all Persons claiming under him, her, or them: Provided always, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking until personal Notice shall have been given to, or Notice left at or sent by the Post addressed to 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 at some stated or special General Meeting of the said Company of Proprietors within Six Calendar Months next after such Forfeiture shall have been incurred: Provided also, that every such Forfeiture, after the same shall be declared 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 said Company with regard to the future carrying on and Management of the said Undertaking; but no such Share or Shares shall be forfeited if the Owner or Owners thereof shall, at or before such stated or special General Meeting, pay or tender to the Treasurer or Clerk of the said Company of Proprietors what shall be due thereon, together with legal Interest for the same from the Time when the same ought to have been paid, and all Expences incurred for Recovery thereof.

Forfeiture of Shares to be an Indemnity to Persons forfeiting, but Shares not to be forfeited if Arrear and Interest be paid or tendered at or before General Meeting

XLVIII. Provided always, and be it further enacted, That in case the Money produced by the Sale of any Share or Shares shall be more than sufficient to pay all such Arrears of Call as aforesaid, and lawful Interest thereon, with the Expences attending such Sale or Sales, the Surplus of such Money shall be paid, on Demand, to the Person or Persons to whom such Share or Shares shall have belonged; but the said Company shall not sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters than shall be sufficient, as near as may be, at the Time of such Call, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after the Payment of all such Calls, and the Interest and Expences as aforesaid, any Share or Shares so vested in such Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person or Persons to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid, in such Manner as if such Calls had been duly and regularly paid.

If the Purchase Money or Shares shall be more than sufficient to pay the Arrears of Calls, and Interest and Expences thereon, the Surplus to be paid to the Owner, on Demand.

XLIX. And be it further enacted, That if any Proprietor or Proprietors shall neglect or refuse to pay his, her, or their proportionable Part of the Money to be called for as aforesaid, at the Time and Place appointed for that Purpose, it shall be lawful for the said Company of Proprietors (in case they shall think fit) to sue for and recover the same, with Interest at the Rate of Five Pounds *per Centum per Annum* from the Time appointed for Payment thereof, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case; and in every such Action it shall be sufficient for the said Company to declare and allege that the Defendant or Defendants, being a Proprietor or

Company may sue for Calls not paid at the Time appointed.

Proprietors of such or so many 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 in arrear shall amount to, 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 in such Action it shall be only necessary to prove that the Defendant or Defendants, at the Time of making such Call or Calls, was or were 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 Directors who made such Call or Calls, or any other Matters 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 Share of One hundred Pounds, or was made within the Distance of Three Calendar Months from the last preceding Call, or without Notice given as aforesaid.

Shares may
be sold.

L. And be it further enacted, That it shall 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 Transfer or Conveyance of which Share or Shares shall be in the Form or to the Effect following; (that is to say,)

Form of
Conveyance.

I *A. B.* of _____ in consideration of _____ paid to me by *C. D.* of _____ do hereby bargain, sell, assign, and transfer to the said *C. D.* the Sum of _____ Share or Shares in the Undertaking called "The *New Pembrey Harbour Company*," and in the Works and Premises belonging to the said Company (being Number _____ of the Shares in the said Undertaking), to hold to the said *C. D.*, his Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions, that I held the same immediately before the Execution hereof; and I the said *C. D.* do hereby agree to take and accept the said _____ Share or _____ Shares, subject to the same Rules, Orders, Restrictions, and Conditions. As witness our Hands and Seals the _____ Day of _____

And on every such Sale the Transfer or Deed of Conveyance (being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares) shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk or Clerks to the said Company of Proprietors shall have entered in a proper Book or Books to be kept for that Purpose a Memorial of such Sale and Transfer, for the Use of the said Company, and shall have testified or endorsed the Entry of such Memorial on the said Transfer or Deed of Conveyance, for which Entry and Endorsement no more than Two Shillings and Sixpence shall be paid; and the said Clerk or Clerks is or are hereby required to make an Entry of such Memorial accordingly; and until such Memorial shall have been so entered as above directed such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any

any Dividend on such Share or Shares paid to him, her, or them, nor any Vote in respect thereof as a Proprietor or Proprietors of the said Undertaking.

LI. And be it further enacted, That after any Call of Money shall have been made by the said Company of Proprietors or such Directors 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, upon pain of forfeiting his, her, or their respective Share or Shares therein to the said Company of Proprietors, 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 and discharged to the Treasurer or Treasurers of the said Company of Proprietors the whole and entire Sum of Money which shall have been called for upon each Share so sold or transferred, such Forfeiture nevertheless to be notified and declared at a General Meeting in manner before directed.

After a Call
no Share to
be sold until
Money paid.

LII. 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 do belong; be it therefore 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, or the Effect of such Register, shall be made and sworn to by some credible Person before a Master or Master Extraordinary in Chancery, or before any One of His Majesty's Justices of the Peace for the said County of *Carmarthen* (and the said 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 for the Time being to the said Company of Proprietors, 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 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 thereof, or the Letters of Administration (in case the Owner or Proprietor shall have died intestate), shall be produced and shown to the said Clerk or Clerks, 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 said Letters of Administration, shall be made and sworn to by an Executor or Executors of such Will, or by an Administrator or Administrators of the Estate and Effects of the deceased (as the Case may happen to be), before 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; and for every such Entry the Clerk or Clerks of the said Company shall be entitled to receive from the Person or Persons claiming such Share or Shares by Marriage or Will, or in Course of Administration as aforesaid, the Sum of Two Shillings and Sixpence, and no more.

Regulations
as to the Ac-
quisition of
Shares;

by Marriage;

or Will, or in
Course of Ad-
ministration.

LIII. And

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

LIII. And for the better Security of the several Proprietors of the said Undertaking as to their respective Shares therein, be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their second or some subsequent General Meeting, or as soon as conveniently may be, to cause the Names and proper Additions of the several Persons who shall then be entitled to any Share or Shares in the said Undertaking, with the Number of Shares 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 of Proprietors, and after such Entry made 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, upon Demand, to every such Proprietor, specifying the Share or Shares to which he or she is entitled in the said Undertaking, and the Number or Numbers thereof, every such Proprietor paying to the Clerk Two Shillings and Sixpence, and no more, for every such Ticket or Instrument, and such Ticket or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Proprietor, his, her, or their Executors, Administrators, or Assigns, to the Share or Shares therein specified; but the Want of such Ticket or Instrument shall not hinder or prevent the Owner or Proprietor of any of the said Shares from selling or disposing thereof; and in case any such Ticket or Instrument shall become defaced, worn out, or damaged, or shall, to the Satisfaction of the said Company, be ascertained to have been lost or destroyed, then and in such Case another Ticket or Instrument shall be made out and delivered by the Clerk, on the same Terms and Conditions as aforesaid.

For enforcing Payment of Subscriptions.

LIV. And be it further enacted, That if the several Persons who have become Subscribers towards the Purposes of this Act, or any One or more of them, or any Person or Persons who shall hereafter become or agree to become a Subscriber or Subscribers for that Purpose, shall after Thirty Days previous Notice in Writing, under the Hand of the Treasurer or Clerk to the said Company, given to him, her, or them, or left at his, her, or their usual Place or Places of Abode, refuse or neglect to make Payment of the respective Sums by him, her, or them so subscribed or agreed to be subscribed, or such Part or Parts thereof as may be required in such Notice, at such Place or Places and to such Person or Persons as the said Company shall authorize to receive the same, it shall be lawful for the said Company to bring or cause to be brought any Action or Actions of Debt or on the Case, or Bill, Plaint, or Suit, against the Person or Persons so refusing or neglecting as aforesaid, or his, her, or their Heirs, Executors, or Administrators, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and after Proof of such Person or Persons having so subscribed or agreed to subscribe, and that such Notice was given as aforesaid, a Verdict shall be given for the Plaintiff in all such Action and Actions, and Execution shall issue thereupon as the Case may require.

Harbour Duties to be paid on Tonnage.

LV. And be it further enacted, That from and after the Time that the said Harbour at *Pembrey* aforesaid, and the intended Works therein, shall have been so far formed and completed as that any Ship or Vessel may

may be enabled to load and unload Goods and Effects within the same, (which Fact shall be found to the Satisfaction of the Justices of the Peace assembled at the Quarter Sessions to be holden for the said County of *Carmarthen*, or the major Part of them, and be published in the *London Gazette* and in some Newspaper circulated in the said County of *Carmarthen*;) it shall be lawful for the said Company of Proprietors, and such Person or Persons as they shall appoint, to ask, demand, take, collect, receive, and recover, to and for the Use and Benefit of the said Company of Proprietors, for and in respect of every Ship, Barge, Boat, or other Vessel coming in or going out of the said Harbour of *Pembrey*, such reasonable Rate or Duty, according to the Tonnage of such Ship, Barge, Boat, or other Vessel, not exceeding the Sum of Eight-pence for each and every such Ton, as they the said Company of Proprietors shall think just; and for and in respect of every Ship, Barge, Boat, or other Vessel running into the said Harbour by Stress of Weather, and not unloading, the Sum of Sixpence for each Ton; and for and in respect of every Ship, Barge, Boat, or other Vessel coming into the said Harbour for Shelter or in Distress, and lying longer than Seven Days, the Sum of Three-pence *per Ton per Day* for the same.

LVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to Ships, Vessels, or Boats belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service of the Customs or Excise or Post Office, using the said Harbour, or to any of the Officers or Persons employed therein respectively, or in the Service or Employ of the Admiralty, Ordnance, or Navy Board, or to any Naval or Ordnance Stores or other Matters imported into or exported from the said Harbour for the Use of the Navy or Army, or to any Yachts or Pleasure Boats or other Vessels belonging to the King's most Excellent Majesty, or any Member of the Royal Family; nevertheless, the Captain or Master of every such Ship, Vessel, or Boat shall be answerable for all Damages done by such Ship, Vessel, or Boat, or by the Mariners or others on board the same, to the Harbour, Wharfs, or Works, or the Machinery or Tackle connected therewith, or to the Shipping therein, with full Costs of Suit; provided always, that if any Person or Persons shall claim and take the Benefit of any such Exemption as aforesaid, without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Exemption
for Vessels in
His Majesty's
Service.

LVII. And be it further enacted, That if any Goods, Wares, Merchandize, or other Things shall be brought upon any Wharf or Wharfs, Quay or Quays, belonging to the said Company of Proprietors or their Lessees, then and in such Case there shall be paid to the said Company of Proprietors; or to the Collector or other Person or Persons whom they shall appoint to demand, receive, and recover the same, over and above the Rates and Duties herein-before granted and authorized to be taken, and in such and the same Manner as such Rates and Duties are hereby directed and appointed to be paid and recovered, such Sum *per Ton*, or otherwise, as the said Company of Proprietors shall from Time to Time fix and appoint, not exceeding the Rates and Charges in the Schedule to this Act particularly specified and set forth.

Wharfage
Duties to
be paid.

LVIII. Provided always, and be it further enacted, That a Table of the several Rates and Duties to be taken for the Use of the said intended

Rates to be
published.

[Local.]

32 I

Harbour,

Harbour, Quays, Piers, Wharfs, and other Works hereby authorized to be made, shall be painted on Boards, and fixed up in some conspicuous Part of the said Harbour in legible Characters.

For settling
Disputes
about the
Amount of
Rates and
Duties.

LIX. Provided also, and be it further enacted, That if any Dispute shall arise concerning the Amount of the Rates or Duties due, or the Charges occasioned by any Distress, it shall be lawful for the Collector or Person distraining to detain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Amount of the Rates or Duties due, and the Charges of seizing, distraining, keeping, or selling such Distress (as the Case shall happen), shall be ascertained by One or more Justice or Justices of the Peace of the said County of *Carmarthen*, who, upon Application made to him or them for that Purpose, shall examine the said Matter upon Oath of the Parties or other Witness or Witnesses, and determine the Amount of the Rates or Duties due; and it shall be lawful for such Justice or Justices to assess and award such Costs, to be paid by either of the Parties to the other of them, as he or they shall think just and reasonable; and in case of Nonpayment thereof, on Demand, such Costs shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, by Warrant under the Hand and Seal of such Justice or Justices.

To ascertain
the Tonnage
or Admea-
surement
of Ships.

LX. And be it further enacted, That the Tonnage or Admeasurement of all Ships and Vessels required to be registered by any Act or Acts of Parliament of this Kingdom, or of the Kingdom of *Ireland*, and trading or coming to or departing from the said Harbour, and liable to the Payment of the Rates or Duties of Tonnage 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 such Certificate of Registry at the Time of Payment of the said Rates and Duties to the Person or Persons who shall be duly authorized to collect and receive such Duties; and in case of any Dispute in or about the same, or in case of any Dispute in respect of the Tonnage of any Ship or Vessel not required to be registered, or of any Foreign Ship or Vessel, then the Tonnage of any such Ship or Vessel shall be ascertained in the Manner and according to the Directions of an Act passed in the Fourth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the registering of Vessels*.

4 G.4. c. 41.

Power to
measure
Ships.

LXI. 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 the Charge or Command of any Ship, Barge, Boat, 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 be lawful for the said Collector or Collectors, or other 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

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, Barge, Boat, 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 of *Carmarthen*, on the Oath of One or more credible Witness or Witnesses, to have arisen from such Detention; and such Costs, Charges, and Damages shall be recovered and levied on the Goods and Chattels of the said Company of Proprietors, in the same Manner as other Fines, Penalties, and Forfeitures can or may be recovered and levied under this Act; and if any Master, Commander, or other Officer of any Ship, Barge, Boat, or other Vessel, or any Person 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 and pay any Sum not exceeding Five Pounds, over and above the said Rates.

LXII. And be it further enacted, That from and after the said Harbour shall have been certified to be so far completed as aforesaid, every Master or Commander of any Ship or Vessel which shall arrive in the said Harbour with any Goods subject to Duties of Customs or Excise, shall in every Case make his Report of such Ship or Vessel, and of her Cargo, at the Custom House at the Port of *Llanelly*, within Twenty-four Hours next after her Arrival within the said Harbour, and shall also, within Twenty-four Hours after such Ship or Vessel and Cargo shall be so reported, deliver or cause to be delivered a true Copy of the Manifest of the Cargo of such Ship or Vessel at the principal Office or House, near to the said Harbour, used for the Time being for the Management of the Affairs of the said Company of Proprietors, to such Officer or Servant of the said Company of Proprietors as shall be appointed for the Receipt thereof; and every such Master or Commander refusing or neglecting to make such Report, or to deliver a true Copy of such Manifest within the respective Times and in the Manner before directed, shall for every such Offence (upon being convicted thereof) forfeit and pay any Sum not exceeding Ten Pounds.

Ships to be reported on arriving in the Harbour.

LXIII. And be it further enacted, That it shall be lawful for the said Company of Proprietors, and they are hereby required, whenever the Profits arising from the said Undertaking shall be more than sufficient to pay and divide amongst the Proprietors Twenty Pounds *per Centum* upon each Share therein, at their said General Meetings, or at any Special Meeting to be appointed for that Purpose, to lower or reduce the said Rates and Duties, or any of them, so as that the said Profits shall not exceed Twenty Pounds *per Centum* upon each such Share; but nevertheless the said Company of Proprietors shall and may from Time to Time again raise or reduce the same Rates and Duties, or any of them, to such Sum or Sums of Money as they shall think proper, not exceeding in the whole the Sums before mentioned or referred to, as often as it shall be deemed

Rates may be altered.

deemed necessary for the Benefit of the said Undertaking, and so as that the said Proprietors do not receive a greater Proportion of Profit than Twenty Pounds *per Centum* upon each Share.

Books of
Accounts to
be produced
annually to
the Justices.

LXIV. And be it further enacted, That there shall from Time to Time be provided and kept, by the said Company or their Directors, One or more Book or Books, in which all Monies to be received by virtue of this Act shall from Time to Time be fairly set down and entered, expressing the Time when and the Name of the Person or Persons from whom the same were so received, and also one other Book or Books in which all Sum and Sums of Money disbursed and laid out by them or by their Order for the Purposes aforesaid, and the several Articles, Matters, and Things for which the same have been disbursed, laid out, and expended, shall be duly set down and entered; and in each and every Year, at the General Quarter Sessions of the Peace held after the Feast of *Saint Michael* the Archangel, for the County of *Carmarthen*, the said Books to be kept by the said Company or their Directors shall be produced and laid before the Justices at such Sessions, together with the proper Vouchers for such Expences and Disbursements; and the Justices then and there assembled shall and they are hereby required to examine into, settle, and balance the Accounts from the said Books; and if the said Company shall neglect or refuse to make and render such Accounts as aforesaid, then the said Company shall forfeit and pay the Sum of Five hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and in case it shall appear to the Justices at such Quarter Sessions, that the Rates and Duties then collected and accumulated are more than sufficient for all the Purposes aforesaid, and to discharge the said Mortgages, then the said Justices may order and direct that the said Rates and Duties shall be reduced.

Manner of
recovering
Rates and
Duties.

LXV. And be it further enacted, That all the Rates and Duties authorized by this Act to be received, collected, and taken shall be paid to such Person or Persons, at such Place or Places, in such Manner, and under such Regulations as the said Company of Proprietors or the said Directors shall from Time to Time direct or appoint; and in case any Owner or Master, or any other Person or Persons having the Rule or Command of any Ship, Barge, Boat, or other Vessel within the said Harbour, or any Factor or Consignee thereof, shall refuse or neglect to pay any such Rates or Duties, or any Part thereof, on Demand, to the Receiver or Person so appointed to receive the same, then and in such Case it shall be lawful for the said Company of Proprietors, or the Collector or Collectors, or other Person or Persons appointed in pursuance of this Act to receive the same, first paying all Duties due to His Majesty in respect of such Ship or Goods, to go on board such Ship, Barge, Boat, or other Vessel, to demand, collect, and receive the said Rates or Duties, and on Nonpayment thereof to take and distrain every such Ship, Barge, Boat, or other Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and all or any Part of the Goods, Wares, or Merchandize in respect whereof such Rates or Duties shall be payable, either on board such Ship, Barge, Boat, or other Vessel, or on Land,
and

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

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

Persons evading Payment to remain liable, and also to forfeit a Sum equal thereto.

LXVII. And be it further enacted, That all and every the Piers, Wharfs, Quays, and Warehouses which shall be erected or made under or by virtue of the Powers or Authorities of this Act shall be appropriated for the Use of the Public, and not for the exclusive Use of the said Company of Proprietors, or of any other Person or Persons, or of any Description or Class of Persons whatsoever; and all Persons whomsoever frequenting the said Harbour shall have free Liberty, with Ships, Barges, Boats, and other Vessels, to resort to and use the said Harbour hereby authorized to be made, and also with Horses, Cattle, and Carriages to use the Roads, Ways, and Passages belonging to the said Company of Proprietors, for the Purpose of carrying Goods, Wares, Merchandize, and other Things to or from the said Harbour, Piers, Quays, Wharfs, Warehouses, and other Works, Buildings, Matters, and Things, as they shall deem necessary or expedient, and to navigate and pass upon the said Canal, Railway or Tramroad, with Barges, Boats, Waggon, and other

Harbour, Navigation, and Roads to be free.

[Local.]

32 K

Carriages

Carriages properly constructed, with Horses and other Cattle, and to use and employ the said Harbour, Piers, Quays, Wharfs, Warehouses, and other Works, for loading, unloading, and depositing such Goods, Wares, Merchandize, and other Things as aforesaid, and to use the Towing Paths, with Horses and other Cattle, for hauling and drawing such Barges, Boats, and other Vessels, upon Payment of such Rates and Duties for the same respectively as shall be demanded by the said Company of Proprietors not exceeding the several Rates and Duties herein mentioned, and subject to the Rules and Regulations which shall be from Time to Time made for better managing the said Harbour and Works hereby authorized to be made by virtue of the Powers herein given in that Behalf; and such Rules and Regulations, and the Rates and Duties taken or required by the said Company of Proprietors, shall apply equally, impartially, and indiscriminately to all Persons using the said Harbour, Canal, Railway or Tramroad, Piers, Quays, Wharfs, Warehouses, Buildings, and other Works hereby authorized to be made as aforesaid.

Power to regulate Vessels lying in Harbour.

LXVIII. And for the more orderly governing the said Harbour, and for the better preserving the same and the Works to be erected there from Prejudice or Damage, as well for the Accommodation of Ships or Vessels coming into as going out of the said Harbour, be it further enacted, That the Harbour Master to be appointed in pursuance of this Act shall from Time to Time order and require all and every Person having the Rule or Command of any Ship, Barge, Boat, or other Vessel entering into, lying, being, or abiding within the said Harbour, to anchor, moor, and ballast such Ship, Barge, Boat, or other Vessel, in such proper Place or Places within the same as such Harbour Master shall assign or direct for those Purposes (having due Regard that, to the best of his Skill and Judgment, such Ship or Vessel shall be ordered to lie, anchor, moor, or ballast in a Place of Safety); and in case the Person or Persons having the Rule or Command of any Ship or other Vessel shall refuse or neglect to obey the Orders so given, or shall cast or throw out, or permit, or suffer to be thrown out, any Ballast or Rubbish, Sand, or other Materials used for Ballast, from any such Ship or Vessel within the said Harbour, or the Entrance thereof, every Person so offending, for every such Refusal or Neglect, shall forfeit and pay any Sum not exceeding Five Pounds to the said Company: Provided also, that no Gunpowder, Pitch, Tar, Rosin, Hemp, Flax, Faggots, Furze, Brandy or other spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or any other inflammable or combustible Matter or Thing whatsoever, shall be suffered to be or remain on any Quay, Pier, or Wharf belonging to the said Harbour, or upon the Deck of any Ship or Vessel within the said Harbour, above the Space of Twenty-four Hours after having passed the Custom House Officers; and the Owner or Owners thereof shall and they are hereby required to remove the same from such Place or Places within the Space of Twenty-four Hours; and in case the same cannot be conveniently removed before Sunset, then and in every such Case the Owner or Owners thereof shall be obliged and he and they is and are hereby required to set and employ, at his or their own Expence, such a Number of careful and sober Persons to guard and watch over the same, for such and so many Hours, from Sunset to Sunrise, as the said Company of Proprietors or Directors appointed as aforesaid, or the Harbour Master or other Person or Persons

sons by them appointed, shall specify and direct; and in case any such Owner or Owners, or the Person or Persons having the Rule or Command of any Ship or Vessel as aforesaid, shall make default in the Premises, each and every such Person so offending shall for every such Offence forfeit and pay any Sum of Money not exceeding Five Pounds, to the said Company.

LXIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to Ships, Vessels, or Boats belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service of the Ordnance, Customs or Excise, or Post Office, laden with Gunpowder.

Not to extend to King's Ships laden with Gunpowder.

LXX. And be it further enacted, That all and every Persons or Person whomsoever, who shall at any Time or Times hereafter wilfully or designedly demolish, break down, or damage the Piers, Quays, Wharfs, Warehouses, or any of the Works or Buildings which shall be constructed in or which shall belong to the said Harbour, Canal, Railway or Tramroad, or who shall wilfully do any Damage to any of the Shipping or Goods within the same, or who shall wilfully or designedly extinguish or put out any of the Lights used in or belonging to the said Harbour for the Safety and Protection of the Ships or other Vessels resorting to the same, shall be adjudged guilty of Felony, and the Court by or before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be transported for any Term not exceeding Seven Years, or, in mitigation of such Punishment, may award such Sentence as the Law directs in Cases of Petit Larceny.

Persons destroying Works and extinguishing Lights, guilty of Felony.

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

Masters of Vessels answerable for Damages done by Crew.

LXXII. And be it further enacted, That in case the Master or Masters, Owner or Owners, of any Ship or Vessel as aforesaid, shall be compelled to pay any Penalty, or to make Satisfaction for any Damage or Trespass by reason of any such Damage or Mischief done or committed by his or their Mariners, Boatmen, Servants, or other Persons employed by them or any of them, such Mariner, Boatmen, Servants, or other Persons, and each and every of them, shall be liable to pay such Penalty or Damage, with the Costs thereof, to such Master or Masters, Owner or Owners; and in case of Nonpayment thereof, upon Demand, and Oath made by such Master or Masters, Owner or Owners, of the Payment made by him, her, or them

Masters to recover Damages from their Servants.

them of such Penalty or Satisfaction for Damages, and that the same or the Costs thereof have or hath not been repaid to him, her, or them by such Mariners, Boatmen, Servants, or other Persons, or any of them, although demanded, (such Oath to be made before any one Justice of the Peace of the County where such Penalty or Satisfaction shall have been incurred as aforesaid, or where such Mariner, Boatman, Servant, or other Person can be found,) the Amount thereof shall be recovered as any other Penalty is hereby directed to be recovered.

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

LXXIII. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Persons, or Party or Parties, to serve any Notice or Notices, or any Writ or Writs, or other legal Proceedings, or Proceedings in Equity, upon the said Company, the Service thereof respectively upon any One of the Members of the Board of Directors, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent of or Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

In case of
Nonpayment
of Compensation
for
Damages,
&c., the same
to be levied
by Distress
of the Goods
of the Com-
pany or their
Treasurer.

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

LXXV. And

LXXV. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by the Bye Laws, Rules, Orders, and Regulations hereby authorized to be made, (the Manner of levying and Recovery whereof is not otherwise particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any One Justice of the Peace for the said County of *Carmarthen*, on Complaint to him for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice, who is hereby authorized and required to summon before him any Witness or Witnesses, and to examine him, her, or them upon Oath of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money so levied or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned, upon Demand, to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereon such Fines, Penalties, and Forfeitures can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice, or any other Justice of the Peace for the said County, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol of the said County, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied; and such Fines, Penalties, and Forfeitures, when so levied (the Application whereof is not otherwise directed), shall be paid to the Overseers of the Poor of the Parish or Place where the Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish or Place, and to or for no other Use or Purpose whatsoever.

Recovery and Application of Fines, Forfeitures, and Penalties.

LXXVI. And be it further enacted, That it shall be lawful for any Collector, Surveyor, or other Officer of the said Company, and such Person or Persons as he shall call to his Assistance, to seize and detain any Person or Persons, being unknown to such Collector, Surveyor, or other Officer, who shall commit any Offence or Offences against this Act, and to convey him, her, or them before any One or more Justice or

For securing transient Offenders.

[*Local.*]

32 L

Justices

Justices of the Peace for the said County of *Carmarthen*, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices of the Peace respectively is and are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

Conviction
of Offenders.

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

Form of
Conviction.

‘ to wit. } BE it remembered, That on this Day of
‘ *A. B.* is convicted before me *C. D.*, One of His Majesty’s Justices
‘ of the Peace for the of having [*as the Offence shall*
‘ *be*]; and I the said do adjudge him [*her or them*] to
‘ forfeit and pay for the same the Sum of Given under
‘ my Hand and Seal [*or our Hands and Seals*] the Day and Year
‘ aforesaid.’

Distress not
to be deemed
unlawful for
Want of
Form.

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

Collectors of
Rates, &c. to
be competent
Witnesses.

LXXIX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Rates or Duties, or any of them, or respecting any Matter relating to the said Harbour, Canal, Railway or Tramroad, Piers, Quays, Wharfs, or other Works, the Person or Persons acting by or under the Authority of the said Company of Proprietors shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being appointed to collect such Rates or Duties, or being concerned or interested in the Execution of the said Works.

Penalty on
Witnesses
for Non-
attendance.

LXXX. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, or against any such Bye Law, Rule, Order, or Regulation as aforesaid, either on behalf of the Prosecution, or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without an Excuse for such Non-appearance being given at such Time and Place, to the Satisfaction of such Justice or Justices, or appearing shall refuse to be examined
upon

upon Oath or Affirmation, or to give Evidence touching the Matter in question before such Justice or Justices, then and in every such Case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds, to be recovered as other Fines and Penalties are by this Act recoverable.

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

Allowing an Appeal to the Quarter Sessions.

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

Proceedings not to be quashed for Want of Form.

LXXXIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing, signed by his, her, or their Attorney (specifying the Cause of Action), shall have been given to the Defendant or Defendants at least Thirty Days before the same shall have been brought; nor shall the Plaintiff

Notice of Action to be given.

Tender of
Amends.

Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no Tender of Amends shall have been made, it shall and may be lawful for the Defendant or Defendants (by Leave of the Court), at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Orders, and Judgments shall be made and given in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Limitation
of Actions.

Defendants
may plead
the General
Issue.

LXXXIV. And be it further enacted, That no Action against any Person or Persons, for or on account of any thing done in pursuance of this Act, shall be commenced after the Expiration of Six Calendar Months next after the Cause of Action shall arise; and every such Action or Suit shall be laid or brought in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in all Actions or Suits so brought shall and may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or that such Action or Suit was brought before Thirty Days Notice given to the Defendant or Defendants, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or may have for Costs of Suit in any other Cases by Law.

For paying
the Expences
of passing
this Act.

LXXXV. And be it further enacted, That all the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act shall be defrayed and paid out of the first Monies to be received or recovered by virtue of or under the Authority of this Act, in preference to all other Payments whatsoever.

Powers given
by this Act
to cease if
Works not
completed
within Six
Years.

LXXXVI. And be it further enacted, That in case the Sum of Seven thousand Pounds be not laid out and expended upon the several Works herein-before described, and intended to be carried into effect under the Authority of this Act, within the Space of Three Years from the passing hereof, or in case the said several Works shall not have been completed so as to answer the Purposes aforesaid within the Space of Six Years from the passing of this Act, then and thenceforth, and in either of such Cases, all the Powers and Authorities given by this Act shall cease and determine, save only as to such or so much of such Works as shall have been completed within such Time, and save also as to such Matters as shall have been transacted, and such Agreements as shall have been made in pursuance of the Powers herein contained, and so that the said Company
of

of Proprietors be not discharged from any Liability or Obligation to any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, arising out of the Provisions herein contained.

LXXXVII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privilege, or Authority of the King's most Excellent Majesty, His Heirs and Successors, or of any Bodies Politic and Corporate, or other Person or Persons whomsoever, his, her, or their Heirs, Successors, Executors, and Administrators, other than and except those meant and intended to be barred and regulated by this Act. General Saving.

LXXXVIII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect, prejudice, alter, abridge, diminish, or take away any Right, Title, or Claim of any Lord or Lords, Lady or Ladies of any Manor or Lordship, Manors or Lordships, comprising or adjoining the said Harbour, Canal, Railway, or Tramroad, or the Piers, Quays, Wharfs, and other Works to be constructed or made by virtue of or under the Authority of this Act, his, her, or their Heirs or Assigns, in and to the Soil and Fisheries of the several Rivers, Weirs, Watercourses, and Streams within any such Manor or Lordship, Manors or Lordships; or to affect, prejudice, alter, abridge, diminish, or take away any manorial or other Rights, Royalties, Privileges, and Liberties whatsoever, of any such Lord or Lords, Lady or Ladies; but that the said Right, Title, or Claim, manorial or other Rights, Royalties, Privileges, and Liberties, and every of them, shall remain and be to him, her, and them in the same State as if this Act had never passed, any thing herein contained to the contrary notwithstanding, but so as not to prevent, hinder, or obstruct the carrying of the several Powers and Authorities given by this Act into execution. Saving the Rights of Lords of Manors, &c.

LXXXIX. 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. Public Act.

The SCHEDULE to which the foregoing Act refers.

	<i>s.</i>	<i>d.</i>
For Coals, Coke, Culm, Ashes, Breeze, and all Sorts of Manure, lying upon or at any Wharf for any Time not exceeding the Space of Fourteen Days, per Chaldron or Ton	—	6
For the same, lying longer than Fourteen Days, per Chaldron or Ton, per Week	—	6
For Stone of all Descriptions, for Fourteen Days or less, per Ton	—	6
For the like for any Time exceeding Fourteen Days, per Ton per Week	—	6
For Timber of all Descriptions, for Fourteen Days or less, per Load of Fifty Cubic Feet	1	6
For the like, for any Time exceeding Fourteen Days, per Week	1	6
For Iron, Brass, Copper, and all other Minerals, for Fourteen Days or less, per Ton	—	8
For the like, for any Time exceeding Fourteen Days, per Ton per Week	—	6
For Hemp, Flax, Pitch, Tar, and Rosin, for Fourteen Days or less, per Ton	1	—
For the like, for any Time exceeding Fourteen Days, per Ton per Week	1	—
For Grain and Seeds of all Descriptions, for Fourteen Days, per Quarter	—	2
For the like, for any Time exceeding Fourteen Days, per Quarter per Week	—	2
For Meal and Flour, for Fourteen Days or less, per Sack	—	2
For the like, for any Time exceeding Fourteen Days, per Sack per Week	—	2
For Bran or Pollard, for Fourteen Days or less, per Quarter	—	1
For the like, for any Time exceeding Fourteen Days, per Quarter per Week	—	1
For Hops, Wool, and Rags, for Fourteen Days or less, per Ton	1	6
For the like, for any Time exceeding Fourteen Days, per Ton per Week	1	—
For Lime, for Fourteen Days or less, per Ton	1	—
For the like, for any Time exceeding Fourteen Days, per Ton per Week	—	8
For Limestone, for Fourteen Days or less, per Ton	—	6
For the like, for any Time exceeding Fourteen Days, per Ton per Week	—	6
For all other Goods, Wares, and Merchandize, not before enumerated, for Fourteen Days or less, per Ton	1	6
For the like, for any Time exceeding Fourteen Days, per Ton per Week	1	—

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