



ANNO SEXTO

GULIELMI IV. REGIS.

Cap. xcvi.

An Act to alter and amend an Act of His present Majesty for improving the Port and Harbour of *Aberavon* in the County of *Glamorgan*, to further improve the said Harbour, and to change its Name. [4th July 1836.]

WHEREAS an Act was passed in the Fourth and Fifth Years of the Reign of His present Majesty, intituled *An Act for improving the Port and Harbour of Aberavon in the County of Glamorgan*: And whereas it is expedient that more effectual Provision should be made, and that further Powers should be granted, for the Improvement of the said Port and Harbour, and that the Powers and Provisions of the said Act should be altered and extended: And whereas the Purposes aforesaid cannot be effected 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 all the Powers, Provisions, Authorities, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things contained in the said recited Act, except such of them or such Parts thereof respectively as are by this Act expressly repealed, altered, or otherwise provided for, shall extend and be construed to extend to this Act, and to the several Works and Things hereby authorized or required to be made and done, and shall operate and be in force in respect to the Objects and Purposes of this

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Powers of recited Act extended to this Act.

[Local.] 42 M Act,

Act, and of the said recited Act as altered and amended by this Act, as fully and effectually, to all Intents and Purposes whatsoever, as if the same Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things were repeated and re-enacted in this Act.

Change of
Name of
Harbour.

II. And be it further enacted, That from and immediately after the passing of this Act the said Harbour shall cease to be called "The *Aberavon* Harbour," but shall be called, known, and distinguished by the Name of "Port *Talbot*," and the Company incorporated by the said recited Act shall cease to be called "The *Aberavon* Harbour Company," but shall from henceforth be One Body Politic and Corporate by the Name and Style of "The Port *Talbot* Company;" and all the Provisions in the said recited Act having reference to the said *Aberavon* Harbour Company shall from and immediately after the passing of this Act be deemed and taken to apply to the said Company under its Style of "The Port *Talbot* Company;" and in all Forms prescribed in the said recited Act in which the *Aberavon* Harbour and the *Aberavon* Harbour Company respectively are mentioned, the Words "Port *Talbot*" and "The Port *Talbot* Company" respectively shall be inserted in their Stead.

Power to
make new
Works.

III. And be it further enacted, That it shall be lawful for the said Port *Talbot* Company and they are hereby empowered to make and maintain the several Works herein-after mentioned; (that is to say,) to alter and divert the Entrance of the said Port *Talbot* by making a new navigable Cut or Canal to communicate with the Sea to the Northward of the Course of the River *Avon* and of the Entrance to the said Port and Harbour, as authorized to be maintained by the said recited Act, commencing at or near the Wharf, Quay, or Shipping Place of Messieurs *Vigurs* and Company on the Southern Side thereof, and terminating at Low-water Mark; and also to make a Cut or Canal from the present Course of the River *Avon*, from or near the said Wharf, Quay, or Shipping Place on the Northern Side thereof, to communicate with the said navigable Cut or Canal, and to divert the Waters of the said River *Avon* through the said last-mentioned Cut or Canal; and also to alter, deepen, and divert the Rivers *Avon* and *Frwdwillt* communicating with the said Port and Harbour within the Parishes of *Margam* and *Aberavon*, or One of them, in the said County of *Glamorgan*; and also to make and maintain a Dock or Docks, by stopping up the present Course of the River *Avon* at or near a Wharf in the Occupation of Messieurs *Robert Smith* and Company; and, for the Purpose of supplying such Dock or Docks with Water, to erect a Weir across the said River *Avon* below the Tail-watercourse of the *Margam* Tinworks, and to make a Cut or Canal from above such Weir, for the Purpose of diverting the Waters of the said River into the said Dock or Docks, and to deepen and excavate the Lands or Grounds which will be covered by the Waters of the River *Avon* so diverted as aforesaid, so as to render the said intended Dock or Docks fit for the Accommodation of Ships, Vessels, Boats, and Barges; and also, at such Request as herein-after mentioned, to make and maintain a navigable Cut or Canal from the said Dock or Docks to the Works of the Governor and Company of Copper Miners in *England* in manner herein-after mentioned; and for all or any of the Purposes aforesaid to erect and maintain such Breakwaters, Locks, Gates, Sluices, Piers, Jetties,

Jetties, Weirs, Railways, Waggonways, Tram and other Roads, Quays, Wharfs, Warehouses, and such other Works as may by the said Company be thought necessary; and also to make and construct, and to alter, any Railway or Tramroad or other Roads, with necessary Turns-out and Conveniences for the Passage of Carriages on such Railway, Tramroad, or other Roads, to commence on the Northern Side of the said River *Avon* at or near the Town Hall of the Borough of *Avon*, and to be connected with the Railway or Tramroad of Messieurs *Vigurs* and Company, and to cross the said River near the Weir herein-before authorized to be made across the Bed of the said River *Avon* below the Tail-watercourse of the said *Margam* Tinworks, and to terminate at or near the said Wharf, Quay, or Shipping Place of the said Messieurs *Vigurs* and Company; and also to erect and maintain the necessary Bridges, with proper Avenues and Approaches, over the said River *Avon*, and the Cuts or Canals by this Act authorized to be made; and also to make, divert, alter, widen, enlarge, and extend all Bridges, Ways, Roads, Passages, or Conveniences for the carrying and conveying of Goods, Wares, Merchandize, and other Articles, Matters, and Things to and from the said Harbour, Docks, Cuts, Canals, and other Works hereby authorized to be made, or any of them, or for the carrying and conveying of all Manner of Materials necessary or useful for making, erecting, altering, repairing, or enlarging the said Harbour, Docks, Cuts, Canals, and other Works; and to construct such Bridges, Roads, Ways, and Passages, with existing Roads, Ways, and Passages; and also to make such Bridges, Roads, Ways, and Passages as the said Company shall think necessary or expedient for the Use and Accommodation of the Owners or Occupiers of any Lands, Grounds, Ways, or other Hereditaments which shall be cut through, separated, or divided, or otherwise affected by, or the Use or Occupation whereof shall be obstructed or rendered inconvenient in consequence of the Works by this Act or the said recited Act authorized; and to construct, erect, set up, use, make, and do all other Matters and Things whatsoever for the making, effecting, preserving, improving, completing, and using of the said Harbour, Docks, Cuts, Canals, and other Works, in pursuance of and according to the true Intent and Meaning of this Act.

IV. And whereas a Map or Plan describing the several Works by this Act authorized to be made, and the Land in and upon or through which the same are intended to be made, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, has been deposited in the Office of the Clerk of the Peace for the said County of *Glamorgan*; be it therefore enacted, That the said Map or Plan and Book of Reference so deposited shall remain with the said Clerk of the Peace, and all Persons interested in such Lands shall at all seasonable Times have Liberty to inspect the said Map or Plan and Book of Reference, and to have Copies thereof or Extracts therefrom, at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and for furnishing Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the Map or Plan and Book of Reference, or any Copy thereof or Extract therefrom, certified by such Clerk of the Peace, or his Deputy lawfully appointed, to be a true Copy or Extract, shall be good Evidence in all Courts of Law and elsewhere.

Plan and Book of Reference to remain with the Clerk of the Peace, and a certified Copy thereof to be Evidence.

V. And

Amended
Map or
Plan to be
deposited
with the
Clerk of the
Peace.

V. And whereas since depositing the said Map or Plan certain Alterations of the Works authorized to be made by this Act have been agreed upon, with the Concurrence of the Owners and Occupiers of the Lands where such Alterations are to be made; be it therefore enacted, That a Map or Plan describing the said Works and Alterations as the same have been agreed to be made, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited with the Clerk of the Peace for the County of *Glamorgan*, to the end that all Persons may at all seasonable Times have Liberty to inspect the said Map or Plan so deposited, and to take Copies thereof at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection, and for a Copy of or Extract therefrom the Sum of Two Shillings and Sixpence; and the said Map or Plan, or any Copy thereof, or of so much or such Part or Parts thereof as shall relate to any Matter or Thing in question, certified by the said Clerk of the Peace or his Deputy to be a true Copy, and a Certificate to which Effect the said Clerk or his Deputy is required to give accordingly, shall be and is hereby declared to be good Evidence in all Courts of Law or Equity or elsewhere.

Not to de-
viate more
than 100
Yards from
Plan.

VI. And be it further enacted, That the said Company in making and maintaining the said Works shall not extend or deviate more than One hundred Yards beyond or from the Boundaries or Lines described in the said Map or Plan.

Errors in
Map and
Books of
Reference,
&c. not to
impede Exe-
cution of
Works.

VII. Provided always, and be it further enacted, That it shall be lawful for the said Company to make the said Works in, through, over, or across the Lands so delineated on the said Map or Plan, although such Lands or any of them, or the Situation thereof respectively, or the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the said Book of Reference, if it shall appear to any Two or more of His Majesty's Justices of the Peace acting for the County of *Glamorgan*, in case of Dispute about the same, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for the said County; and Copies thereof, certified by such Clerk of the Peace, or by his Deputy lawfully appointed, under their respective Hands, shall be and are hereby declared to be good Evidence in all Courts of Law and elsewhere.

The Com-
pany to
construct
Sluices for
scouring the
present
Channel of
the Avon.

VIII. Provided always, and be it further enacted, That the said Port *Talbot* Company shall construct and for ever maintain in a substantial and efficient Manner a Set of Scouring Sluices opening into or connected with the said Dock or Docks, in such Place and according to such Design and of such Form and Dimensions as the said Governor and Company of Copper Miners in *England*, or their Engineer for the Time being, shall approve or reasonably require, for the Purpose of scouring the present Channel of the said River *Avon*, and that the said Port *Talbot* Company shall always secure the same Sluices with substantial Masonry and Earth-work, and all other necessary Materials, so that such Sluices shall be at all Times thoroughly effective for such Purpose; and that until the intended navigable Cut or Canal next herein-after mentioned shall have been made and completed the said Governor and Company of Copper Miners in
England

England shall have the entire Control and Management of the said Sluices, and of the Water that may be required for scouring the present Channel as aforesaid, and shall and may open and use the same Sluices at such Time or Times and as often as they may think proper, for the Purpose of scouring the present Channel and preventing Injury thereto, but not so as intentionally to make any Alteration in the said present Channel, or intentionally to deepen or widen the same beyond the present Depths and Widths as denoted in the Map or Plan and Book of Reference made and deposited with the Clerk of the Peace for the County of *Glamorgan*, referred to in the said recited Act.

IX. Provided always, and be it further enacted, That the said *Port Talbot* Company shall at any Time or Times hereafter, and when thereunto requested by the said Governor and Company of Copper Miners in *England*, make and for ever maintain a navigable Cut or Canal from the said intended Dock or Docks to the Works of the said Governor and Company of Copper Miners in *England*, and in such Manner that the Bottom of such Cut or Canal shall be Forty-five Feet in Width throughout, and so as the same shall rise gradually and uniformly from the Clapping Sill of the Entrance Gates of the said Dock or Docks to the Quay at the Works of the said Governor and Company, and shall be in Depth at the Termination of the Rise thereof at the said Quay not less than Twenty-three Feet below the High-water Line at Spring Tides; and that such Cut or Canal shall and may be freely used by the Ships and Vessels of the said Governor and Company of Copper Miners in *England*, and other Ships and Vessels resorting to the Works of the said Governor and Company, without being subject to any other Charge or Payment for the Use thereof than such Tolls as may be payable under this Act on Ships and Vessels entering the said Port or Harbour: Provided also, that before the said *Port Talbot* Company shall commence the Construction of the said navigable Cut or Canal lastly herein-before mentioned, or the said Sluices, the said *Port Talbot* Company shall in each such Case submit the Designs for the same respectively to the said Governor and Company of Copper Miners in *England*, or their Engineer, and shall await their Approval or Disapproval thereof, and shall abide by and follow such Alterations and Directions in respect thereof as the said Governor and Company or their Engineer shall reasonably require or advise for making the said navigable Cut or Canal and Sluices respectively sufficient and effective for their intended Purposes; and such Sluices, and, when required, such Cut or Canal, shall be forthwith proceeded with and completed by the said *Port Talbot* Company with due Dispatch.

X. And whereas the said intended navigable Cut or Canal, and the said intended Cut or Canal for diverting the Waters of the River *Avon* from or near the said Wharf, Quay, or Shipping Place of Messieurs *Vigurs* and Company, will be made through certain Lands or Grounds belonging to the Portreeve, Aldermen, and Burgesses of the Town and Borough of *Avon* in the County of *Glamorgan*: And whereas, by the making of such Cuts or Canals, that Part of the said Lands which lies between the said Cuts and Canals, and on the Southern Side thereof, will be divided from the other Property of the said Portreeve, Aldermen, and Burgesses, and the Value thereof diminished; be it therefore enacted, That in the Event of the said Company making the said Cuts or Canals, or either of them, they

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shall

The Company to make a navigable Cut from the Docks to the Works of the English Copper Company.

Company to purchase the whole of certain Lands of the Burgesses of Aberavon.

shall and they are hereby authorized and required to purchase the whole of such Lands or Grounds so belonging to the said Portreeve, Aldermen, and Burgesses, and lying between and to the Southward of the said Cuts or Canals.

Power to purchase additional Lands.

XI. And be it further enacted, That it shall and may be lawful for the said Company and they are hereby empowered to contract with any Person, or any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, who shall be willing to sell the same, for the Purchase of any Lands not exceeding in the whole Twenty Statute Acres (in addition to the Land by the said recited Act and by this Act authorized to be taken or purchased), for depositing Ballast, and for making, erecting, forming, and providing any Wharfs, Yards, Messuages, Warehouses, and other Buildings and Conveniences for the Purposes of this Act, or for making convenient Roads or Ways leading to the said Harbour to the Works hereby authorized to be made, or any other Purpose by this Act authorized which the said Company shall judge requisite; and it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, and all other Persons whomsoever, including such or the like Corporations and Persons as are by the said recited Act capacitated to sell and convey other Lands for the Purposes of the said recited Act, to sell and grant or convey to the said Company any Lands and Hereditaments whatsoever for the Purposes herein mentioned, or any of them, in the same Manner as is by the said recited Act directed concerning Lands to be taken or used for the Purposes of the said Act.

Expences of Conveyances to the Company to be paid by them.

XII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as of the Purchaser, of all Conveyances and Assurances of any Lands and Hereditaments which shall be purchased or taken by the said Company for the Purposes of the said recited Act or of this Act, and of deducing, evidencing, and verifying such Title as the said Company may require to the said Lands and Hereditaments, and of all attested Copies which the said Company may require of any Deeds, Evidences, or Writings relating thereto, and all Expences whatsoever incident to the Investigation, Deduction, or Verification of such Title, shall be exclusively borne and paid by the said Company; and the said Company, before entering into Possession of the Lands and Hereditaments so purchased, shall pay the Amount of such Costs, Charges, and Expences; or, in case there shall be any Dispute about the same, shall deposit, for the Purpose of paying the same, in such Manner as herein-before mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party or Parties from whom the Lands and Hereditaments shall be purchased: Provided always, that the said Company shall not be prevented from entering into Possession of the Lands and Hereditaments so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Deposit herein mentioned not having been made, unless the Party or Parties from whom such Lands and Hereditaments shall have been purchased, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Company, deliver a Bill of their said Costs, Charges, and Expences to the said Company, with the Name of a Solicitor as their Referee, for the Purposes herein-after mentioned; and if the said Company and the
Party

Party or Parties aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the said Company shall name a Solicitor as a Referee on their Part, and deposit the Amount of the Costs, Charges, and Expences claimed by such Party or Parties as aforesaid in the Hands of the said Two Referees to answer the same; and such Costs, Charges, and Expences shall be settled and determined by the said Two Referees, or, in case they shall differ about the same, then by a Third Solicitor as Umpire, to be named and appointed by such Two first Referees before they proceed on the Matter referred to them; and the Award and Determination of the said Two Referees, or of the said Umpire, as the Case may be, shall be binding and conclusive, and shall be made within One Calendar Month from the Time of making such Deposit as is herein-before mentioned; and upon such Award and Determination being made the said Two Referees shall, by and out of the Money so deposited with them, pay to the Party or Parties from whom the said Lands and Hereditaments shall be so purchased as aforesaid the Amount of the Costs, Charges, and Expences which shall be so awarded and determined; and the Remainder of the said Money so deposited shall be returned to the said Company: Provided also, that the Expence of determining such Costs, Charges, and Expences as aforesaid shall be paid and borne by the said Company, unless One Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the Expence of determining the same shall be paid and borne by the said Sellers, and the Amount thereof may then be deducted by the said Company from the Sum payable by them under the Award and Determination of the said Two Referees or of the said Umpire.

XIII. And be it further enacted, That where, by reason of the Disability or Incapacity of any Person or Corporation entitled to any Lands, Tenements, or Hereditaments to be taken under or by virtue of the said recited Act or of this Act, or from any other Cause whatsoever, the Purchase Money for such Lands, Tenements, or Hereditaments, or any Money to be paid for or by way of Compensation or Satisfaction for any Injury or Damage done to the same, shall be required to be paid into the Bank of *England*, and be subject to the Orders and Directions of the Court of Exchequer, under the Provisions therein or herein contained, it shall be lawful for the said Court to order all the reasonable Costs, Charges, and Expences attending such Purchase, taking, or using of any Lands, Tenements, and Hereditaments; or which may be incurred in consequence thereof, and also of the Investment of the Purchase or Compensation Money paid in respect of such Lands, Tenements, and Hereditaments in Real or Government Securities, and likewise the Reinvestment of such Purchase or Compensation Money, or the Government and Real Securities purchased therewith, in the Purchase of Lands, Tenements, and Hereditaments as herein-before mentioned, together with the Costs, Charges, and Expences of obtaining the proper Orders and of the other Proceedings for such Purposes, and of the Payment of the Dividends and Interest of the said Government or Real Securities, and of the Payment of the Principal of the said Purchase or Compensation Money, and of the Government or Real Securities purchased therewith, out of Court, to be paid by the said Company; and the said Company shall from Time to Time pay such Sums of Money for the said Costs, Charges, and Expences as the said Court shall direct.

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

XIV. And

Limits of
Port Talbot.

XIV. And be it further enacted, That for the Purposes of the said recited Act and of this Act the Limits and Boundaries of Port *Talbot* aforesaid shall extend over and include the Docks, Cuts, Canals, and other Works by this Act and the said recited Act authorized to be made, and also the whole of the Lands covered by the Tide at the Time of High Water lying on the Land Side of the Point where the River *Avon* passes between the Sandbanks on the Sea Shore known as the *Margam* and *Aberavon Burrows*, and Seaward of such Point shall extend to Low-water Mark, and to the Extent of One Mile on the South Side and Two Miles on the North Side of a straight Line to be drawn due West from the Centre of the River *Avon* where it passes between the Sandbanks to Low-water Mark.

Company
empowered
to raise
18,000*l.* by
additional
Shares.

XV. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, or by the Admission of new Subscribers, in addition to the Sum of Twelve thousand Pounds authorized by the said recited Act to be raised as and for the Capital of the said Company, the further Capital Sum of Eighteen thousand Pounds such Sum to be apportioned and divided into Shares of One hundred Pounds each; and such new or additional Shares to be created by virtue of this Act shall be consolidated with and be one and the same Joint Stock Property as the original Shares created by the said recited Act, and shall and may be forthwith raised by such Calls, and shall and may be assigned or transferred from Time to Time, and shall and may be forfeited for Nonpayment of the Calls made thereon, and the Money called for on such Shares shall be recoverable in such and the same Manner as is provided in and by the said recited Act with regard to the Shares therein mentioned or referred to; and all Persons, Bodies Politic, Corporate, or Collegiate, and Parties whomsoever, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally hold, take, or subscribe for One or more of the said new or additional Share or Shares, and shall pay such Sum or Sums of Money as shall be called for or demanded under and by virtue of the said recited Act and this Act, or either of them, shall respectively be entitled to and to receive such proportional Part or Parts of the Profits or Advantages that shall or may arise or accrue from the same Undertaking from and after the Subscription or Payment of such additional Share or Shares, and have a Vote or Votes in respect of the same at all Meetings of the said Company to be held in pursuance of the said recited Act, with Power and Authority to appoint a Proxy or Proxies in his, her, or their Room or Stead, in such Way and Manner, and subject to such and the same Limitations, to all Intents and Purposes, as is and are enacted, provided, and contained in and by the said recited Act with regard to the present or old or original Subscribers to and Proprietors of the said Undertaking.

Repealing
Mortgage
Power in
former Act.

XVI. And be it further enacted, That so much of the said recited Act as enacts that it shall be lawful for the said Company thereby created to borrow and take up at Interest any Sum of Money for completing an perfecting the said Undertaking thereby authorized, not exceeding the Sum of Nine thousand Pounds, by Mortgage of the said Undertaking, shall be and the same is hereby repealed.

XVII. And

XVII. And be it further enacted, That in case the Money by the said recited Act and this Act authorized to be raised shall be found insufficient for the making and maintaining the several Works by the said recited Act and this Act authorized to be made, and for defraying all necessary Charges and Expences relating thereto, then and in such Case it shall be lawful for the said Company to borrow and take up at Interest any further or other Sum of Money, for completing and perfecting the said Works, not exceeding the Sum of Twenty-five thousand Pounds, by Mortgage of the said Undertaking, as to them shall seem meet and convenient, in such Manner and Form, subject to the Alterations rendered necessary by the Enactments herein-before contained, and subject to such Priority and Advantage, as in the said Act is mentioned with reference to the Nine thousand Pounds thereby authorized to be raised by Mortgage as aforesaid.

Power to
raise Money
by Mort-
gage.

XVIII. And whereas it is by the said recited Act provided that it shall not be lawful for the said Company to divide in any One Year for their own Use or Benefit a higher Rate of Interest or Profit than at and after the Rate of Ten Pounds *per Centum per Annum* on the whole Sum expended by them, and then due and owing under and by virtue of the said Act; be it further enacted, That when it shall happen that in any Year or Years the said Company shall receive or divide for their own Use or Benefit a lower Rate of Interest or Profit than at or after such Rate of Ten Pounds *per Centum per Annum*, it shall be lawful for the said Company, in any subsequent Year or Years, to receive and divide for their own Use and Benefit such Sum or Sums over and above the Rate of Ten Pounds *per Centum per Annum* for such last-mentioned Year or Years as will make up the Dividends in such previous Year or Years to the full Rate aforesaid on the paid-up Capital of the said Company.

Limitation
of Profit.

XIX. And whereas by the said Act it is enacted that it shall and may be lawful for the said Company to ask, demand, and receive, take, and recover the Sum of Sixpence *per Ton*, Register Measure, for every Ship or Vessel entering or using the said Port and Harbour: And whereas the said Sum of Sixpence *per Ton* will be insufficient to remunerate the said Company for its Expenditure in effecting the Purposes of the said recited Act and this Act; be it therefore enacted, That so much of the said recited Act as is lastly herein-before recited shall be and the same is hereby repealed; and that in lieu of the Toll by the said Act authorized to be raised, levied, collected, and paid, it shall and may be lawful for the said Company to ask, demand, take, recover, and receive for every Ship or Vessel which shall enter Port *Talbot* aforesaid, except as herein-after mentioned, a Sum for every Time of entering the same not exceeding One Shilling *per Ton* Register Burthen, to be paid by the Master thereof before leaving the said Port or Harbour, such Tolls to be collected, paid, recovered, and applied in the same Manner and by the same Ways and Means as in the said recited Act is mentioned with regard to the Toll or Duty hereby repealed.

Tolls.

XX. Provided always, and be it further enacted, That all Ships and Vessels which shall enter Port *Talbot* aforesaid in Ballast, and take on board there a Cargo of Coal, shall be subject to the Payment of a Sum
[Local.] 42 0 for

Toll on
Vessels en-
tering Port
Talbot in

Ballast, and
loading with
Coal.

for every Time of entering the same not exceeding Sixpence *per* Ton Register Burthen.

Power to
compound
for Tolls on
Steam
Packets.

XXI. And be it further enacted, That it shall be lawful for the said Port *Talbot* Company from Time to Time, as they shall see convenient, to compound and agree, for any Time not exceeding One Year, to and with the Owner or Owners, Consignees, Agents, or other Persons having the Charge or Management of any Steam Vessels using and resorting to Port *Talbot* aforesaid, for the Payment of such Sum or Sums of Money or Tonnage Rates, as they may think sufficient and proper, for and in lieu of and in full Discharge of the Tolls which would by this Act be payable on such Steam Vessels; and that such Composition Money shall be recovered, paid, and applied as the Tolls by this Act imposed would be recoverable, payable, and applicable: Provided also, that in case any such Composition or Agreement shall be made or entered into, the same shall extend to or may be adopted by all such Owners, Consignees, Agents, or other Persons having the Charge or Management of any Steam Vessels using and resorting to Port *Talbot* aforesaid who shall think fit to take advantage of such Composition or accept the Terms thereof; and no such Composition shall either directly or indirectly be made partially, or in favour of or against any particular Owners, Consignees, Agents, or other Persons aforesaid, or be confined to any particular Steam Vessel, any thing to the contrary thereof in anywise notwithstanding.

Exemption
from Toll.

XXII. Provided also, and be it further enacted, That until the navigable Cut or Canal herein-before authorized to be made from the said Dock or Docks to the Works of the said Governor and Company of Copper Miners in *England* shall be made and completed pursuant to the Provisions herein-before contained in that Behalf, or until the Justices of the Peace for the said County of *Glamorgan*, assembled at any Quarter Sessions of the Peace to be holden in and for the said County, shall have declared and certified (and which they are hereby authorized and required to do, upon the Application of the said Port *Talbot* Company, or of any Person whomsoever, upon satisfactory Proof after hearing Evidence) that the said new navigable Cut or Canal herein-before mentioned, intended to communicate with the Sea to the Northward of the Course of the River *Avon*, and also the said Cut from the present Course of the River *Avon*, intended to communicate with the said last-mentioned navigable Cut or Canal, have been properly made and completed, and the said last-mentioned navigable Cut or Canal and also the said Dock or Docks rendered fit for the Accommodation and Reception of Ships and Vessels, any Ship or Vessel which shall enter the said Harbour shall be exempt from the Payment of any of the Tolls by this Act imposed, unless such Ship or Vessel shall have used or entered the Dock or Docks or other Works by this Act authorized to be made: Provided always, that the said Justices shall not grant such Certificate, unless upon Proof that Notice was given of the intended Application for such Certificate by Advertisements respectively inserted in the *London Gazette* and in some Newspaper published in the said County of *Glamorgan*, after such Cuts or Canals shall have been completed, and such navigable Cut or Canal and Dock or Docks rendered fit for the Accommodation and Reception of Ships and Vessels as herein-before provided, and at least Six Calendar Months previous

vious to the holding of the Quarter Sessions at which such Certificate shall be granted.

XXIII. And be it enacted, That all the Costs, Charges, and Expences of and incident to the obtaining and passing of this Act shall be defrayed and paid by the said Company out of the Monies received or to be received by them under the Authority of the said recited Act or of this Act, or either of them. Expences of Act.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, diminish, lessen, or derogate from any of the Rights or Privileges of *Christopher Rice Mansel Talbot* Esquire, or the Lord for the Time being of the Manors of *Margam* and *Havodyporth* in the said County of *Glamorgan*. Saving the Rights of the Lord of the Manors of Margam and Havodyporth.

XXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges of the Corporation of *Trinity House* of *Deptford Strond*. Saving the Rights of the Trinity House.

XXVI. 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.

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