



ANNO QUARTO

GULIELMI IV. REGIS.

Cap. xix.

An Act to alter, amend, and enlarge the Powers of an Act passed in the First Year of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for empowering the Marquis of Bute to make and maintain a Ship Canal commencing near the Mouth of the River Taff in the County of Glamorgan, and terminating near the Town of Cardiff, with other Works to communicate therewith.* [22d May 1834.]

WHEREAS an Act was passed in the First Year of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for empowering the Marquis of Bute to make and maintain a Ship Canal, commencing near the Mouth of the River Taff in the County of Glamorgan, and terminating near the Town of Cardiff, with other Works to communicate therewith,* whereby it was enacted, that it should be lawful for the Most Honourable *John Crichton Stuart* Marquis of *Bute* and Earl of *Dumfries*, his Heirs or Assigns, or other the Owner or Owners for the Time being of the Lands and Grounds therein mentioned, and he and they was and were thereby fully authorized and empowered, at his and their

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1 W. 4. c. 133.

own proper Costs and Expences, and by his and their Deputies, Contractors, Agents, Officers, Workmen, and Servants, to make and maintain a Ship Canal, to be called "The *Bute* Ship Canal," and other Works, for the Navigation, Reception, Accommodation, and Protection of Ships and other Vessels, according to the Form and in the Manner therein particularly mentioned: And whereas the said *John* Marquis of *Bute* hath not at present, under the Powers of the said recited Act, proceeded to make the said Ship Canal or other Works by the said recited Act authorized to be made and maintained: And whereas it has been ascertained that it would be more convenient, and be attended with much less Risk and Hazard to the Public and to the Property of others, if the Line or Course of Watercourse and Tunnel or covered Aqueduct by the said recited Act authorized to be made for feeding and supplying the said Ship Canal and the Wet Dock or Basin and Cuts respectively, by the said recited Act authorized to be made, with Water, were altered and varied, and instead of being carried as is authorized and directed by the said recited Act, the same were carried in the Manner hereinafter mentioned and referred to: And whereas it would also be of great Advantage and Convenience to the said Ship Canal, Wet Dock, or Basin and Cuts respectively, and tend considerably to promote and further the beneficial Objects of the said recited Act, if a Scouring Basin, for the Purpose of retaining a Supply of Water for the said Ship Canal, Wet Dock, or Basin and Cuts respectively, were formed, with Communications or Cuts from the same to and with the said Ship Canal and Wet Dock or Basin respectively: And whereas the said *John* Marquis of *Bute* is willing and desirous, at his own Expence, to make, complete, and maintain a Watercourse and Tunnel or covered Aqueduct for feeding and supplying the said Ship Canal, Wet Dock, or Basin and Cuts respectively in the altered and varied Line or Course herein-after mentioned and referred to, instead of making the same in the Line or Course mentioned and described or referred to in and by the said recited Act, and such Scouring Basin and Communications or Cuts as aforesaid, and all proper Works thereto respectively, in manner herein-after mentioned or referred to; but the beneficial Purposes herein-before mentioned 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 the said recited Act, and all the Powers, Authorities, Provisions, Regulations, Directions, Restrictions, Limitations, Penalties, Forfeitures, Matters, and Things whatsoever therein contained, shall (so far as the same respectively are applicable to this Act, and are not hereby repealed, varied, altered, or otherwise provided for,) extend and be construed to extend to this Act, and all Matters and Things to be done or which may arise under or by virtue of or with respect to the same, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act,

Powers of former Act extended to this Act.

II. And

II. And be it further enacted, That instead of the Power given and granted by the said recited Act to feed and supply the said Ship Canal, Wet Dock, or Basin and Cuts respectively, with Water, by means of a Watercourse and Tunnel or covered Aqueduct passing through the public Streets of the said Town of *Cardiff*, and otherwise in the Line or Course in the said recited Act mentioned or referred to, it shall be lawful for the said *John Marquis of Bute*, his Heirs or Assigns, or other the Owner or Owners for the Time being of the Lands and Mud Lands in the said herein-before recited Act mentioned, and he and they is and are hereby fully authorized and empowered, to feed and supply, as well the said Ship Canal, Wet Dock, or Basin and Cuts, as also the said intended Scouring Basin, with the Communications or Cuts thereto, and hereby authorized to be made respectively, whilst making or completing, and at all Times for ever after the same shall be made or completed, with Water to be procured and conducted from and out of the said River *Taff*, and to convey such Water by means of a Watercourse and Tunnel or covered Aqueduct in the varied Line or Course and Track or Direction described on the Plan herein-after referred to, and to drive or make the said Watercourse and Tunnel or covered Aqueduct under or across the Bed of the *Glamorganshire* Canal, at or beyond the North End of the said Town of *Cardiff*, in such and the same Manner, and with the same Rights, Powers, Authorities, and Restrictions, as are given and granted in and by the said recited Act for carrying the same under the said Canal at or near the South End of the said Town of *Cardiff*, and also to construct and maintain, at or near the Southern End of the aforesaid Wet Dock or Basin, a Scouring Basin, with Communications or Cuts leading from and to and connected with the said Ship Canal and Wet Dock or Basin respectively, and of such Construction, Extent, and Dimensions, and with such Sluices, Locks, and other requisite Works, Matters, and Things, as the said *John Marquis of Bute*, his Heirs or Assigns, or such other Owner or Owners as aforesaid, shall deem necessary or expedient.

Power to alter Line of Watercourse, and to make a Scouring Basin.

III. And whereas Maps or Plans describing the altered and varied Line or Course and Track or Direction along or in which the said Watercourse and Tunnel or covered Aqueduct for supplying the said Ship Canal, Wet Dock, or Basin and Cuts, and such Scouring Basin and Communications or Cuts respectively, as aforesaid, with Water, and also the Situation and Extent of the said intended Scouring Basin, with the Line or Course of the Communications or Cuts connecting the same with the said Ship Canal and Wet Dock or Basin respectively, are intended to be constructed and made, and the Lands or Grounds upon, through, under, or over which the same are intended respectively to pass or be situate, together with Papers containing an Account of the Owners and Occupiers of such Lands or Grounds, have been lodged in the Office of the Town Clerk of the said Town of *Cardiff*, and also in the Office of the Clerk of the Peace of the said County of *Glamorgan*, by the said *John Marquis of Bute*; be it therefore further enacted, That the said Maps or Plans and Papers shall remain in the Custody of the Town Clerk of the said Town,

Plans and Books of Reference, to remain in the Custody of the Town Clerk of *Cardiff* and the Clerk of the Peace of the County of *Glamorgan*.

and

and of the Clerk of the Peace of the said County respectively, 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 Town Clerk or Clerk of the Peace for the Time being respectively the Sum of One Shilling for every such Inspection, and One Shilling more for every Hour during which such Inspection shall continue after the first Hour, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Maps or Plans and Papers, or any Copy thereof, certified by such Town Clerk or Clerk of the Peace to be a true Copy of such Maps or Plans and Papers, 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.

Power to deviate to the Extent of 100 Yards.

IV. And be it further enacted, That the said *John Marquis of Bute*, his Heirs or Assigns, or such other the Owner or Owners as aforesaid, in making and completing the Works by this Act authorized, shall have full Power and Authority to deviate from the said altered and varied Line and Track or Direction of the said Water-course and Tunnel or covered Aqueduct, or from the said Situation and Extent of the said Scouring Basin, or the Line or Course of the Communications or Cuts connecting the same with the said Ship Canal and Wet Dock or Basin respectively, delineated on the said Maps or Plans so lodged in the Office of the Town Clerk of the said Town of *Cardiff* and in the Office of the Clerk of the Peace of the said County of *Glamorgan* as aforesaid: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the Lines, Situation, or Extent so respectively delineated upon the said Maps or Plans, nor shall any such Deviation extend to the Lands or Grounds of any Person whose Name is not mentioned in the said Papers, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner by the said recited Act provided in Cases of unintentional Errors in the said Papers.

Houses and Gardens not to be used unless specified in the Schedule.

V. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize the said *John Marquis of Bute*, his Heirs or Assigns, or such other the Owner or Owners as aforesaid, to take or intermeddle with, for the Purposes of this Act, any House or Building which was erected on or before the First Day of *January* now last past, or any Land or Ground which was then set apart or used as and for a Garden, Orchard, Yard, Park, Plantation, Coppice, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners and Occupiers thereof, save and except such as are mentioned and specified in the Schedule to this Act annexed: Provided always, that if the said *John Marquis of Bute*, his Heirs or Assigns, or such other the Owner or Owners as aforesaid, shall not, within the Space of Three Years, to be computed from the passing of this Act, agree for or cause to be valued and pay for, as in the said recited Act is

mentioned, the several Buildings, Lands, Tenements, and Hereditaments which he and they is and are hereby empowered to purchase, or so much thereof as he or they shall deem necessary or proper for the Purposes of the said recited Act and this Act, then and from thenceforth the Powers and Authorities by this Act granted to him or them for such Purposes only shall cease, determine, and be utterly void (save and except with the Consent in Writing of the Owners and Occupiers thereof respectively).

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

The SCHEDULE to which the foregoing Act refers.

COUNTY OF GLAMORGAN.

No. on Plan.	Owners or reputed Owners.	Occupiers.	Description of Property.
<i>Parish of Saint John the Baptist in Cardiff.</i>			
2	The Company of Proprietors of the Glamorganshire Canal Navigation		Canal and Towing Path.
5	The Marquis of Bute - -	John Bradley - - -	Cathay's Park.
6	Ditto - - -	The Marquis of Bute and John Bradley - -	Private Road to Cathay's Park.
9	Ditto - - -	John Bradley - - -	Garden.
11	Edward Priest Richards -	Edward Priest Richards -	Garden.
13	Charles Vachell - -	Elizabeth Churchill - -	Garden.

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