CHAPTER clxxxvi.

An Act to empower the Llanelly Harbour and Burry Navigation Commissioners to construct a Dock and new Cut for the River Lliedi and other works for the improvement of the Port and Harbour of Llanelly and to borrow moneys with the consent of the Urban District Council of Llanelly and for other purposes. A.D. 1896.

[7th August 1896.]

WHEREAS by the Local and Personal Act 53 George III. chapter clxxxiii. (in this Act called the Act of 1813) certain Commissioners were constituted and authorised to improve deepen widen and maintain the navigation of the Rivers Burry Loughor and Lliedi from and over the bar of the Rivers Burry and Loughor on the sea side of the said bar to a ford across the River Loughor in the county of Carmarthen called Llangennech Ford and the navigation of the said River Lliedi up to a ford thereover below the iron bridge across that river in the same county and to buoy light and mark the main channel of the River Loughor from the Bar of Burry to Llangennech Ford and to levy tonnage rates on shipping and on goods and to borrow money: 53 Geo. 3. c. clxxxiii.

And whereas by the Local and Personal Act 6 & 7 Victoria chapter lxxxviii. (in this Act called the Act of 1843) the powers of the said Commissioners were extended and they were authorised to make a reservoir the waters of which were to be used for scouring the said harbour to provide steam tugs to purchase a dock of the Carmarthenshire Railway or Tramroad Company and to make byelaws for regulating the navigation and use of the said harbour and the works of the Commissioners: 6 & 7 Vict. c. lxxxviii.

And whereas by the Burry Navigation and Llanelly Harbour Act 1858 (in this Act called the Act of 1858) the limits of the Llanelly Harbour were defined the Act of 1813 and the Act of 1843 were repealed (except as to certain sections set forth in the Schedule to the Act of 1858 and which included the powers 21 & 22 Vict. c. lxxii.

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hereinbefore recited) and the said Commissioners were authorised to make various works for the improvement of the navigation and also a railway from the main line of the South Wales Railway to and along a breakwater and pier constructed by the said Commissioners under the general powers in the said before recited Acts contained:

27 & 28 Vict. c. cciii.

And whereas by the Llanelly Harbour Act 1864 (in this Act called the Act of 1864) the said Commissioners were incorporated and were created the Pilotage Authority for the Port of Llanelly and were authorised to construct a ship lock and dock and other works for the improvement of the said harbour and the benefit of the trade of the said port and to levy certain dues in respect of the use of the said works:

47 Geo. 3. sess. 2.

And whereas under the Local and Personal Act 47 George III. Session 2 chapter cvii. (in this Act called the Act of 1807) commonable lands and waste grounds in the Parish of Llanelly were enclosed and certain of them (in this Act called the Public Estates) were allotted to and vested in Trustees by that Act constituted who were thereby authorised to lease the same and to raise money on the security of the rents and profits thereof and to apply all moneys so raised in (among other things) the improvement of the town and port of Llanelly or of the public estates and to apply the residue of the said rents and profits (in this Act called the income of the public estates) after payment thereout of the annual charges payable in respect of the moneys so raised and of the costs charges and expenses of the said Trustees in the improvement of the said town and port:

13 & 14 Vict. c. 108.

And whereas by a Provisional Order (in this Act called the Order of 1850) made under the Public Health Act 1848 and confirmed by the Public Health Supplemental Act 1850 (No. 3) the Borough of Llanelly as therein defined was constituted a district under the Public Health Act 1848 and the public estates were transferred to and vested in the Local Board of Health for the said district (in this Act called the Local Board) upon the trusts thereof declared and with and subject to the rights powers authorities and duties granted or imposed by so much of the Act of 1807 as was not by the Order of 1850 repealed and so far as the same were not repugnant to or inconsistent with that Order or the Public Health Act 1848 or any byelaw made thereunder And provision was made that if the property so transferred should be insufficient to satisfy charges created by the said Trustees the deficiency should be charged on the general district rates levied in the parts and places which but for the Order of 1850 would or ought to have been chargeable with such deficiency and that all expenses which

should be incurred by the Local Board under so much of the Act of 1807 as was not repealed by the Order of 1850 and which should not be defrayed out of the revenues received by the Local Board under the Act of 1807 should be defrayed out of the general or special district rates as the case might require:

And whereas by a Provisional Order under the Local Government Act 1868 confirmed by the Local Government Supplemental Act 1868 (in this Act called the Order of 1868) the district of the Local Board was extended: 31 & 32 Vict. c. x.

And whereas by the Llanelly Harbour Act 1878 (in this Act called the Act of 1878) the Llanelly Harbour and Burry Navigation Commissioners were re-constituted under the same corporate title and with all the powers of the former Commissioners except the power to exercise their unexercised borrowing powers and the Commissioners as so re-constituted (in this Act called the Commissioners) included all the members of the Local Board and the Commissioners were authorised to borrow with the consent of the Local Board any moneys not exceeding fifty thousand pounds on the security of the revenue of the said harbour and (as a collateral security) the income of the public estates and it was by the Act of 1878 provided (section 13) that if at any time the harbour revenue should be insufficient for the repayment of the moneys so borrowed and the interest thereon the Local Board should after demand under the seal of the Commissioners pay to their order the sum thereby demanded out of the income of the public estates and that if by reason of their so doing the said income should be insufficient to meet other charges thereon such deficiency should be met out of the revenue of the waterworks of the Local Board and if that should be insufficient then out of the general district rate of the said district so that the total net income of the public estates should if required be available for the payment of the principal moneys borrowed under the Act of 1878 and the interest thereon: 41 & 42 Vict. lxxxiii.

And whereas by the Llanelly Local Board Act 1888 (in this Act called the Act of 1888) the Local Board was authorised to sell the public estates freed from the trusts of the Act of 1807 and all principal moneys raised on the security of the recited Acts but it was enacted that the purchase-money paid to the Local Board on any such sale (in that Act referred to as Public Estates Capital Money) should while uninvested or unapplied and the investments thereof when invested be held on the same trusts as the public estates would have been held if not sold and that the income of the Public Estates Capital Money should be applied as the income of the public estates if not sold would have been applied and it was also enacted that in addition to the powers for securing 51 & 52 Vict. c. clxxv.

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the repayment of moneys borrowed by the Commissioners under the Act of 1878 and the interest thereon the Local Board might if they thought fit charge by way of collateral security the general district rates of their district with such repayment and interest provided such charges should not in any one year exceed the amount which might in such year be produced by a general district rate of sixpence in the pound on the assessable value for that year of property assessable to that rate and that such collateral security should cease on the expiration of fifty years from the 1st day of January 1890:

And whereas the works authorised by the Act of 1864 were not constructed but the Commissioners under the powers of other of the said Acts and with the consent of the Board of Trade have constructed training walls in the River Loughor to train the channel thereof and to improve the access to the docks at Llanelly:

And whereas further works are needed for the improvement of the said port and harbour and for the accommodation and development of the trade and manufactures of the said town and district and it is expedient that the Commissioners should be empowered to extend the existing training walls in the River Loughor and to construct the new cut for the River Lliedi and the dock and entrance and railways and other works herein-after described:

38 & 39 Vict. c. clxiv.

And whereas under the powers of the Llanelly and Mynydd Mawr Railway Act 1875 a railway has been constructed from the corner of the scouring reservoir of the Commissioners to join the Carmarthenshire Railway and the railway so constructed will be cut through by the said new cut and it is expedient that the Commissioners should be authorised to divert that railway:

And whereas by reason of the works of the Commissioners land has been partially reclaimed from the Burry inlet and other land will be reclaimed by reason of the works authorised by this Act when executed by the Commissioners and it would greatly facilitate the execution of those works if the Commissioners were enabled to derive some benefit from the lands to be reclaimed:

And whereas it is expedient that the limits of the port and harbour should be re-defined:

And whereas by section 45 of the Act of 1813 it is provided that nothing in that Act should prevent the proprietor of any estate westward of the River Lliedi or his lessees from constructing any breakwater pier harbour or shipping place on such estate so that the same be situate at least six hundred yards west of the said river and it is expedient that such construction should be subject to the approval of the Commissioners:

And whereas it is by the same section provided that no vessel resorting to such shipping place should be liable to any duty under

that Act except that imposed according to tonnage on vessels entering the said rivers and it is expedient that that provision should be repealed:

And whereas it is expedient that the tolls rates and charges to be taken by the Commissioners for the use of the harbour should be altered and that they should be empowered to demand tolls rates and charges for the use of their dock works:

And whereas the Commissioners now owe on mortgage the sum of forty-four thousand seven hundred and twenty-two pounds six shillings and eight pence and it is expedient that they be authorised to borrow further moneys for the execution of the said works and the improvement of the said port and harbour and that the said limit of charge by way of collateral security on the general district rates of the urban district of the borough of Llanelly and the period at which such charge shall cease as prescribed by section 16 of the Act of 1888 should be respectively extended:

And whereas it is expedient that the other provisions herein-after contained should be made:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and the lands in or through which the same are intended to be made and plans of the lands which are authorised to be acquired under the powers of this Act and books of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands have been deposited with the respective clerks of the peace for the counties of Carmarthen and Glamorgan and those plans sections and books of reference are in this Act referred to as the deposited plans sections and books of reference respectively:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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 as follows:—

Part I.—Preliminary.

Short title.

1. This Act may be cited as the Llanelly Harbour Act 1896 and the Llanelly Harbour Acts 1858 to 1878 and this Act may be cited as the Llanelly Harbour Acts 1858 to 1896.

Act divided into parts.

2. This Act is divided into parts as follows:—

Part I.—Preliminary.

Part II.—Works.

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Part III.—Reclaimed Lands.
Part IV.—Dues.
Part V.—Transit Sheds and Warehouses.
Part VI.—Tugboats.
Part VII.—Byelaws.
Part VIII.—Finance.
Part IX.—Miscellaneous.

Incorporation of Acts.

3. The following Acts and parts of Acts (that is to say):—

The Lands Clauses Acts;

The Railways Clauses Consolidation Act 1845;

Part I. (construction of a railway) of the Railways Clauses Act 1863;

The Harbours Docks and Piers Clauses Act 1847 (except sections 25 and 26 of that Act); and

The provisions of the Commissioners Clauses Act 1847 with respect to the mortgages to be executed by the Commissioners;

so far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are incorporated with and form part of this Act Provided always that the provisions of the Harbours Docks and Piers Clauses Act 1847 with respect to lifeboats and with respect to keeping a tide and weather gauge shall not be in force for the purposes of this Act except so far as may from time to time be required by the Board of Trade.

Interpretation.

4. In this Act unless the subject or context otherwise requires—

Terms to which meanings are assigned in Acts wholly or partly incorporated with this Act or which have therein special meanings have in this Act the same respective meanings unless there be something in the subject or context repugnant to such construction;

"The recited Acts" means the Acts recited in the preamble of this Act;

"The old Commissioners" means the body of Commissioners as constituted under such of the recited Acts as are prior to the Act of 1878;

"The Commissioners" means the Llanelly Harbour and Burry Navigation Commissioners as constituted by the Act of 1878;

"The Council" means the Urban District Council for the District of the Borough of Llanelly;

"The port" or "the harbour" means the port and the harbour of Llanelly;

"The bar" means the bar of the Rivers Burry and Loughor;

"High-water mark" means the medium high-water mark of ordinary spring tides;

"The docks" means the existing dock of the Commissioners and the entrances thereto and the new cut and dock by this Act authorised and the approaches thereto;

"The dock" means the dock and the new cut by this Act authorised;

"The dock works" or "works" mentioned in conjunction with the dock means and includes all lands navigations docks quays depôts cuts channels graving docks slips warehouses sheds buildings erections railways tramways sidings cranes lifts staithes drops trucks barges machinery gear apparatus appliances and conveniences of the Commissioners and appropriated or provided for the purposes of or appurtenant to their undertaking;

"The railway" or "the railways" means the railways and diversion of a railway authorised by this Act;

"Quays" or "quay" means the wharves quays piers or breakwaters embankments jetties and landing-places of which the Commissioners are the owners;

"Dues" includes all tolls dues rates duties fees and charges of every description payable to the Commissioners under this Act;

"Harbour revenue" means and includes all income of the Commissioners receivable from dues and rents;

"Articles" or "goods" means and includes all goods wares merchandise commodities matters and things in respect of which the Commissioners may for the time being demand dues;

"Animals" includes horses mules asses bulls oxen cows calves pigs sheep lambs and goats;

"Cargo" includes articles and animals;

"Vessels" includes ships trows barges boats and craft of every class and description however propelled;

"Tugboat" means any vessel used for towing vessels and however propelled;

"Crane" includes cranes lifts shearlegs and capstans by whatsoever power worked:

In this Act and for the purposes of this Act in enactments incorporated with this Act—

"The Company" or "the Undertakers" means the Commissioners;

"The undertaking" means the undertaking of the Commissioners:

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In the Railways Clauses Consolidation Act 1845 for the purposes of this Act—

"The railway" and "the centre of the railway" respectively includes the training walls cut dock and entrance by this Act authorised to be constructed and the centre line of such training walls cut dock and entrance respectively.

Port and harbour of Llanelly.

5. The extent of the port and harbour of Llanelly irrespective of the powers of the Commissioners over the other channels and navigations mentioned in section 17 of the Act of 1813 as set forth in the schedule to the Act of 1858 shall be the area (excepting the limits of the Burry Port Harbour) included within a line commencing on the left bank of the River Loughor at the ford or pass over and across the said river known as Llangennech Ford at or near a certain village called Llangennech thence following the line of high water at ordinary spring tides (as defined on the 6-inch Ordnance Survey 1884) down the said bank and along the southern shore of the Burry inlet thence due north to a point where the said high-water line is intersected by the parallel of latitude 51° 36′ 30″ and following the said parallel to the meridian line 4° 22′ west longitude thence following the said meridian as far as parallel of latitude 51° 40′ 30″ thence proceeding along that parallel in an easterly direction as far as the high-water line on the north bank of the said estuary to the right bank of the said River Loughor thence along that bank to the old pass or ford before described and across the said ford to the point of commencement of the said line together with the intended dock cut locks and dock and harbour works herein-after described and the Commissioners shall be the harbour authority of that port and harbour:

Provided as follows—

Such port and harbour shall not by virtue of this Act be deemed to be a port for Customs purposes nor shall anything in this Act contained abridge or affect in any way the powers of the Treasury in respect of ports under the Customs Consolidation Act 1876;

This Act shall not confer on the Commissioners any authority over the dock works and property of the Llanelly Railway and Dock Company or any part thereof or over the channel belonging thereto except with the consent of the said company;

Nothing in this section contained shall alter defeat or destroy any lawful private rights or interests now existing with respect to any of the private docks and shipping places existing at the passing of this Act within the harbour and port of Llanelly.

Part II.—Works.

Power to make works.

6. Subject to the provisions of this Act the Commissioners may in the lines and situations shown on the deposited plans and according to the levels shown on the deposited sections make and maintain in the counties of Carmarthen and Glamorgan the training walls new cut dock entrance railways bridge and works shown on the deposited plans among which are the following principal works and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes:—

Work A.—A training wall or embankment (No. 1) in continuation seaward of the existing northern training wall constructed by the Commissioners commencing in that part of the bed of the River Loughor which constitutes part of the estuary known as the Burry inlet at the western termination of that wall in or adjoining the parish of Llanelly (rural) and thence proceeding in a westerly direction to and terminating in the said estuary at a point in or adjoining the parish of Llanrhidian Lower situate 1 mile 2 furlongs 6 chains from the western termination of the existing northern training wall and about 7 furlongs 6 chains measured in a south-westerly direction from the face of the Great Western Railway retaining wall at a point where the boundary between the parishes of Pembrey and Llanelly (rural) crosses the said retaining wall:

Work B.—A training wall or embankment (No. 2) in continuation seaward of the existing southern training wall constructed by the Commissioners commencing in that part of the bed of the River Loughor which constitutes part of the said estuary at the western termination of that wall in or adjoining the said parish of Llanelly (rural) thence proceeding in a westerly direction to and terminating in the said estuary at a point in or adjoining the said parish of Llanrhidian Lower about 1 mile 5 chains from the western termination of the existing south training wall and about 1 mile 2 furlongs measured in a south-westerly direction from the face of the Great Western Railway retaining wall where crossed by the said boundary between the said parishes of Pembrey and Llanelly (rural):

Work C.—A new cut or navigable channel wholly in the parish of Llanelly (urban) and in the said parish of Llanelly (rural) commencing at a point about 123 yards (measured in an easterly direction) from the lighthouse at the end of the

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breakwater of the Commissioners and 292 yards measured in a south-westerly direction from the south-west corner of the quay wall on the north side of the channel leading to Messrs. Neville Druce and Company's copper works and terminating at a point about 73 yards (measured in a northerly direction) from the inner side of the central pier of the sluices by which the waters of the scouring reservoir discharge into the River Lliedi 50 yards from the south end of the western quay of the Carmarthenshire Dock:

Work D.—A dock and entrance wholly in the said parish of Llanelly (urban) and the said parish of Llanelly (rural) on lands bounded on the north and west by lands belonging or reputed to belong to the Commissioners and in their occupation and on the south and east by lands belonging or reputed to belong to the Commissioners on part of which is constructed the Llanelly and Mynydd Mawr Railway:

Work E.—A bridge over the River Lliedi wholly in the parish of Llanelly (urban) commencing on the right bank of the said river at a point about 37 yards from the south-eastern end of the Great Western Railway bridge (measured at right angles to the said railway) and terminating on the left bank of the said river at a point about 33 yards from the said point of commencement:

Work F.—A railway (No. 1) 1 furlong 4 chains in length commencing in the said parish of Llanelly (urban) by a junction with the main line of the Great Western Railway at a point about 370 yards east of the junction of the retaining wall of the scouring reservoir with the retaining wall of the Great Western Railway and terminating in the said parish of Llanelly (rural) at the said retaining wall of the scouring reservoir about 240 yards (measured in a southerly direction) along the same from its said junction with the retaining wall of the Great Western Railway:

Work G.—A railway (No. 2) 1 furlong 8 chains in length wholly in the said parish of Llanelly (rural) commencing at a point about 310 yards west of the point at which the said retaining wall of the scouring reservoir joins the retaining wall of the Great Western Railway and terminating at a point about 87 yards from the bend of the retaining wall of the reservoir near its upper end 160 yards from the point at which the said retaining wall of the scouring reservoir meets the retaining wall of the Great Western Railway:

Work H.—A railway (No. 3) 2 furlongs 2 chains in length a diversion of the Llanelly and Mynydd Mawr Railway com-

mencing in the said parish of Llanelly (urban) by a junction with the said last-mentioned railway at a point about 47 yards north-east from the north-west corner of the upper coal jetty of the Llanelly and Mynydd Mawr Railway Company crossing the said intended entrance to the said dock by a swing bridge and terminating in the said parish of Llanelly (urban) by a junction with the said railway at a point about 462 yards (measured along the railway in a north-easterly direction) from the commencement of the said diversion :

Work I.—A railway (No. 4) 7 chains in length wholly in the said parish of Llanelly (urban) commencing by a junction with the above-described diversion at a point about 207 yards or thereabouts north of the said corner of the said jetty and 95 yards south-west of the said centre pier of the said sluices of the said scouring reservoir and terminating at the retaining wall of the scouring reservoir at a point about 143 yards from the said central pier of the said sluices.

Subsidiary works.

7. The Commissioners may within the limits of the harbour upon lands shown on the deposited plans and either already owned by the Commissioners or acquired by them under the powers of this Act construct and maintain all cuts channels locks weirs dams basins reservoirs ponds trenches pounds graving docks lay-bys gates sluices culverts by-passes arches bridges (fixed or opening) sewers drains embankments towing-paths walls jetties landing places dolphins moorings buoys beacons lights groynes quays wharves warehouses sheds buildings engines pumps machinery cranes lifts staithes drops railways tramways rails junctions sidings turntables signals stations roads approaches works and appliances which may be necessary or convenient for or incidental to the before-mentioned works or any of them or for the general purposes of their undertaking.

Power to divert waters.

8. The Commissioners may divert into the intended new cut dock and works the waters of the river Lliedi and the waters of the said scouring reservoir and all waters under the control of or to which the Commissioners are in any way entitled and the Commissioners may permanently close and fill in the sluices shown on the deposited plans as to be closed and whereby the Cilli Stream is carried under the Great Western Railway and may divert such of those waters as now pass into the scouring reservoir and they may enter upon take and use the bed banks and channel of the said River Lliedi where they may be coincident with or intersected by the line of the said intended works and may supersede and discontinue for the purposes of navigation so much of the said river

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as may be rendered unnecessary by the construction of the said new cut.

Power to dredge &c. the harbour.

9. The Commissioners may dredge deepen light buoy preserve and improve the harbour or any part or parts thereof and the approaches thereto and may purchase hire provide and maintain all necessary dredging and other machines engines tugboats barges craft machinery beacons buoys lights and appliances necessary or expedient for the said purposes.

Power to cross road on the level.

10. Subject to the provisions in the Railways Clauses Consolidation Act 1845 and in Part I. (relating to the construction of a railway) of the Railways Clauses Act 1863 contained in reference to the crossing of roads on the level the Commissioners may in the construction of the railway carry the same with a single line only whilst the railway shall consist of a single line and afterwards with a double line only across and on the level of the road next hereinafter mentioned (that is to say) :—

No. on deposited Plans.	Parish.	Description of Road.
4	Llanelly (urban)	Public

Limits of deviation.

11. In constructing the works by this Act authorised the Commissioners may subject to the provisions of this Act deviate laterally from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and they may deviate vertically from the levels of the said works as shown on the deposited sections to any extent not exceeding in the case of the railways the extent prescribed by the Railways Clauses Consolidation Act 1845 and in the case of any other works five feet upwards and ten feet downwards Provided that no deviation either lateral or vertical below high-water mark shall be made without the previous consent in writing of the Board of Trade.

Provision as to training walls and for the protection of the Burry Port harbour.

12.—(1) The Commissioners shall construct the training walls by this Act authorised in such situation within the limits of deviation shown on the deposited plans as shall be sanctioned in writing by the Board of Trade before the commencement of either of such walls and in such manner as in the opinion of the Board of Trade will not divert diminish render less deep or in any way injure the present access or channel to Burry Port Harbour.

(2) If the Board of Trade by order in writing so require the Commissioners shall lower the existing south training wall to such an extent as the Board think necessary and prescribe in the said order.

(3) The Board of Trade may from time to time make such inquiries and require the Commissioners to make such surveys of the estuary or any part thereof and to furnish the Board with such copies of such surveys as they may think requisite for the purposes of this section.

(4) Any costs incurred by or on behalf of the Board of Trade under this section shall be defrayed by the Commissioners and the amount thereof shall be a debt due from the Commissioners to the Crown and be recoverable as a debt due to the Crown is recoverable with costs or the same may be recovered with costs as a penalty is recoverable from the Commissioners.

Works below high-water mark not to be commenced without consent of Board Trade.

13. The Commissioners shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Commissioners shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Commissioners and the amount of such costs and charges shall be a debt due from the Commissioners to the Crown and shall be recoverable accordingly with costs.

Lights on works.

14. The Commissioners shall on or near the works hereby authorised below high-water mark during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) as the Board of Trade from time to time require or approve If the Commissioners fail to comply in any respect with the provisions of the present section they shall for each night in which they shall so fail be liable to a penalty not exceeding twenty pounds.

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Commissioners to exhibit lights.

15. The Commissioners shall at the outer extremity of their works below high water exhibit and keep burning from sunset to sunrise such lights (if any) as the Corporation of Trinity House of Deptford Strond shall from time to time direct.

If the Commissioners fail to comply in any respect with the provisions of the present section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision against danger to navigation.

16. In case of injury to or destruction or decay of the works or any part thereof the Commissioners shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House of Deptford Strond and shall apply to that Corporation for directions as to the means to be taken and the Commissioners shall be liable to a penalty not exceeding ten pounds for every month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Abatement of works abandoned or decayed.

17. If any of the works constructed by the Commissioners under the powers of this Act on in over through or across tidal lands or tidal waters are abandoned or suffered to fall into decay the Board of Trade may abate and remove the same or any part of them and restore the site thereof to its former condition at the expense of the Commissioners and the amount of such expense shall be a debt due from the Commissioners to the Crown and be recoverable as a debt due to the Crown is recoverable with costs or the same may be recovered with costs as a penalty is recoverable from the Commissioners.

Survey of works by Board of Trade.

18. If at any time the Board of Trade deem it expedient for the purposes of this Act to order a survey and examination of a work constructed or in course of construction by the Commissioners on in over through or across tidal lands or tidal waters or of the intended site of any such work the Commissioners shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Commissioners to the Crown and be recoverable as a debt due to the Crown is recoverable with costs or the same may be recovered with costs as a penalty is recoverable from the Commissioners.

Period for completion of works.

19. If the works by this Act authorised are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Commissioners for making and completing the same respectively

or otherwise in relation thereto shall cease except as to so much thereof respectively as shall then be completed.

Abandonment of part of Llanelly and Mynydd Mawr Railway on completion of diversion of that railway.

20. As soon as the diversion by this Act authorised of the Llanelly and Mynydd Mawr Railway shall have been completed and opened for the conveyance of goods traffic the Llanelly and Mynydd Mawr Railway Company may and shall abandon so much of their said railway as lies between the commencement and termination of the said diversion and the said diversion shall for all purposes (including the levying of tolls rates and charges) constitute a part of the undertaking of the said company in substitution for the portion so abandoned and the said company may dispose of the site of such portion.

Slag &c. not be deposited in certain part of the harbour.

21. From and after the passing of this Act and subject to the provisions of the section of this Act the marginal note whereof is "For the protection of Charles William Mansel Lewis" no slag mining excavation or manufacturing refuse shall be deposited within the harbour below the line of high water of ordinary spring tides as shown on the six-inch Ordnance map of the Parish of Llanelly published in the year one thousand eight hundred and eighty-four except with the consent of the Commissioners.

Grass not to be planted on foreshore nor pier &c. to be made within the harbour.

22. From and after the passing of this Act and subject to the provisions of the section of this Act the marginal note whereof is "For the protection of Charles William Mansel Lewis" no grass shall be planted on any part of the foreshore within the harbour and no breakwater pier harbour or shipping place for the shipping of any coal culm or any other commodity shall be erected built formed constructed or made within the harbour except in accordance with plans and sections previously submitted to and approved by the Commissioners under their seal Provided that if the Commissioners do not express their approval or disapproval of the said plans and sections within two months after the same shall have been submitted to them they shall be deemed to have approved thereof Provided also that if any dispute arise between the Commissioners and any person touching any such approval or disapproval such dispute shall be settled by an engineer to be appointed by the Board of Trade.

Power to Commissioners to purchase additional lands.

23. Subject to the provisions of this Act the Commissioners in addition to the other lands which they are by this Act authorised to acquire may enter upon and take compulsorily or by agreement and may hold for the purposes of the undertaking the lands hereinafter described which are delineated upon the deposited plans and described in the deposited books of reference (that is to say) :—

Certain foreshore in the said parishes of Llanelly (rural) and Llanelly (urban) bounded on the north by the retaining wall of

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the Great Western Railway on the east by lands belonging or reputed to belong to the Commissioners on the south partly by foreshore belonging or reputed to belong to Her Majesty the Queen and partly by foreshore belonging or reputed to belong to Charles William Mansel Lewis and on the west by the boundary line dividing the parishes of Llanelly (rural) and Pembrey.

Restriction on taking houses of labouring class.

24.—(1) The Commissioners shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

(2) For the purposes of this section the expression "labouring class" means and includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Period for compulsory purchase of lands.

25. The powers of the Commissioners for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Power to take easements &c. by agreement.

26. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Commissioners any easement right or privilege (not being an easement right or privilege of water in which other than parties to the agreement have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to acquire additional lands by agreement.

27. The Commissioners may for the purposes of this Act (in addition to any lands they are authorised to acquire and hold under the other powers of this Act) from time to time by agreement acquire in fee either by purchase or by way of exchange or otherwise any land or foreshore not exceeding in the whole fifty acres and any right easement or privilege therein thereunder thereover or thereupon (not being an easement right or privilege of water in which other than parties to the agreement have an interest)

but nothing in this Act shall exempt the Commissioners from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so acquired.

Power to lease certain lands.

28. With respect to lands taken compulsorily under the powers of this Act and which may not be required for the purposes of the harbour or its incidental works or for the other purposes of the Commissioners or to enable them to comply with the provisions of this Act the following provisions shall have effect:—

(A) The Commissioners may on any such lands erect dwellings for workmen employed on or in connexion with the undertaking of the Commissioners and may sell or let such dwellings:

(B) The Commissioners may grant leases of any of such lands for any terms not exceeding ninety-nine years to any persons corporations or companies (such corporations or companies being capable at law of accepting such leases) who shall covenant to improve such lands by laying out money in the construction or erection thereon of docks basins ship-yards wharves landing-places warehouses sheds and other buildings and conveniences calculated to promote or facilitate the business of the Commissioners and they may also grant to such lessees the use (during the continuance of their respective leases) of such wharfage water-space quayage and other easements as may be requisite for the purpose of the trade or business to be carried on in or at the places and buildings so to be constructed or erected and as will not interfere with the general traffic and use of the docks:

(C) Every such lease shall be made without fine but may be made with and subject to such exceptions reservations yearly or other rents or payments covenants conditions powers and provisions as the parties thereto agree on Provided that in every such lease due provision be made for securing the payment performance and observance by the lessees thereunder of the rents (if any) covenants and provisions in and by such leases respectively reserved and contained and on their part to be performed and observed Provided also that a duplicate or counterpart of every such lease be executed by the lessees therein named and delivered to the Commissioners.

Power to retain &c. certain lands.

29. With respect to lands shown on the deposited plans and comprised in the deposited books of reference and taken compulsorily or by agreement under the powers of this Act and which in pursuance of a resolution or resolutions of the Commissioners passed upon a certificate in that behalf at any time or from time to time

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given by the engineer of the Commissioners the Commissioners declare may be required for the purposes of the docks or incidental works or for other the statutory purposes of the Commissioners the Commissioners may let or lease any of such lands for any of the purposes specified in the preceding section Provided that in every lease they reserve the right to re-enter on the demised premises or any part thereof which they may require for any of the purposes specified in this section on giving to the lessee six months' notice in writing of their intention so to re-enter.

As to reversion of certain lands.

30. Notwithstanding anything in the Lands Clauses Acts to the contrary the Commissioners shall not be bound to sell or dispose of any lands let or leased under the provisions of either of the preceding sections or the reversion thereof.

For the protection of the Duke of Beaufort K.G.

31. Whereas the most noble Henry Charles FitzRoy Duke of Beaufort K.G. Lord of the Seigniory of Gower in the county of Glamorgan (herein-after called the owner) is or claims to be by virtue of grants from and by agreement with the Crown the owner of the present foreshore and bed of the Burry estuary and of the Rivers Loughor and Burry (dividing the counties of Carmarthen and Glamorgan) on the Glamorganshire side of the said estuary and rivers and of such other portions thereof as heretofore formed a part of such foreshore and bed until reclaimed from the sea and which portions are now in part covered by the flow of the sea and in part are in course of reclamation And also is or claims to be the owner of the mines and minerals under the portions of the said foreshore and bed of the said estuary and rivers of which he is or claims to be the owner Therefore notwithstanding anything contained in this Act the following provisions for the protection of the owner his heirs assigns and sequels in estate shall have and take effect (videlicet):—

(1) Part III. of this Act shall not apply to any portion of the foreshore and bed of the River Loughor belonging to the owner from Llangennech Ford to the bridge at Loughor carrying the Great Western Railway over the same river nor to any lands belonging to the owner south of the dotted red line extending from the said railway bridge to Whiteford Lighthouse shown on the plan signed in triplicate by Colonel Gunter the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred (and herein-after referred to as "the agreed line") one copy of which plan has been deposited in the Private Bill Office of the House of Commons:

(2) Nothing contained in the sections of this Act (the marginal notes whereof are respectively "Slag &c. not to be deposited

"in certain part of the harbour" and "Grass not to be "planted on foreshore nor pier &c. to be made within the "harbour") shall be deemed to interfere with any rights the owner may now possess on or over any portion of the foreshore lying to the south of the agreed line:

(3) The owner's land reclaimed and subject to Part III. of this Act shall not without the consent in writing of the owner be divided but shall be sold reserving all minerals of what nature or kind soever in or thereunder to the owner and the owner shall have the right of pre-emption provided he give notice in writing to the Commissioners within six months after the date of the award of the arbitrators or umpire (as the case may be) determining the land so reclaimed of his intention to exercise such right In the event of a price not being agreed such land shall be sold by public auction by the owner (who shall be at liberty to bid at the auction) and the proceeds of the sale after payment of necessary expenses shall be divided equally between the owner and the Commissioners:

(4) Nothing contained in this Act shall prejudice or defeat any right or interest of the owner in and to all minerals of what nature or kind soever in or under any lands reclaimed or to be reclaimed but all such minerals shall notwithstanding the reclamation of any land remain vested in the owner and the owner and his lessees agents servants and workmen may at all times enter upon any such lands as well after as before the same shall have been reclaimed or reclaimed and afterwards sold and search for work raise and carry away all such minerals and also any other minerals from outside such lands in as full ample and beneficial a manner to all intents as could or might have been done before the passing of this Act and as if this Act had not been passed save only that the persons entering upon such lands for the purposes aforesaid or searching for working raising and carrying away the said minerals or any of them shall make reasonable compensation and satisfaction from time to time to the owners and occupiers of any such lands for all damage occasioned by the exercise of any of the said powers the amount of such compensation in case the parties differ about the same being in every case settled and determined by arbitration in the manner provided by the Arbitration Act 1889 or any then subsisting statutory modification or alteration thereof:

(5) The section of this Act whereof the marginal note is "Power of arbitrators" shall not apply to the owner so far as his title

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ed to the foreshore and bed of the estuary and rivers is concerned but such title in the event of dispute shall be decided by the High Court and not by the arbitrators as provided by the section:

(6) The right of the owner to use ancient or existing docks and shipping-places and other works and to make and construct on the Glamorganshire side of the said estuary and rivers any new tidal shipping-places or jetties with staithes and appliances for shipping coal minerals and mineral substances shall not be taken away lessened or interfered with by the provisions of this Act Provided that such new tidal shipping-places or jetties shall be constructed in accordance with plans and sections previously submitted to and approved by the Commissioners under their seal and if the Commissioners do not express their approval or disapproval of the said plans and sections within two months after the same shall have been submitted to them they shall be deemed to have approved thereof If any difference arise between the Commissioners and the owner touching any such approval or disapproval such difference shall be determined by an engineer to be appointed by the Board of Trade:

(7) The Commissioners shall be entitled to use any roads for the time being existing on the portion of foreshore lying to the south of the agreed line and to construct and maintain over the said portion of foreshore such road or roads as may be necessary to afford to the Commissioners their lessees or assigns and their respective tenants servants and workmen on foot or with horses waggons and carriages a convenient access to and from the reclaimed lands to which the Commissioners may become entitled and in case of difference as to the position of such road or roads and as to any compensation to be paid to the owner in respect of any road to be so constructed the same shall be determined by an arbitrator to be appointed by the Board of Agriculture on the application of either of the parties in difference.

For the protection of Charles William Mansel Lewis.

32. Whereas Charles William Mansel Lewis is the owner or claims to be the owner in fee simple of an estate situate in the parish of Llanelly in the county of Carmarthen and of the minerals thereunder and also of certain lands lying in front of such estate on the seaward side thereof and extending to low water-mark such lands being in part covered by the flow of the sea and in part in course of reclamation Therefore the following provisions shall have effect for the protection of the said Charles William Mansel

Lewis (herein-after called the owner) his heirs assigns and sequels in estate and for the protection of his tenants :— A.D. 1896.

(i) Part III. of this Act shall not apply to the lands belonging or reputed to belong to the owner north of the line coloured blue shown on the plan signed in triplicate by the Right Honourable the Earl of Jersey the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (herein-after referred to as the agreed line) one copy of which plan has been deposited in the Office of the Clerk of the Parliaments :

(ii) All the rights and interests of the owner in the lands to the south of the agreed line shall be granted by him to the Commissioners at the sole costs in all respects of the Commissioners :

(iii) If within three years from the passing of this Act the Commissioners desire to acquire any portion of the foreshore belonging or reputed to belong to the owner for the purposes of the port or the harbour it shall be lawful for them to do so in the manner provided by the Lands Clauses Acts :

(iv) Nothing contained in the sections of this Act the marginal notes whereof are respectively "Slag &c. not to be deposited "in certain part of the harbour" and "Grass not to be "planted on foreshore nor pier &c. to be made within the "harbour" shall be deemed to interfere with any rights the owner may now possess on or over any portion of the foreshore lying to the north of the agreed line :

(v) If and when the Commissioners carry out the diversion of the River Lliedi authorised by the section of this Act the marginal note whereof is "Power to divert waters" they shall permanently close and fill in the sluices shown on the deposited plans by which the Cilli Stream is carried under the Great Western Railway and shall construct and thereafter for ever maintain in good and efficient working order sufficient sluices for regulating the flow of the Cilli Stream into the Lliedi River.

For the protection of the Great Western Railway Company.

33. For the protection of the Great Western Railway Company (in this section called the Great Western Company) the following provisions shall have effect (that is to say) :—

(A) If by reason of the works by this Act authorised the access to the channel to the Great Western Railway Dock shall be rendered less deep than it was at the passing of this Act the Commissioners shall from time to time when and as required by the Great Western Company restore such access by dredging or otherwise to the depth thereof existing at the passing of this

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Act and if the Commissioners make default in so doing the Great Western Company may after giving fourteen days notice in writing to the Commissioners themselves do the necessary dredging to restore the said access to the depth existing at the passing of this Act and the reasonable expenses of the Great Western Company in so doing and any damages they may have sustained by the default of the Commissioners shall be repaid by them to the Great Western Company and may be recovered together with all costs and charges in any court of competent jurisdiction:

(B) The Commissioners shall not give any undue advantage to ships vessels or traffic passing from or to the dock by this Act authorised over ships vessels or traffic of a like description passing from or to any of the docks at Llanelly:

(C) The respective junctions of Railway No. 1 and Railway No. 2 with the railway of the Great Western Company shall be constructed only unless otherwise agreed according to the centre lines of railways respectively shown on the deposited plans and the provisions of the Railways Clauses Act 1863 as to junctions shall apply to such junctions respectively:

(D) Except for the purpose of the junctions above described with the railway of the Great Western Company and which junctions or the substituted junctions herein-after referred to are to be maintained and worked at the expense and risk of the Commissioners the Commissioners shall not take or acquire any land of the Great Western Company or any right in or over the same and the Great Western Company may at any time or times hereafter should it be necessary for them to do so alter or remove the junctions by this Act authorised with their railway and substitute a new junction or junctions therefor but so as such alteration or removal or substituted junction or junctions as the case may be shall not stop the traffic of the Railways Nos. 1 and 2 by this Act authorised or unnecessarily interfere therewith or cause increased expense to the Commissioners in the working or maintenance of the junction or junctions or the substituted junctions as the case may be or the signals works and conveniences connected therewith:

(E) The Commissioners shall pay to the Great Western Company by way of purchase or compensation for the rights and easements to be acquired under the provisions of this Act such an amount as may be agreed upon or in event of difference as may be determined by arbitration under the provisions of the Lands Clauses Consolidation Act 1845 relating to the purchase of lands otherwise than by agreement:

(f) If any dispute shall arise between the Great Western Company and the Commissioners respecting the matters and provisions aforesaid or any of them such dispute shall except as herein otherwise provided be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London the costs of such arbitration to be in the discretion of such arbitrator.

For the protection of the owners of the Copper Works Dock.

34. If by reason of the works by this Act authorised the access to the channel to the Copper Works dock shall be rendered less deep than it was at the passing of this Act the Commissioners shall from time to time when and as required by the owners thereof restore such access by dredging or otherwise to the depth thereof existing at the passing of this Act and if the Commissioners make default in so doing the said owners after giving fourteen days' notice in writing in that behalf to the Commissioners may themselves do the necessary dredging to restore the said access to the depth existing at the passing of this Act and the reasonable expenses of the said owners in so doing and any damages they may have sustained by the default of the Commissioners shall be repaid by them to the said owners and may be recovered together with all costs and charges in any court of competent jurisdiction.

If any dispute shall arise between the said owners and the Commissioners respecting the matters and provisions aforesaid such dispute shall be settled by an arbitrator to be agreed upon between the parties or in case of difference to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers in London and the costs of such arbitration shall be in the discretion of such arbitrator.

Part III.—Reclaimed Lands.

Interpretation in this part of Act.

35. In this part of this Act unless the subject or context otherwise requires:—

"Reclaimed lands" means any lands in the harbour on either side thereof below high-water mark now in course of being or which hereafter may be reclaimed by or in consequence of any works already executed or hereafter to be executed by the Commissioners or under any authority from or agreement with them;

"Owners" means the owners of the foreshore in the harbour;

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"The arbitrators" and "the umpire" means respectively the arbitrators and the umpire appointed under the provisions of this part of this Act.

Confirming agreement and saving rights of the Crown.

36. The articles of agreement made the nineteenth day of June one thousand eight hundred and ninety-six between Edward Stafford Howard Esquire a Commissioner of Woods and the Commissioners and contained in the First Schedule to this Act are hereby confirmed and shall be binding on the Commissioners and valid as between the Commissioners of Woods and the Commissioners.

Commissioners to make a plan of the harbour and deposit copies.

37. Within six months after the passing of this Act the Commissioners shall cause to be made a plan of the harbour and shall delineate on such plan the present line of high-water mark on each side thereof and shall also delineate on such plan the several works executed by the Commissioners and the lines adopted by the Commissioners for the training walls and the Commissioners shall within the said period of six months deposit one copy of such plan at the Office of Land Revenue Records and Enrolments one copy thereof at the Board of Agriculture one copy thereof with the clerk of the peace for the county of Carmarthen one other copy thereof with the clerk of the peace for the county of Glamorgan and one copy at the office of the Commissioners at Llanelly.

Fresh plans showing lands reclaimed to be deposited at intervals of five years.

38. Within six months after the first day of August one thousand eight hundred and ninety-nine and so on within six months after the first day of August in every fifth year thereafter the Commissioners shall cause to be delineated upon five copies of the previously deposited plan of the harbour all lands which within the then last preceding period of five years have been gained or reclaimed from the bed or shores of the harbour by or in consequence of any of the works of the Commissioners then executed in the harbour and those copies shall be deposited in like manner as the said plan of the harbour and in case any question shall arise between the owners and the Commissioners as to whether any of the lands shown on any such plan have been effectually gained or reclaimed every such question shall be determined by two arbitrators one to be nominated by either party or by an umpire to be nominated by such arbitrators before they enter upon the matters referred to them and in case none of the owners shall within two months after any plan has been deposited as by this Act directed give notice to the Commissioners of any objection to such plan either in whole or in part then every such plan shall at the expiration of such two months be binding and conclusive to all intents and purposes and if any such plan shall be objected to in

part then the same shall at the expiration of such two months be binding and conclusive in every respect save the particular portion to which such objection shall apply:

Provided always that no land belonging to the Queen's Most Excellent Majesty in right of Her Crown and under the charge of the Commissioners of Woods shall be subject to the provisions of this Act or shall be delineated on any such plan except land shown and coloured pink on a map which has been signed by Edward Stafford Howard a Commissioner of Woods on behalf of Her Majesty and by David Williams Rees on behalf of the Commissioners and which said map has been deposited at the Office of Land Revenue Records and Enrolments.

Certificate of justices as to alteration of plan.

39. A certificate under the hands of two justices certifying that such plan has been prepared so as to show the several particulars herein-before mentioned shall be sufficient evidence of such preparation and on the application of the Commissioners and the production of such evidence upon oath as such justices think proper and sufficient such justices shall grant such certificate accordingly and a copy of such certificate shall be deposited with every copy of the plan to which such certificate relates.

Commissioners to put down boundary stones on the line of high-water mark.

40. Before making any plan by this Act directed to be made the Commissioners shall from time to time put down and maintain boundary stones and posts at such points on the banks and shores of the harbour as the Commissioners may think expedient for the purpose of showing the line of high-water mark and if any dispute shall arise between the Commissioners and the owners of the lands or foreshore upon or adjoining which such stones or posts are proposed to be placed as to the true line of high-water mark the same shall be settled by a competent person to be appointed on the request of any of the parties in difference by the Board of Agriculture and the decision of the person so appointed shall be final and the line of high-water mark as so defined shall be the line of high-water mark to be delineated on the plan to be next thereafter made by the Commissioners in pursuance of the provisions of this part of this Act.

Guardians &c. of minors &c. to act for them.

41. In every case in which any person claiming to be interested in any foreshore land is a minor idiot or lunatic the guardian or committee of his estate may on his behalf exercise the several powers and discretions under this Act which such person if not under any disability might exercise.

Commissioners to give notice

42. Within one month after the preparation and deposit of each and every of the said plans the Commissioners shall cause notice in

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of amendment of plan.

writing thereof to be sent by post in a circular letter to the Commissioners of Woods on behalf of Her Majesty and to every other owner of foreshore shown on the plans referred to in such notice addressed to his usual place of abode or business and shall also cause notice to be inserted once in each week at the least for three consecutive weeks in some newspaper published in the county in which the foreshore is situate of such deposit having been made and requiring the several persons claiming to be entitled to the foreshore to cause to be left at the principal office of the Commissioners and also at the office of the Commissioners of Woods notice stating the foreshore in respect of which they make the said claim and the Commissioners shall also cause the said notice to be affixed upon the outer doors or notice board of the parish church of every parish in which such foreshore or any part thereof is situate on the Sunday next after every publication of the said newspaper notice.

Lists to be prepared of parties claiming.

43. Immediately after the expiration of six months from the first publication of the said newspaper notice the Commissioners shall cause to be prepared lists containing the names of all persons so claiming the foreshore and shall cause such lists to be produced before two justices who shall on production of such evidence upon oath as such justices think proper and sufficient certify the correctness of such lists and when such lists have been so certified one copy thereof shall be deposited at the Office of Land Revenue Records and Enrolments and one copy thereof with the clerk of the peace of the county in which such foreshore is situate Provided that if the arbitrators or the umpire to be appointed as by this Act provided certify that they have corrected such lists pursuant to the provisions herein-after contained their or his certificate in that behalf shall be deposited with every original list to which such certificate relates.

Sections 2 and 3 of 1 Vict. c. 83. applicable to plan certificate and lists.

44. The said plan and certificate and lists shall be deemed to have been deposited with the said clerk of the peace in accordance with the Parliamentary Documents Deposit Act 1837 and the provisions contained in the second and third sections of that Act as to permitting documents to be inspected or copied by persons interested and as to imposing penalties on the clerk of the peace for every omission to comply with the provisions of that Act shall be applicable to the said plan certificate and lists.

Appointment of arbitrator.

45. Within one month after the deposit of any such list of parties claiming to be entitled as aforesaid the Commissioners shall appoint an arbitrator to act on their behalf and the owners of foreshore named in such list shall appoint an arbitrator to act on their behalf Provided that if such owners fail so to appoint the

Board of Agriculture on the application of any of the owners or of the Commissioners shall appoint an arbitrator to act on behalf of such owners and the Commissioners shall cause to be delivered at or sent by post to the last known place of abode or business of every person named in such list or to the last known place of abode or business of any person who shall have signed such notice on behalf of the person so entitled as aforesaid or to the last known place of abode or business of the agent of any person who shall have given or signed such notice but who shall be absent from the United Kingdom a copy of such list certified as correct under the hand of the clerk of the Commissioners and together with such list shall be sent the names and places of abode of the arbitrators so appointed by the Commissioners and by the owners or the Board of Agriculture respectively and the decision of such arbitrators or of the umpire in the matters referred to them shall be final and binding upon all parties.

Appointment of arbitrator not to be revoked.

46. After any such appointment shall have been made neither of the parties by or on whose behalf such appointment has been made shall have power to revoke the same without the consent of the other nor shall the death of any party named in any such list so prepared and deposited as aforesaid operate as a revocation.

Vacancy of arbitrator to be supplied.

47. If before the matters referred to the arbitrators shall be determined the arbitrator appointed by or on behalf of either party die or become incapable to act the body or persons by whom such arbitrator was appointed may nominate and appoint in writing some other person to act in his place and if for the space of thirty days after notice in writing from the other party to the arbitration for that purpose there be a failure to do so the remaining or other arbitrator may proceed ex parte and every arbitrator so to be substituted as aforesaid shall have the same powers and authorities as were vested in the former arbitrator at the time of such his death or disability as aforesaid.

Appointment of umpire.

48. Before the arbitrators shall enter upon the matters referred to them they shall nominate and appoint by writing under their hands an umpire to decide on any such matters on which they shall differ or which shall be referred to him under the provisions of this Act and if such umpire shall die or become incapable to act they shall forthwith after such death or incapacity appoint another umpire in his place and the decision of every such umpire on the matters so referred to him shall be final.

Board of Agriculture empowered to appoint

49. If the arbitrators shall refuse or shall for seven days after request of either party to such arbitration neglect or refuse to appoint an umpire the Board of Agriculture shall on the application

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of either party to such arbitration appoint an umpire and the decision of such umpire on the matters on which the arbitrators shall differ or which shall be referred to him under this Act shall be final.

an umpire on neglect of the arbitrators.

If arbitrators fail to make the award within six months the matter to go to the umpire.

50. If where neither of the arbitrators shall refuse or neglect to act as aforesaid the arbitrators shall fail to make their award within six months after the day on which the last of such arbitrators shall have been appointed the matters referred to them shall be determined by an umpire to be appointed by the Board of Agriculture on the application of either party.

Power of arbitrators to call for books &c.

51. The arbitrators or the umpire may call for the production of any documents in the possession or power of either party which they or he may think necessary for determining the question in dispute and may examine the parties or their witnesses on oath and administer the oaths necessary for that purpose.

Arbitrator or umpire to make a declaration.

52. Before any arbitrator or umpire shall enter into the consideration of any matters referred to him he shall in the presence of a justice make and subscribe the following declaration (that is to say) :—

"I A. B. do solemnly and sincerely declare that I will faithfully
" and honestly and to the best of my skill and ability hear
" and determine the matters referred to me under the
" provisions of 'the Llanelly Harbour Act 1896.'
" Made and subscribed in the presence of C. D."

And such declaration shall be annexed to the award when made and if any arbitrator or umpire having made such declaration shall wilfully act contrary thereto he shall be guilty of a misdemeanor.

Costs of arbitration how to be borne.

53. All the costs of and incident to any such arbitration to be settled by the arbitrators shall be in the discretion of the arbitrators or the umpire and shall be paid as the arbitrators or the umpire shall determine out of the purchase moneys arising from the sale of reclaimed lands to which such arbitration shall have reference.

Distinct awards may be made.

54. It shall be lawful for the arbitrators and umpire respectively if they think fit to make several and distinct awards so that each award be final in respect of the land therein comprised.

Award to be delivered to the Commissioners.

55. The arbitrators or the umpire shall deliver their or his award or awards in writing to the Commissioners and the Commissioners shall retain the same and shall forthwith on demand at their own expense furnish a copy thereof to each of the other parties to the arbitration and shall at all times on demand produce the said award or awards and allow the same to be inspected or examined by each such party or any person appointed by him for that purpose.

Submission to arbitration.

56. The appointment of arbitrators in manner aforesaid shall be deemed a submission to arbitration.

Submission to be made a rule of Court.

57. The submission to any such arbitration may be made a rule of the High Court on the application of either of the parties.

Award not void through error in form.

58. No award made with respect to any question referred to arbitration under the provisions of this Act shall be set aside for irregularity or error in matter of form.

Power of arbitrators.

59. The arbitrators shall forthwith after their appointment proceed to ascertain whether the persons whose names have been inserted in the list of persons claiming as aforesaid are duly entitled as aforesaid and may correct the list by the insertion of any name or names which may have been erroneously omitted by the Commissioners certifying every such correction under their hands and then the arbitrators shall proceed to determine the quantity of land gained or reclaimed.

Vesting of reclaimed lands.

60. The lands so determined by the arbitrators to have been reclaimed shall be awarded as to one-half thereof to the respective owners of the foreshore and as to the other half to the Commissioners and the arbitrators shall state in their award the site and quantity of the land to which the respective owners are in accordance with the provision of this section entitled and the land shall by virtue of the said award and this Act vest in such owners and in the Commissioners accordingly.

Reservation of minerals under reclaimed lands.

61. Nothing contained in this Act shall prejudice or defeat the right or interest of Her Majesty Her heirs or successors in and to all minerals of what nature or kind soever in or under any lands reclaimed or to be reclaimed but all such minerals shall notwithstanding the reclamation of any land remain vested in Her Majesty Her heirs successors and assigns and Her Majesty Her heirs successors and assigns and Her and their lessees agents servants and workmen may at all times enter upon any such lands as well after as before the same shall have been reclaimed and search for work raise and carry away all such minerals and also any other minerals from outside such lands in as full ample and beneficial a manner to all intents as could or might have been done before the passing of this Act and as if this Act had not been passed save only that the persons entering upon such lands for the purposes aforesaid or searching for working raising and carrying away the said minerals or any of them shall make reasonable compensation and satisfaction from time to time to the owners and occupiers of any such lands for all damage occasioned by the exercise of any of the said powers the amount of which compensation in case the parties differ about

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the same being in every case settled and determined by arbitration in the manner provided by the Arbitration Act 1889 or any then subsisting statutory modification or alteration thereof.

As to fences.

62. The arbitrators shall determine what fences shall be made on the said lands and by whom and at whose expense and within what time respectively they shall be made and shall state the same in their award.

As to roads for access to channel of river.

63. The owners and the Commissioners as to such of the reclaimed lands as are vested in them respectively shall be respectively entitled to construct and maintain over so much of the reclaimed lands as is vested in them respectively and over the training wall adjoining such lands for access to the channel of the River Loughor all necessary and convenient roads and approaches for the use of themselves respectively and their respective tenants servants and workmen to pass and repass for all purposes on foot or with horses waggons and carriages to and from the said channel from and to the said lands of the owners and of the Commissioners respectively.

Reclaimed lands when sold to confer the same rights over subsequently reclaimed lands as ancient enclosed lands.

64. After any reclaimed lands shall have been vested under this Act such lands shall in reference to all lands subsequently reclaimed between such lands and the harbour confer upon the owners thereof the same rights with respect to future reclaimed lands between such lands and the harbour as are by this Act conferred upon the owners and upon the Commissioners respectively.

Commissioners to keep their works in repair.

65. The Commissioners shall at all times hereafter maintain and keep in good repair the several walls and other works of the Commissioners situate upon and along the sides of the channel of the River Loughor and which form the river boundary of any lands reclaimed.

Commissioners to make drains over their lands to the Loughor.

66. The Commissioners shall make and at all times maintain all drains sluices and culverts of such widths depths capacities and dimensions as shall be necessary and proper for conveying the waters without obstruction in over and through the reclaimed lands to or into the channel of the River Loughor or the estuary thereof so that a good and effectual drainage may be afforded to the several owners and occupiers of lands in the several parishes adjoining the lands reclaimed or to be reclaimed under the provisions of this Act and all drains shall be made in such manner that the waters may be taken to and into the channel of the River Loughor or the estuary thereof without interruption in as direct a line as may be.

Powers to the Commissioners to

67. Subject to the provisions of this Act the Commissioners may with the consent of the mortgagees thereof for the time being

(if any) sell their estate and interest of and in all the reclaimed lands either together or in parcels and either by public auction or private contract with full power to buy in or rescind any contract for sale and to do and execute all such acts deeds and assurances for effectuating any such sale as the Commissioners shall think fit and the receipts of the mortgagees (if any) and of the treasurer of the Commissioners for the purchase-moneys arising by or from any such sale as aforesaid shall be sufficient and effectual releases and discharges to the several purchasers for so much money as in such receipts shall be respectively acknowledged to be received and the purchaser of any of the said lands shall not be obliged to see to the application of his purchase-money nor be accountable for the misapplication or non-application of the same.

sell lands gained or reclaimed.

68. The money to be received by the Commissioners from any sale of reclaimed lands shall be applied by them in paying off the principal moneys secured on any mortgages thereof made by the Commissioners and the surplus of such purchase-moneys may be applied in making and completing the several works matters and things by this Act authorised to be made done and executed or in or towards the payment and satisfaction of any other of the mortgage debts owing by them under or by virtue of the authority of the Act of 1878 or (subject thereto) of this Act.

Application of money arising from sales of reclaimed lands.

69. Subject to the provisions of this Act the Commissioners may grant and convey by way of mortgage their estate and interest in the whole or in any part or parts of the reclaimed lands as to the Commissioners shall seem expedient and all mortgages granted by the Commissioners under this enactment shall be entered upon the register of mortgages kept by the Commissioners under this Act Provided always that the total amount of money for the time being owing by the Commissioners upon the security of the reclaimed lands and of their undertaking or any part thereof respectively shall not exceed in the whole the sums for the time being authorised to be borrowed by the Commissioners.

Lands gained or reclaimed may be mortgaged.

70. The money to be received by the Commissioners from any mortgage of reclaimed lands may be applied by the Commissioners to all or any of the purposes to which any moneys arising from the sale of such lands could be applied under this Act.

Application of money arising from mortgages.

Part IV.—Dues.

71. From and after the passing of this Act all the provisions of the recited Acts authorising the levying demanding taking and recovering of tolls dues rates and charges by the Commissioners

Repeal of dues on ships and new dues substituted.

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shall be repealed and in lieu thereof the Commissioners may levy demand receive and take the dues authorised by this Act and in all mortgages made by the old commissioners or by the Commissioners and subsisting at the passing of this Act the dues by this Act authorised shall be substituted for such of the tolls dues rates and charges by this Act abolished as are charged by such mortgages.

Ship dues.

72. The Commissioners may demand and take for or in respect of—

Every vessel in the respective classes specified in Part I. of the Second Schedule to this Act on entering either of the docks any sum not exceeding the dues specified in Part I. of that schedule with respect to such classes respectively;

Every vessel which shall not enter either of the docks but which shall receive or deliver passengers or cargo at upon or from or in any way use any lock quay channel or other work of the Commissioners or any lands of the Commissioners the rates mentioned in Part I. of the said schedule for vessels not entering the dock:

The Commissioners may also demand and take in respect of every vessel mentioned in Part II. of the Second Schedule to this Act the dues in that part specified.

The said dues are in this Act referred to as "ship dues."

Stemming fee.

73. The Commissioners may demand and take for and in respect of every vessel entering either of their docks any sum not exceeding two shillings and sixpence for stemming such vessel.

Statement of draught of water of vessel entering lock.

74. The master or other person in charge of any vessel desiring to enter and before entering the lock shall state in writing to the harbour master the draught of water of such vessel and if he fail so to do or if he shall make any false statement as to such draught he shall be liable to a penalty not exceeding fifty pounds and such penalty shall be in addition to any damages recoverable in respect of any injury or damage caused by reason of any such failure or false statement.

Harbour rates.

75. The Commissioners may demand and take for or in respect of articles mentioned in the Third Schedule to this Act exported or imported over the bar any rates not exceeding the respective rates specified in that schedule.

The said rates are in this Act referred to as "harbour rates."

Wharfage rates.

76.—(1) The provisions of sections 25 and 26 of the Harbours Docks and Piers Clauses Act 1847 are incorporated with this section and subject thereto the Commissioners may demand and take in respect of cargo mentioned in the Third Schedule to this Act which shall be shipped or unshipped received or delivered

whether on or from any works of the Commissioners on or from any lands of the Commissioners within the harbour or into or out of any vessel within the dock works any sums not exceeding one-half the rates specified in the Third Schedule to this Act and as to all cargo not specified therein the Commissioners may demand and take a rate equal to the rate for the time being payable in respect of cargo of a similar nature package and quality and every such rate shall be payable by the owner or consignee of the cargo.

(2) The Commissioners may demand and take in respect of any cargo which remains upon any quay or land of the Commissioners for more than forty-eight hours any sum not exceeding one penny per square yard of space occupied by such cargo for every twenty-four hours and every fresh period of twenty-four hours entered upon but not completed shall be deemed to be twenty-four hours.

The said dues are in this Act referred to as "wharfage rates."

Rates for passengers.

77. The Commissioners may demand and take for every passenger embarking or disembarking at any work or on any land of the Commissioners within the harbour any sum not exceeding twopence.

Vessels only to land &c. at a licensed quay.

78. Subject to the provisoes to the section of this Act the marginal note whereof is "Port and harbour of Llanelly" no vessel shall except with the previous consent in writing of the Commissioners under the hand of the harbour master or other duly authorised officer of the Commissioners land or embark receive or deliver passengers or cargo within the harbour except at or upon some one of such quays or places as shall from time to time be licensed in that behalf by the Commissioners in accordance with byelaws in that behalf approved by the Board of Trade under the provisions of this Act and any person knowingly committing or wilfully permitting a breach of this enactment shall be liable for every such offence to a penalty not exceeding fifty pounds and to a further penalty not exceeding five pounds for every hour such breach shall continue.

Commissioners may appropriate parts of works to use of particular trades &c.

79. The Commissioners may from time to time as they think fit set apart and appropriate any lands or any part or parts of the harbour or the whole or any part of any graving dock quays warehouses or other buildings works or conveniences other than private wharves to or for the use and accommodation of any particular trades persons companies vessels or class of vessels or goods and may in addition to the other rates by this Act authorised to be demanded and taken demand and take such

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reasonable charges for such use and accommodation as they from time to time think fit No other person company or vessel shall make use of any lands part or parts of the harbour or any graving dock quay warehouse building work or convenience so set apart and appropriated without the consent in writing of the Commissioners under the hand of the harbour master and any person or any officer agent or representative of any company knowingly offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a further penalty not exceeding ten pounds for every day during any part of which such offence shall continue after conviction thereof and the harbour master may cause such person and the agent representative or any person employed by such company and any such vessel to be removed and the provisions of section fifty-eight of the Harbours Docks and Piers Clauses Act 1847 shall extend and apply mutatis mutandis to and in relation to any such vessel Provided that this section shall not apply to any lands belonging to any railway company.

Exemption from portion of dues.

80. The Commissioners may from time to time confer exemptions from such portion as they think fit of any dues payable under this Act Provided that every such exemption shall be made equally to all persons in respect of all vessels and all cargo falling within the same class or description and subject to the same dues and in the like circumstances.

Power for Commissioners to remit dues.

81. The Commissioners if and when they think fit may remit or return the whole or any part of any dues in respect of any vessel or cargo shown to their satisfaction to have been wrecked spoiled or damaged and may remit or return the whole or any part of any rates under any other circumstances which in their judgment make the remission or return reasonable and just so as the claim for the remission or return be made and substantiated to the satisfaction of the Commissioners within such time as in the circumstances they deem reasonable Provided that such remission shall be made equally to all persons in respect of all vessels and all cargo falling within the same class or description and subject to the like dues and in the like circumstances.

Rates for railways.

82. The Commissioners may take for the use of their railways and tramways such reasonable tolls rates and charges as they may from time to time with the approval of the Board of Trade appoint.

Commissioners may load &c. vessels.

83. The Commissioners upon request in that behalf made by the owner or captain of the vessel or the consignee of the cargo may load and discharge any vessel in the harbour or at any quay and may perform all or any services in respect of shipping

unshipping transhipping stowing unstowing landing relanding housing unhousing handling weighing coopering packing cording tying marking numbering labelling lettering sorting lotting tareing filling sewing bagging sampling piling unpiling watching loading unloading protecting delivering and repairing cargo and for preparing and furnishing certificates of weights or contents and for trimming coal and for any other service with respect to cargo shipped or unshipped or warehoused or deposited at their dock works and the Commissioners may provide all such trucks planks gear machinery and appliances and labour as may be necessary to effect the purposes aforesaid and may make such reasonable charges as they think fit for any such service performed and (subject as herein-after provided) for any such plant or material used in rendering such service.

If unnecessary delay Commissioners may discharge vessels.

84. Whenever in the opinion of the harbour master any unnecessary or inconvenient delay shall take place in the discharging unloading or loading of any vessel in any part of the docks other than alongside of a private wharf the harbour master may employ a sufficient number of persons to discharge unload or load or assist in the discharging unloading or loading of such vessel and the Commissioners may recover in any court of competent jurisdiction from the owner or agent of such vessel or the consignee of the cargo as the case may be the reasonable cost thereby incurred The master or other person in charge of any vessel who shall not when required so to do cause the deck of such vessel to be properly cleared of any articles or things which may impede the discharge unloading or loading of the cargo of such vessel shall be liable to a penalty not exceeding fifty pounds.

Commissioners may supply ballast.

85. All ballast to be discharged or removed from or put into any vessel within or at the docks and all services in relation to the stowing and trimming thereof shall if and when the Commissioners so order or direct be discharged or removed or performed by the Commissioners and the Commissioners may demand and receive from the master or owner of such vessel for such services such reasonable rates as they may from time to time order or direct not exceeding in any case where specific rates are prescribed by this Act the amount in that behalf named in the Fourth Schedule to this Act and where no specific rates are so prescribed such reasonable rates and sums of money as the Commissioners shall from time to time order or direct and all ballast removed or discharged upon any of the premises of the Commissioners shall be and become their absolute property.

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Craneage rates.

86. The Commissioners may demand and take for the use of any crane supplied by them the respective rates specified in that behalf in the Fourth Schedule to this Act.

Water for vessels.

87. The Commissioners may supply water for the accommodation of vessels on payment to the Commissioners of such reasonable rates as they shall appoint.

Rates for repairing slips.

88. The Commissioners may from time to time demand and take for the use of their graving dock and repairing slips from the owner or master of each vessel or craft using such graving dock and repairing slips such rates and sums respectively as the Commissioners shall from time to time reasonably appoint.

Dues to be paid upon arrival of vessels.

89. All dues shall be paid upon the arrival of the vessel to some collector of dues at the dock office of the Commissioners or at such other place or places as the Commissioners may fix by any byelaw in that behalf.

Authorising deposit on account of dues.

90. Any collector of dues may receive by way of deposit and on account of the dues to which any vessel or cargo may be liable such a sum of money as shall in his opinion be sufficient to cover the amount thereof.

Penalty for not making a true report of the ship's destination &c.

91. Any person applying to make payment of dues may be questioned by the collector of dues as to the most distant port from which such vessel has arrived or to which such vessel is bound and if such person shall refuse to answer any reasonable question or shall wilfully give a false or untrue answer he shall be liable to a penalty not exceeding fifty pounds.

Ships not to depart until dues paid.

92. No vessel shall leave the port until a certificate from some collector of dues of the payment of all dues payable to the Commissioners in respect of such vessel shall have been produced to and left with the collector of dues for that part of the harbour where such vessel was stationed and if any vessel liable to such dues shall depart from the port without the production and leaving of such certificate as aforesaid the owner of such vessel shall be liable to the payment by way of damages to the Commissioners of a sum not more than double the amount of the dues which should have been paid and in addition thereto the master of such vessel shall be liable to a penalty not exceeding twenty pounds.

Collectors to refuse entry when previous rates on vessels are unpaid and vessels may be detained.

93. While any dues remain unpaid in respect of any vessel or any goods therein liable thereto the collector of dues shall not receive any further or other entry in respect of such vessel and the Commissioners may cause such vessel to be detained until all such dues shall have been paid.

Officers of Inland Revenue and of the Board of Trade to have free access to dock without payment of toll &c.

94. All officers of Inland Revenue and of the Board of Trade being in the execution of their duty shall have free ingress and egress into and out of the docks and premises and through the entrance of the same and also freely to pass with their vessels and boats through the water communications of the docks and premises at all times without payment of any toll or sum for so doing.

Part V.—Transit Sheds and Warehouses.

Power to Commissioners to provide and declare transit sheds.

95. With the consent and subject to the regulations of the Commissioners of Customs the Commissioners may provide on any of the quays transit sheds for the reception of goods on such plan and of such dimensions as the Commissioners of Customs may approve Such transit sheds shall be part of the docks and subject to the approval of the Commissioners of Customs the Commissioners may from time to time repair renew alter discontinue or remove them and may keep the same provided with all requisite apparatus and conveniences for weighing and measuring goods and may demand and take for the use of such sheds apparatus and appliances such rents and charges as they may from time to time fix.

Deposit of goods in transit sheds.

96. The master or owner of or the agent for any vessel lying at or in and using the docks or the owner of any of the cargo of such vessel lying on the quay upon which any transit shed may have been erected and be open for the reception of goods may with the permission of the Commissioners or the superintendent of the transit sheds and subject to such regulations as the Commissioners of Customs may deem necessary for the security of the revenue cause such goods or any part thereof upon giving due notice to the proper officer of customs to be landed and deposited in such transit sheds without previously making any entry thereof and such goods so landed and deposited in such transit sheds shall for all purposes be considered as still on board the vessel from whence the same shall have been landed and shall be removable only from such transit sheds in the same manner and by the same process in all respects as the same might by law have been removed from such vessel in case the same were still actually on board thereof Provided always that nothing herein shall affect or limit the rights or obligations of the said master agent or owner of the said vessel or the owner of the goods under the contract made for the carriage thereof with respect to the mode time or place of delivery or landing thereof.

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Commissioners may enter goods if not entered by owner or consignee.

97. If the cargo of any vessel lying at any quay shall not be duly entered with the customs and the landing order lodged with the proper officer of the customs the Commissioners may on the requisition of the ship-master or ship-owner or of the agent of such ship-master or ship-owner or without such requisition if and when the despatch of business is hindered by reason of such cargo not being so entered cause a landing entry to be made of such cargo or of so much thereof as shall not have been entered and passed as aforesaid (such goods being such as by law may be warehoused) and may land such goods and warehouse or otherwise take charge of the same and the Commissioners may retain the goods as security for the payment of the customs duties (if any) to which they may be subject and of the rents rates and charges payable thereon to the Commissioners and also of the freight dead-freight demurrage salvage or other charges due by the owners of such goods when any notice to detain the same therefor shall have been given.

Power to Commissioners to charge for service and to detain &c.

98. The Commissioners may make reasonable charges for work and labour done by them in relation to any goods which they enter as aforesaid and may retain such goods as security for the payment of the customs duties and of the Commissioners' charges and the Commissioners may if they think fit also detain the same for rent freight lien or other charges claimed in respect thereof in case they have notice in writing to do so.

Commissioners may erect or adapt warehouses on quays.

99. The Commissioners may provide upon and around any of the quays such and so many warehouses of such dimensions and of such height and with such and so many vaults and cellars and of such materials and in such manner and form in all respects as they shall deem proper and may from time to time alter vary and remove the same and also may fit up adapt and use for the said purpose any existing warehouses or buildings now belonging to or which may be hereafter acquired by the Commissioners which warehouses shall thereupon be subject to all the provisions and entitled to all the privileges herein regarding warehouses which might be erected under the authority of this Act.

Power to appoint superintendent of warehouses and transit sheds.

100. The Commissioners may from time to time appoint a superintendent of the warehouses and a superintendent of the transit sheds who shall respectively take the charge and management of the same respectively on behalf and under the direction of the Commissioners and all notices or other documents which are hereby required to be given to the Commissioners with respect to the transit sheds or warehouses or the business connected therewith respectively if addressed to the Commissioners and left at the place

of business of the proper superintendent during the usual business hours shall be deemed to be given to the Commissioners.

Power to appoint interim superintendent.

101. The Commissioners also may from time to time appoint an interim superintendent to act in place of the superintendent in case of his absence.

Same person may be superintendent &c. of both warehouses and transit sheds.

102. The Commissioners may appoint the same person to be superintendent and interim superintendent of the warehouses and of the transit sheds.

Power to appoint weighers and recorders of weights and others and to pay salaries and wages.

103. The Commissioners may from time to time appoint license and employ weighers and recorders of weights in connexion with the powers by this Act conferred on them as warehouse keepers and may pay such salaries and wages to the superintendents and interim superintendents and such remuneration to the said weighers and recorders of weights as to the Commissioners shall seem proper and they may also from time to time fix the remuneration to be paid to such parties when and if employed by parties other than the Commissioners.

Provision as to huts &c. for Revenue officers.

104. The provisions of the Harbours Docks and Piers Clauses Act 1847 as to providing huts and weighing materials for the officers of the Revenue and imposing penalties for not providing the same and for allowing the same to fall into disrepair shall apply to the warehouses erected or adapted or to be acquired or leased by the Commissioners under the provisions of this Act.

Warehouses to be used as Customs or Excise warehouses.

105. Subject to the provisions of any Act for the time being in force and the regulations of the Commissioners of Customs or Inland Revenue with respect to approval and otherwise in relation to warehouses the Commissioners may at their discretion use as a Customs or Excise warehouse any warehouse belonging to or leased by them or any part of such warehouse.

Power to take rents and charges.

106. The Commissioners may act as warehouse-keepers on payment by the owners of goods warehoused and deposited or the person in charge of such goods of such fair and reasonable rents or charges as may from time to time be fixed by the Commissioners Provided always that the Commissioners shall not be entitled to act as aforesaid or make such charges if and so long as the owners of such goods are themselves ready and willing to perform such acts.

Goods warehoused to be previously weighed &c.

107. The Commissioners may require previous to any goods being warehoused by them as aforesaid that the said goods shall be weighed by weighers and recorders appointed by them and they shall be entitled to make such reasonable charges in respect of such weighing as they may from time to time fix.

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Commissioners may make other charges.

108. The Commissioners shall be entitled to make all reasonable charges for work done and services rendered and for facilities afforded and plant machinery or appliances provided by them and used for the despatch of business at the docks and works for the convenience of shipmasters merchants and others concerned with the traffic thereat in so far as such charges are not expressly provided for by this Act.

Rents &c. for goods when to be paid.

109. All rents and charges payable under this Act to the Commissioners in respect of perishable goods shall be paid at or before the expiration of two days and in respect of any goods not of a perishable nature at or before the expiration of three months next after the cargoes of the vessels importing the same respectively shall have been completed discharged or unloaded into any warehouse of the Commissioners or next after such goods respectively shall have been brought into any such warehouse and at the expiry of every six months thereafter so long as the goods shall remain in the warehouse or previously to the removal of the same from such warehouse whichever shall first happen.

Commissioners may sell goods for payment of rent and charges or may bring action.

110. In case default shall be made in payment of any rents or charges in respect of goods it shall be lawful for the Commissioners first paying the Customs and Excise duties (if any) to retain and sell the goods or any part thereof and after retaining the amount of such duties to retain and pay in the first place the rents and charges so unpaid as aforesaid including the expenses of such sale and in the next place the freight due on such goods (in case the Commissioners shall have received notice that such freight has not been paid) paying the surplus (if any) and also delivering such of the said goods as shall remain unsold (the rents and charges due in respect thereof having been discharged as aforesaid) to the person entitled thereto upon demand Provided always that it shall be lawful for the Commissioners either in lieu of selling such goods or notwithstanding such sale if the produce of such sale shall be insufficient to recover the amount of such rents and charges or the balance thereof as the case may be which shall be due to them by action or claim to be brought or made in any court of competent jurisdiction.

Goods warehoused to remain subject to freight.

111. All goods warehoused by the Commissioners or deposited in any of their warehouses by any person having or claiming an interest in such goods or by the owner or master of the vessel out of which the same may have been warehoused or by any person interested in the freight of such vessel or entitled to or claiming the benefit of any other claim or lien whatsoever to which the goods were subject while the same were on board and before the

warehousing thereof shall continue liable to such and the same claim or lien for freight and also to all other claims or liens whatsoever in favour of the owner or master of such vessel or of any other person interested in such goods or in the freight of such vessel or entitled to or claiming the benefit of any other claim or lien thereon as such goods were liable to whilst the same were on board such vessel and before the warehousing thereof.

Transfer of goods in sheds detained for freight.

112. The Commissioners may (but only with the consent of the collector of customs when such consent is requisite) transfer from any shed or warehouse to any other shed or warehouse any goods deposited in such first-mentioned shed or warehouse and detained therein for payment of freight.

Freight not to be affected by removal.

113. No removal of goods from any shed or warehouse of the Commissioners to any other shed or warehouse of the Commissioners shall prejudicially affect any lien for freight attaching to such goods.

Notice may be given to Commissioners to detain goods until freight &c. be satisfied or deposit made.

114. If notice in writing to detain such goods shall be given to the Commissioners by such owner or master or other person interested as aforesaid previously to the warehousing thereof being completed the Commissioners shall detain and keep such goods in their warehouses until such claims or liens together with all rates rents and charges to which the same shall have become subject or liable shall be paid or until such rates rents and charges shall be paid and a deposit equal in amount to the demand made by the owner or master of the vessel or other person interested as aforesaid for or on account of any such claim or lien as aforesaid shall have been made by such owner master or other person interested as aforesaid which deposit the Commissioners shall receive and hold in trust until the amount due in respect of such claim or lien shall have been tendered or satisfied when upon proof thereof being given to the Commissioners to their satisfaction and payment made to them of all rates rents and charges (if any) due upon such goods such deposit shall be returned upon demand to the person by whom the same was made or to his executors administrators or assigns.

Deposit to be considered as made in payment of claim.

115. Such deposit shall be considered as made in payment of the claim or lien in respect of which such deposit shall have been made and the Commissioners on the expiration of ten days next after such deposit shall have been made and in case notice in writing to retain the amount of such deposit shall not in the meantime have been given to the Commissioners by some person claiming to be entitled to such goods shall out of so much of the said deposit as shall remain after deducting and retaining the rates rents and charges (if any) then due to the Commissioners on the goods in

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respect of which such deposit shall have been made and all other expenses (if any) incurred by the Commissioners in respect thereof pay to the master or owner of the vessel from which such goods shall have been warehoused or other person entitled to or interested in such claim or lien the amount of his claim or lien and the payment so made by the Commissioners shall release and discharge them from all claims and demands whatsoever in respect of so much of such deposit as they shall have paid to such master owner or other person interested as aforesaid.

Notice to have effect for thirty days only unless action &c. be brought.

116. Such notice to the Commissioners to retain the amount of any such deposit as aforesaid shall not continue to operate or have effect for a longer period than thirty days from the service thereof unless some action claim suit or other proceeding for determining the title or liability to the claim or lien in respect of which such deposit shall have been made or the right to or the ownership of such deposit shall in the meantime be actually commenced and notice in writing thereof served on the Commissioners.

Power of sale if deposit be not made.

117. If such deposit shall not be made within ninety days next after any such goods shall have been warehoused and in case notice to detain such goods shall have been given as aforesaid the Commissioners may after the payment of duty (if any) payable to the Commissioners of Customs or Inland Revenue sell all or any part of such goods and out of the proceeds thereof retain the amount of the duties so paid and also retain and pay the rents rates and charges payable to the Commissioners and the expenses of such sale and in the next place may pay the freight and other claims or liens to which such goods may be liable paying the overplus (if any) to the person entitled thereto on demand.

Power of sale only to be exercised after notice.

118. No such sale shall be made by the Commissioners until ten days previous notice in writing of such claim or lien thereon as aforesaid and of the intention to sell the said goods for satisfaction thereof shall have been given to the owner thereof if his name and residence or place of business shall appear on the manifest of the cargo or shall have been entered in the books of the warehouse in which such goods shall have been deposited by sending such notice in a registered letter by post to such residence or place of business and if such owner shall not be known then until ten days after such notice shall have been inserted once in some newspaper published in London and one or more newspapers published in each of the counties of Carmarthen and Glamorgan and the Commissioners shall not sell a greater portion of such goods than shall in their judgment be sufficient to cover the amount of the said

duties rents charges and expenses and of such claim or lien as aforesaid. A.D. 1896.

Notice to detain goods must be given.

119. Notice to detain goods for payment of freight or any other claims or liens to which such goods were liable whilst on board any vessel and before the warehousing thereof shall not be available unless the same shall be given to the Commissioners before the warehousing thereof shall have been completed.

Preserving rights of parties at common law.

120. Nothing in this Act contained shall be held to take away limit prejudice or affect any power of the shipmaster or shipowner or other party having claims and liens for freight dead-freight demurrage salvage average or other charges in respect of or relating to goods imported into or unshipped at the port to enforce and secure such claims and liens in conformity with the contract express or implied under which such claims and liens arise Provided that the Commissioners shall not be in any manner responsible for or affected by the invalidity of any such alleged claim or lien.

Charges for use of warehouses &c.

121. The Commissioners may demand and take in respect of the use of warehouses provided by them or of sheds wherein goods are temporarily stored (other than transit sheds) such rents and charges as the Commissioners may from time to time fix and the same may be recovered as dues on goods are recoverable by the Commissioners.

Power for Commissioners to insure against fire.

122. The Commissioners may if they think fit insure from loss or damage by fire their sheds and warehouses and the contents thereof or any of them but they shall not be under any obligation to do so.

Commissioners not to be liable for loss by fire &c.

123. The Commissioners shall not under any circumstances or in any case whatsoever be answerable or accountable for or be liable to make good any loss or damage which may happen to any goods or to any vessel or to any property of any description by fire theft storm tempest floods or vermin or from any civil commotion or by the act of the Queen's enemies or other inevitable accident or from any other cause not arising directly from the default or neglect of the Commissioners their officers or servants.

Provisions as to certificates and warrants for delivery of goods.

124. With respect to the giving of certificates and warrants by the Commissioners for the delivery of goods the following provisions shall have effect (that is to say) :—

(1) The Commissioners from time to time at the request of any person warehousing or depositing any goods in any warehouse or upon or in any of the quays or sheds of the Commissioners specially appropriated for the purpose or entitled to any goods so warehoused or deposited may if the Commissioners think fit

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issue and deliver to him a certificate in a form approved by the Commissioners of the goods so warehoused or deposited or a warrant in a form approved by the Commissioners for the delivery of the goods so warehoused or deposited or any part thereof to be respectively specified in the warrant:

(2) No such warrant for delivery shall be given unless and until all liens and claims for freight and all other liens or claims whatsoever to which the goods were liable while on board any vessel and before the warehousing or depositing of the same and of which the Commissioners have notice in writing and all rates rents charges and expenses payable to the Commissioners with respect to the warehousing or depositing of the goods or for services performed by the Commissioners in respect thereof are paid or discharged:

(3) Before a warrant for the delivery of all or any of the goods specified in any certificate is issued by the Commissioners the certificate shall be delivered to them to be cancelled Provided that if the warrant be for the delivery of part only of the goods the Commissioners shall issue to the person so delivering up the certificate a new certificate with respect to the goods not specified in the warrant:

(4) Every such certificate or warrant for delivery shall be deemed to be a document of title to the goods specified therein and shall be transferable by endorsement and any holder of such certificate or warrant whether the person named therein or the indorsee thereof shall have the same right to the possession and property of such goods as if they were deposited in his own warehouse:

(5) Every such certificate or warrant shall state on the face thereof the effect of the last preceding sub-section and that the certificate or warrant is issued under the powers of this Act:

(6) The Commissioners may charge for each certificate or warrant any sum not exceeding two shillings.

Lands &c. for transit sheds and warehouses.

125. For the purpose of providing transit sheds and warehouses (whether free or bonded) the Commissioners may exercise the following powers and the following provisions shall have effect (that is to say):—

(1) They may by agreement purchase or take by way of exchange or on lease or hire any lands warehouses or buildings:

(2) They may on any lands for the time being belonging to them erect fit up and maintain transit and other sheds and warehouses with all necessary conveniences and appliances:

(3) They may sell let on lease or otherwise dispose of any such lands for the erection thereon by any person or company of such sheds and warehouses :

(4) They may hold use or let such sheds and warehouses and may appropriate them or any of them to and for the use of certain trades persons or companies for such periods and at such rents or for such other payments and upon such terms and conditions as may be agreed on between the contracting parties :

(5) They may enter into and fulfil contracts and agreements with any person or company for and in relation to the exercise of the powers of this section either by the Commissioners alone or jointly with any such person or company :

(6) They may with the consent and subject to the regulations of the Commissioners of Customs make all such usual and proper provisions and regulations as they think fit with respect to the management and user of the transit sheds and warehouses and the security of the goods therein :

(7) All transit sheds and bonded warehouses shall be erected or provided only with the consent and subject to the regulations of the Commissioners of Customs.

Part VI.—Tugboats.

Commissioners may license tugboats.

126. The Commissioners may from time to time provide purchase or hire and let and take charges and remunerations for tugboats and may also from time to time license such number of tugboats belonging to any person for such period and on such terms and conditions as they may think fit and may from time to time fix such rates and charges as appear to them reasonable for or in respect of the use of such tugboats and such rates and charges shall be paid by the owner master agent manager or other person having charge of the vessel obtaining assistance of such tugboats to the Commissioners or to the owner of such tugboats if licensed by them as the case may be and such rates and charges shall be due and payable whether such tugboats shall be actually employed or not provided the assistance thereof shall have been required and shall in consequence of such requisition have been tendered by the master or other person having the command of such tugboats.

Masters of tugboats to be licensed &c.

127.—(1) No tugboat shall tow a vessel within any part of the port unless such tugboat be under the command of a person licensed in that behalf by the Commissioners and the Commissioners may license for such period and on such terms and conditions as

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they think fit any competent persons to act as masters of tugboats to tow vessels within the port and may for reasonable cause revoke or suspend such licence.

(2) If the Commissioners exercise the foregoing powers of this section all competent masters of tugboats which are licensed by the Commissioners at the passing of this Act shall be entitled to receive licences.

(3) If any dispute arise between the Commissioners and the owner or master of any tugboat with respect to the refusal by the Commissioners of any such licence such dispute shall be settled by an arbitrator to be appointed by the Board of Trade.

Penalty for tugboats plying without a licence.

128. Every person who without the permission of the Commissioners first applied for and obtained shall use or employ any tugboat for towing vessels within the harbour except such as shall be licensed provided or employed by the Commissioners or other person having their authority and not commanded by a person licensed in that behalf by the Commissioners shall for every such offence be liable to a penalty not exceeding five pounds Provided that no licence shall be refused to any suitable and efficient tugboat.

Part VII.—Byelaws.

Additional byelaws.

129. In addition to the powers of making byelaws contained in any other enactment enabling the Commissioners to make byelaws they may from time to time subject to the provisions of this Act make such byelaws as they think fit for all or any or either of the following purposes (that is to say) :—

For preventing any part of the docks or works specially appropriated by the Commissioners for any particular trade business or purpose being used for any other purpose so as to prevent or interfere with its use for the purpose for which it is so appropriated ;

For preventing and removing obstructions or impediments at or in the docks and works and the roads and accesses thereto respectively ;

For regulating the use of and the moving of carriages waggons and trucks along the quays and the rails sidings and turntables of the Commissioners thereon ;

For regulating the user of the quays ;

For regulating the conduct of the owners masters and crews of vessels propelled by steam with respect to the rate of speed at which they may proceed within the harbour and for requiring such vessels to stop or slow their engines at such times and

places as the Commissioners may require and to keep the advertised times of sailing and for regulating the taking on board landing or putting out of passengers;

For regulating the towing of vessels within the harbour the size and number of vessels to be towed in one train or by one or more tugboats the speed at which tugboats or other towing power shall proceed (whether towing or not) the order and manner in which the towage shall be given and the duties and conduct of all persons employed in or upon tugboats or other towing power;

For regulating the using of the buoys of the Commissioners and the charges to be made therefor;

For regulating the terms and conditions of the granting of licences for tugboats or other towing power;

For regulating the terms and conditions of and the payments to be made for the granting of any licences under the powers of this Act;

For the prevention of cruelty in the shipping unshipping landing and removal of animals;

For fixing the rents rates tolls duties and charges for and for regulating the use of warehouses sheds depôts quays trucks barges machinery plant and appliances and labour provided by the Commissioners;

For fixing the rates to be charged for hire and use of tugboats and for the towing of vessels;

For regulating the times and manner of paying and the places for payment of the dues and rents payable to the Commissioners;

For berthing and removing vessels lying in any part of the harbour and regulating the conduct and behaviour of boatmen lumpers jobbers stevedores and others resorting to the docks or works;

For regulating the ballasting of vessels within the docks and the order and manner in which they shall be supplied with ballast and the discharging and removal or disposal of ballast;

For preventing the exhibiting or placing in or on any of the works of any goods for sale other than such goods as the Commissioners from time to time think fit to be permitted to be sold there and other than perishable articles landed on the quays and sold within forty-eight hours of their being landed;

For directing regulating or preventing the user of fires candles and lamps within and upon the docks and works or on board of any vessel being within the docks or works or within fifty yards of the entrance to the lock;

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For preventing the smoking lighting or burning of tobacco or any herb or substance whatsoever in any such vessel or in upon or within the limits of the docks or works :

And such byelaws except so far as they relate solely to the Commissioners or their officers or servants shall be subject to the provisions with respect to byelaws of the Harbours Docks and Piers Clauses Act 1847 except section 85 of that Act but no such byelaws shall have any force or effect unless and until the same be confirmed by the Board of Trade and no byelaws relating to transit sheds or bonded warehouses shall have any force or effect unless and until they shall have been sanctioned by the Commissioners of Customs and only so long as such sanction shall continue :

Any person who offends against any byelaw shall be liable for every offence to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings for every day such offence shall continue after conviction therefor and such penalties shall be in addition to any damages which may be recoverable by the Commissioners or by any person or company for any loss or injury to them or him or to their or his property consequent on such offence.

Part VIII.—Finance.

Power to borrow.

130. — (1) The Commissioners may from time to time (in addition to any other moneys they are authorised to borrow under any other Act) borrow at interest with the consent of the Council the following sums for the following purposes (that is to say) :—

For payment of the costs charges and expenses of this Act as herein-after defined the sum necessary for the purpose ;

For the construction of the works by this Act authorised one hundred and fifteen thousand pounds ;

For the other purposes of the recited Acts (so far as the same are respectively in force) and this Act such sums not exceeding twenty-five thousand pounds as the Board of Trade may consider expedient for improving the harbour and facilitating the trade of the port and may sanction accordingly.

(2) Subject to the provisions of this Act the Commissioners may mortgage the harbour revenue and may by way of collateral security charge the moneys borrowed upon the income of the public estates and of the public estates capital money.

(3) In case the harbour revenue so mortgaged shall at any time prove insufficient for the payment of any sum required for the repayment of any moneys borrowed under the powers of this

Act or for the payment of any interest on such moneys such sum shall be deemed to be and shall be charged on the income of the public estates subject to any charges affecting the same and then subsisting and to the provisions of Part II.—Public Property Undertakings &c. (Public Estates) of the Act of 1888.

Power to borrow under Local Loans Act 1875.

131.—(1) The Commissioners may if they think fit borrow any moneys which they are by this Act authorised to borrow under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another Any moneys borrowed by the Commissioners in manner by this section authorised shall be a charge upon and shall be paid out of the same funds and rates as they would be charged upon and paid out of if raised by way of mortgage under this Act and such funds and rates shall in each case be deemed to be the local rate as defined by the Local Loans Act 1875 Every such loan shall be discharged within the time by this Act prescribed in that behalf.

(2) All moneys paid into any sinking fund formed for the purpose of such discharge shall be applied by the Commissioners in the manner in which sinking funds are by this Act authorised to be applied.

Consent of Council to be endorsed on mortgages &c.

132. No deed of mortgage made and no debenture or annuity certificate or certificate of debenture stock issued by the Commissioners shall be of any validity unless the consent of the Council be endorsed thereon and be witnessed by the seal of the Council.

The terms of this enactment shall be stated on all deeds of mortgage debenture or annuity certificates and certificates of debenture stock issued by the Commissioners.

If harbour revenue insufficient for payment of principal and interest Council to make up deficiency out of income of public estates &c.

133. If at any time the funds in the hands of the Commissioners from the harbour revenue be insufficient for the repayment of any moneys borrowed by the Commissioners with the consent of the Council under the authority of this Act or for the payment of any interest on such moneys the Council shall as soon as may be after demand in writing in that behalf under the seal of the Commissioners pay to the order of the Commissioners any sum or sums so demanded out of the surplus income of the public estates for the time being in the hands of the Council and the income of the public estates capital money as provided by the said Part II. of the Act of 1888 and if such surplus and other income be insufficient for the purpose aforesaid the Council shall pay the deficiency out of the general district rate.

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Council may collaterally secure moneys borrowed by Commissioners by charge on general district rate.

134. In addition to the powers by this Act given for securing the repayment of moneys borrowed by the Commissioners thereunder and the payment of the interest on such moneys the Council may if they think fit from time to time by way of further collateral security charge the repayment of such moneys and the payment of such interest on the general district rate:

Provided that the aggregate amount which may in any one year become payable in respect of any loans to the Commissioners under whatever Act raised shall not exceed the amount which might in such year be produced by a general district rate of one shilling in the pound on the assessable value for that year of property assessable to the general district rate Provided also that such collateral security shall cease at the expiration of sixty years from the first day of January one thousand eight hundred and ninety-seven and that for the repayment of the moneys so collaterally secured the first instalment shall be paid or the first payment to the sinking fund (as the case may be) shall be made on the first day of January one thousand eight hundred and ninety-seven as regards any such moneys then borrowed and in respect of any such moneys borrowed subsequent to that date on the first day of January next following the borrowing thereof Every mortgage created under this section shall be deemed to be a mortgage to which the provisions of the two hundred and thirty-sixth to the two hundred and thirty-ninth sections of the Public Health Act 1875 apply and the provisions of those sections shall apply thereto accordingly.

As to application of harbour revenue.

135. Before applying the harbour revenue in improving the harbour and works of the Commissioners as provided by section 19 (4) (Application of revenue) of the Act of 1878 the Commissioners shall pay the interest on moneys borrowed by them under the powers of this Act and provide the requisite instalments or appropriations to sinking fund prescribed by this Act and the said section 19 shall be read and construed accordingly.

As to repayment of borrowed moneys.

136. The Commissioners shall at and after the expiration of seven years from the passing of this Act make provision to the satisfaction of the Board of Trade for paying off all moneys so borrowed within any time not exceeding sixty years after the date of the borrowing thereof either by equal annual instalments of principal or of principal and interest combined or by means of a sinking fund appropriated and invested and with the accumulation thereof (if any) from time to time applied in the redemption of such borrowed moneys.

Power to reborrow.

137. If the Commissioners can at any time borrow any money at a lower rate of interest than any securities given by them and

then in force shall bear or if the Commissioners pay off any moneys borrowed by them under the powers of this Act otherwise than by means of instalments or of a sinking fund or out of the proceeds of the sale exchange or disposition of lands or other moneys received on capital account (other than borrowed moneys) they may reborrow the same and so from time to time Provided as follows (that is to say) :—

All moneys so reborrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such reborrowing shall have been made:

Any amounts from time to time reborrowed shall be deemed to form the same loan as the moneys in lieu of which such reborrowing shall have been made and the obligations of the Commissioners with respect to the repayment of such moneys shall not be in any way affected by such reborrowing.

Commissioners not to regard trusts.

138. The Commissioners shall not be bound to see to the execution of any trust whether expressed or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register book of the Commissioners shall be a sufficient discharge to the Commissioners in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Commissioners have had notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered in their register and the Commissioners shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any of such money.

Incorporating certain sections of Act of 1878.

139. The following sections of the Act of 1878 (that is to say) :—

Section 15 (Annual return to Board of Trade with respect to instalments and sinking fund);

Section 16 (Provision as to loan by Public Works Loan Commissioners);

Section 17 (Priority of existing mortgages and bonds);

Section 18 (Application of borrowed moneys);

Section 22 (Receipt in case of persons not sui juris);

Section 23 (Protection of lenders from inquiry) with the exception of the words "or entitled";

shall extend and apply mutatis mutandis to and in relation to moneys borrowed under the powers of this Act.

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PART IX.—MISCELLANEOUS.

Saving rights of the Llanelly and Mynydd Mawr Railway Company and John Waddell & Sons.

140. Nothing in this Act shall prejudicially affect the rights claims privileges or interests of the Llanelly and Mynydd Mawr Railway Company under the lease bearing date the eleventh day of January one thousand eight hundred and eighty-two and made between the Commissioners of the one part and the said railway company of the other part or the rights privileges or interests of John Waddell and Sons under or by virtue of an assignment of the said lease bearing date the fifth day of April one thousand eight hundred and eighty-two and made between the Llanelly and Mynydd Mawr Railway Company and John Waddell and all questions arising under the provisions of the said lease may be as freely and fully raised and dealt with either by a reference to arbitration or otherwise as agreed as effectually as if this Act had not been passed.

Saving rights of the Crown in the foreshore.

141. Except as is by this Act expressly enacted with respect to the reclamation of lands nothing contained in this Act shall authorise the Commissioners to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's Most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Saving rights of the Crown.

142. Except as provided in this Act nothing contained in this Act shall authorise the Commissioners to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's Most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Saving rights of Duke of Beaufort K.G.

143. Except as by this Act expressly provided nothing herein contained shall affect prejudice alter diminish abridge or take away

any royalty right or property of the most noble Henry Charles FitzRoy Duke of Beaufort K.G. his heirs or assigns in or to the foreshore and bed of the said estuary and rivers Loughor and Burry on the Glamorganshire side of the said estuary and rivers and the water channel and soil of the said estuary and rivers or as lord of the said seigniory of Gower but except as aforesaid the same respectively shall remain to him wholly and altogether as if this Act had not been passed.

Provision for Merchant Shipping Acts and general Acts.

144. Nothing in this Act contained shall exempt the docks or the Commissioners from the provisions of the Merchant Shipping Act 1894 or any general Act relating to docks or dues on shipping or on goods carried in ships now in force or which shall be passed during the present or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the dock rates or duties by this Act authorised.

Costs of Act.

145. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Commissioners out of the harbour revenue or out of moneys to be borrowed for the purpose under the powers of this Act.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Articles of Agreement made the nineteenth day of June 1896 between The Queen's Most Excellent Majesty of the first part Edward Stafford Howard Esquire a Commissioner of Woods acting under the powers of the Crown Lands Acts of the second part and The Llanelly Harbour and Burry Navigation Commissioners (herein-after called "the Harbour Commissioners") of the third part.

Whereas the Harbour Commissioners have applied to Parliament for an Act authorising them to construct works by reason whereof lands below high-water mark would be reclaimed:

And whereas certain of the said lands below high-water mark are the property of Her Majesty in right of Her Crown and it has been agreed between the said Edward Stafford Howard as such Commissioner as aforesaid and the Harbour Commissioners that the following Agreement shall be entered into relative thereto:

Now these Presents witness and the said Edward Stafford Howard on behalf of Her Majesty and the Harbour Commissioners do hereby agree as follows:—

1. This Agreement (except the 4th clause hereof which shall be binding in any event) shall not have any force or validity unless the said Act shall with such alterations as may be sanctioned by Parliament become an Act of Parliament in the present session in which case this Agreement shall be binding.

2. The Harbour Commissioners shall within one year from the passing of the said Act pay to the Commissioners of Woods on behalf of Her Majesty the sum of two thousand one hundred pounds and thereupon the Commissioners of Woods shall convey to the Harbour Commissioners the estate and interest of Her Majesty Her heirs and successors in all those four pieces of land or foreshore within the Harbour of Llanelly which said pieces of land or foreshore are delineated on the plan annexed hereto and are thereon coloured pink and numbered 2 3 4 and 5.

3. The conveyance to the Harbour Commissioners shall be prepared in duplicate by the solicitor of the Commissioners of Woods in such form as he shall consider expedient and shall contain all such clauses as are usually inserted in Crown grants of a similar description including a clause reserving to Her Majesty Her heirs and successors all minerals of what nature or kind soever in or under the lands to be conveyed with full power for Her Majesty Her heirs successors and assigns and Her and their lessees agents servants and workmen to enter upon the said lands and search for work raise and carry away all such minerals and also all other minerals from outside such lands and providing that the persons entering upon such lands for the purposes aforesaid or searching for working raising or carrying away the said minerals or any of

them shall make reasonable compensation and satisfaction from time to time to the owners and occupiers of such lands for all damage occasioned by the exercise of any of the said powers the amount of which compensation in case the parties differ about the same being in every case settled and determined by arbitration in manner provided by the Arbitration Act 1889 or any then subsisting statutory modifications or alterations thereof.

4. The Harbour Commissioners shall pay the costs of the surveyors and solicitor of the Commissioners of Woods and all other costs and charges incurred by the Commissioners of Woods in reference to this Agreement and in relation thereto.

5. And the said Edward Stafford Howard doth hereby direct that this deed shall be deemed to be fully and sufficiently enrolled by the deposit of a duplicate thereof in the Office of Land Revenue Records and Enrolments and the filing or making an entry of such deposit by the keeper of the said records and enrolments.

In witness whereof the said Edward Stafford Howard hath hereunto set his hand and seal and the Harbour Commissioners have caused their common seal to be affixed the day and year first above written.

Signed sealed and delivered by the above-named Edward Stafford Howard in the presence of
J. M. Duncan
Office of Woods &c.
Whitehall Place.
} E. Stafford Howard.

The Common Seal of the Llanelly Harbour and Burry Navigation Commissioners was duly affixed at a meeting of the said Commissioners held on the 19th day of June 1896.
Jno. Jennings
Clerk.
} L.S.

THE SECOND SCHEDULE.

Ship Dues chargeable on each Registered Ton.

PART I.

	Rate per ton. s.	d.
First Class.		
On all sailing steam or other vessels entering from or departing for any port in the United Kingdom Isle of Man Jersey Guernsey Alderney and Sark under 100 tons register - - -	0	1½
100 tons and under 200 tons register - - - -	0	2
200 tons register and upwards (except steam vessels) - - -	0	3
Steam vessels of 200 tons register and upwards - - -	0	2
Second Class.		
On all sailing steam or other vessels entering from or departing for any port in Europe between the North Cape and Cape Finisterre - - - - - - -	0	5

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	s.	d.
Third Class.		
On all sailing steam or other vessels entering from or departing for any other port in Europe and the Mediterranean - -	0	7
Fourth Class.		
On all sailing steam or other vessels entering from or departing for all other foreign ports whatsoever - - - -	0	9
Fifth Class.		
On all sailing steam or other vessels which do not enter within the gates of any dock but which either discharge or receive passengers or goods at upon or from or in any way use any lock quay channel or other work of the Commissioners or any lands of the Commissioners - - - - -	0	3

If any sailing steam or other vessel being of less than 200 tons measurement shall remain within any dock for a period longer than ten days or being of 200 tons and less than 400 tons measurement for a longer period than fourteen days or being of 400 tons measurement or upwards for a longer period than 21 days then for the period during which the vessel remains beyond those periods respectively the further rates following (that is to say):—

For every day or part of a day in the first week one-seventh of one penny per ton;

For every day or part of a day in the second week one-seventh of three half-pence per ton;

For every day or part of a day in any week after the second week one-seventh of two pence per ton:

Every day entered on but not completed shall be deemed a day.

PART II.

(A.) For every vessel coming in or going out (each way) over the bar the lighthouse dues of not exceeding one halfpenny per ton register:

(B.) For every vessel coming in over the bar the buoyage dues of not exceeding—

Until the Commissioners shall have obtained from the Board of Trade a certificate that the channel from the bar to the new cut is sufficiently lighted one penny per ton register:

And from and after the date of such certificate—

As to vessels going elsewhere than to Burry Port an additional one penny per ton register; and

As to vessels only going to Burry Port or to any tidal shipping place or jetty on the Glamorganshire side of the estuary and rivers belonging to the Most Noble Henry Charles FitzRoy Duke of Beaufort K.G. such additional sum (if any) not exceeding one penny per ton register as the Board of Trade may prescribe.

THE THIRD SCHEDULE.

RATES ON ARTICLES EXPORTED OR IMPORTED OVER THE BAR.

		s.	*d.*
Acorns	per ton	0	3
Alabaster	per ton	0	4
Ale beer porter cyder and perry	per 108 gallons	0	4
„ „ „	per 54 gallons	0	3
„ „ „	per 36 gallons	0	2
„ „ „	per 18 gallons	0	1
„ „ „	bottled per dozen bottles	0	0½
Alkali	per ton	0	2
Alkanet root	per cwt.	0	1
Almonds	per cwt.	0	1
Aloes	per cwt.	0	2
Alpaca	per cwt.	0	2
Alum	per ton	0	6
Alva marina or sea grass	per cwt.	0	1
Amber rough	per ton	0	3
„ manufactured	per 28 lbs.	0	3
Ambergris	per cwt.	0	6
Anchovies	per cwt.	0	3
Angelica	per cwt.	0	3
Animals alive not otherwise rated	each	0	6
„ stuffed or preserved	each	0	3
Anacardium or cashew nut	per bushel	0	1
Annatto	per cwt.	0	3
Aniseeds	per cwt.	0	3
Antimony	per ton	0	6
„ ore of	per ton	0	3
Apples	per cwt.	0	1
„ (loose)	per ton	0	6
Aquafortis	per cwt.	0	6
Argol	per ton	1	0
Arrow root and powder	per cwt.	0	3
Ashes Barilla black bleaching common Irish soda weed and wood	per ton	0	2
„ pearl and pot	per ton	0	6
Arsenic	per ton	0	3
Asphaltum	per ton	0	6
Asphalte rock	per ton	0	6
Assafœtida	per cwt.	0	3
Bacon	per cwt.	0	0½
Baggage	per small package under 56 lbs.	0	1
„	per package 56 lbs. and under 2 cwt.	0	2
„	per package 2 cwt. and upwards	0	4
Bagging	per cwt.	0	0½

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		s.	*d.*
Bags and bundles of goods not otherwise rated	each	0	1
Baskets of goods not otherwise rated	each	0	1
Balsams	per cwt.	0	3
Bark medicinal	per cwt.	0	3
Bark tanners and others	per ton	0	3
Basket rods	per 28 lbs.	0	0¼
,,	per 1,000	0	2
Bass mats	per 120	0	3
Bass rope	per ton	0	6
Beads	per cwt.	0	6
Beef or pork	per cwt.	0	1
Beehives	per dozen	0	3
Bees' wax	per ton	0	10
Bell metal	per ton	0	4½
Bellows smiths'	each	0	3
Berries	per cwt.	0	1
Betel-nut	per cwt.	0	1
Birdlime	per cwt.	0	1
Bitumen	per cwt.	0	1
Blacking	per cwt.	0	1
Black jack	per ton	0	2½
Black lead	per ton	0	10
Bleaching powder (chloride of lime)	per ton	0	4
Blocks heel	per gross	0	1
,, last	per 1000	0	6
,, ship	per 100	1	0
Blubber	per ton	0	6
Blue	per cwt.	0	1
Boats	each	1	0
Bobbins	per cwt.	0	1
Bones	per ton	0	6
Bonnets	per 28 lbs.	0	1
Boots and shoes	per cwt.	0	2
Boracic acid	per ton	1	0
Borax or tincal	per ton	1	0
Bottles empty	per gross	0	2
Bows of wood	per dozen	0	0½
Bowls for cattle	per dozen	0	0½
Boxes empty	each	0	1
Bran	per ton	0	3
Brass	per ton	0	4½
,, old	per ton	0	3
Bread and biscuits	per cwt.	0	2
Breeze	per ton	0	1
Bricks common and drain tiles and pipes	per 1000	0	3
,, Bath and fire	per 1000	0	4
,, pantiles and crests	per 1000	0	8
,, slabs and bearers	per 1000	1	0

		s.	*d.*
Brimstone	per ton	0	3
Bristles	per ton	10	0
Broom and brush handles	per cwt.	0	2
" "	per 1000	0	9
Broom ties	per cwt.	0	2
Brooms	per dozen	0	0¼
Brown powder	per ton	1	0
Brush heads and stocks	per cwt.	0	2
" "	per 1000	0	6
Brushes	per cask	0	2
Buckets of wood	per dozen	0	1
Bugle	per ton	1	0
Bullion and coin	per 100*l.* value	0	6
Bullrushes	per ton	0	6
Buoys	each	0	6
Burr stones	per 100	1	0
Butter	per cwt.	0	2
"	in larger casks per ton	1	0
Cables or cordage	per ton	1	0
Cakes linseed or rape	per ton	0	6
Calamine	per ton	0	2½
Callavances	per cwt.	0	3
Calves velves	per cwt.	0	2
Camomile flowers	per cwt.	0	3
Camphor	per cwt.	0	3
Canella alba	per cwt.	0	3
Candlewick	per cwt.	0	2
Candles	per cwt.	0	1
"	in boxes per 30 lbs.	0	0¼
Canes common rattan	per 1200	0	4
" ground rattan or walking sticks	per 1200	1	0
Cane or reeds for making brooms	per cwt.	0	2
Cantharides	per cwt.	0	3
Canvas	per cwt.	0	3
Caoutchouc	per cwt.	0	3
Capers	per cwt.	0	3
Capillaire	per 10 gallons	0	1
Capsicums	per cwt.	0	3
Cardamoms	per cwt.	0	3
Carpets (*see* Woollens).			
Carriages and coaches	4 wheeled	4	0
" "	2 wheeled	2	0
" " for guns	wheeled	0	3
Carts waggons and trucks	per wheel	0	3
" hand	per wheel	0	3
Cassia buds	per cwt.	0	3
Cassia fistula and lignea	per cwt.	0	3

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			s.	d.
Cases casks and bales of goods not enumerated—				
		per 80 cubic feet and upwards	1	0
		per 56 to 80 cubic feet -	0	9
		per 20 to 56 cubic feet -	0	6
		per 20 cubic feet - -	0	3
		per 15 cubic feet - -	0	2
		per 10 cubic feet - -	0	1
Casks empty		each	0	1
Castor seed		per cwt.	0	3
Cattle asses and mules		each	0	3
„ bulls cows and oxen		each	0	6
„ calves		each	0	2
„ horses		each	0	9
„ lambs and sheep		each	0	1
„ swine and goats		each	0	1
Catlings or harpstrings &c.		per 28 lbs.	0	6
Caviare		per cwt.	0	3
Cements		per ton	1	2
Chalk		per ton	0	1
Chairs		each	0	0¼
Charcoal		per ton	0	2
Chassum		per cwt.	0	1
Cheese		per ton	0	10
Chestnuts		per bushel	0	1
Chicory		per cwt.	0	1
Chillies		per cwt.	0	1
China		per cwt.	0	1
„ root		per cwt.	0	3
Chirt stones		per ton	0	8
Chirango root		per cwt.	0	2
Chirayita		per cwt.	0	1
Chocolate and cocoa paste		per cwt.	0	3
Cigars		per 100 lbs.	0	6
Cinnabar		per cwt.	0	3
Cinnamon		per cwt.	0	3
Citron preserved		per cwt.	0	3
„ salted		per cwt.	0	1
Clay viz. Cambria pipe and fire		per ton	0	1
„ China and stone		per ton	0	3
„ for manufacture of common bricks		per ton	0	1
Clocks		each	0	1
Clog soles		per 1,000	0	6
Cloth linen woollen and cotton	per 8 cubic feet and under		0	2
„ „ „	per 12 cubic feet and under		0	3
„ „ „	per 16 cubic feet and under		0	4
„ „ „	per 24 cubic feet and under		0	6
	Above in proportion.			

		s.	*d.*
Cloves	per cwt.	0	3
Coal	per ton	0	2
,, when imported	per ton	0	2
Coke	per ton	0	1
Cobalt	per cwt.	0	6
,, ore	per ton	0	3
,, regulus	per ton	0	4
Cobbles	per ton	0	2
Cochineal	per cwt.	0	3
Cocoa	per ton	1	8
,, nuts	per 100	0	3
,, fibre	per ton	0	6
Coculus indicus	per cwt.	0	3
Cocque de perle	per cwt.	0	3
Coffee	per cwt.	0	1
Coir rough press-packed and yarn	per ton	0	6
,, rope under 6 inches	per ton	0	6
Colocynth	per cwt.	0	3
Coloquintida	per cwt.	0	2
Columba root	per cwt.	0	3
Conch shells	per cwt.	0	3
Copper	per ton	0	6
,, old copper and regulus	per ton	0	4
,, yellow and copper metals	per ton	0	6
,, ore regulus less than 10 per centum	per ton	0	1
,, ,, ,, above 10 per centum	per ton	0	2
Coppers and stills	per ton	1	0
Coral	per cwt.	0	6
Cork	per ton	2	0
Corks	per cwt.	0	4
Corn wheat barley bere big beans and peas malt oats Indian corn rye and other grain	per Imperial quarter	0	1
,, oatmeal Indian and other meal and corn flour	per ton	0	6
Cortex eluthera	per cwt.	0	3
Cotton seed	per bushel	0	1
,, in the seed or unginned cotton	per 100 lbs.	0	1
,, twist thread and yarn	per cwt.	0	4
,, waste and wool	per 100 lbs.	0	3
Cowries	per cwt.	0	2
Cranberries	per 5 gallons	0	1
Crates of goods not otherwise rated	each	0	3
Cream of tartar	per ton	1	8
Crystal rough	per ton	1	8
Cubebs	per cwt.	0	3
Curiosities natural or artificial	per cwt.	0	6
Currants	per ton	1	8
Damsons	per cwt.	0	1
Dates	per cwt.	0	1

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		s.	d.
Diamond and other precious stones	per package of 100*l.* value	0	6
Divi divi	per ton	0	9
Dogs	each	0	6
Dollies	each	0	0½
Dragon's blood	per cwt.	0	3
Drugs	per cwt.	0	3
Dyer's ware	per ton	0	6
Dye woods	per ton	0	3
Earth black or brown red or yellow	per ton	0	2
„ fuller's	per ton	0	6
Earthenware china and stoneware	per cwt.	0	1
„ Barnstaple or red ware	per dozen	0	0¼
Eau de Cologne	per cwt.	0	6
Eggs	per 1,200	0	6
Emery	per cwt.	0	2
Engines locomotives	each	20	0
Essence lemon lime and other	per cwt.	0	2
Euphorbium	per cwt.	0	3
Extract medicinal	per cwt.	0	3
„ oak or other bark for manufacturing purposes	per cwt.	0	1
Fans	per 28 lbs.	0	4
Feathers bed	per cwt.	0	6
„ ostrich and other	per 100 lbs.	2	0
Felspar	per ton	0	2
Felt	per cwt.	0	1
Figs	per cwt.	0	1
Filtering stones and drip stones	each	0	0¼
Firearms	per cwt.	0	4
Fish fresh in packages	per cwt.	0	1
„ pickled cured and salted of all descriptions	per cwt.	0	1
Flax	per ton	0	6
„ waste cordilla and tow	per ton	0	4
Flint ground and dried	per ton	0	2
„ stones	per ton	0	1
Floorcloth	per cwt.	0	1
Flower roots plants and trees	per cwt.	0	2
Flowers artificial	per cwt.	0	6
Frankincense	per cwt.	0	1
Fruit green	per cwt.	0	1
Furniture household under 20 cubic feet		0	2
„ 20 feet and under 40 feet		0	4
	and so in proportion		
Gates wooden	each	0	1
Galangal	per cwt.	0	3
Galbanum	per cwt.	0	3
Galls	per cwt.	0	3
Gamboge	per cwt.	0	3
Gambree or terra japonica	per ton	1	6

		s.	d.
Gentian root	per cwt.	0	3
Ginger	per ton	5	0
Ginseng	per cwt.	0	3
Glass	per cwt.	0	2
„ broken	per cwt.	0	0½
„ carboys new	each	0	1
Glue	per ton	1	8
„ spatches	per ton	0	10
Gold ores foreign	per ton	0	6
Granilla (cochineal refuse)	per cwt.	0	3
Grapes	per cwt.	0	1
Grass	per ton	0	1½
Grease or greaves	per ton	0	3
Grummets or woodbanks	per gross	0	2
Guinea grains	per cwt.	0	3
Gum ammoniac ammi arabic cashen copal elimi guaiacum senegal tragacanth	per ton	5	0
Gums not enumerated	per ton	5	0
Gunpowder	per 100 lbs.	0	2
„	per ton	1	0
Gypsum	per ton	0	1½
Grates stoves and fenders	per cwt.	0	1
Guano	per ton	0	2
Gutta perch unmanufactured	per cwt.	0	2
„ manufactured	per cwt.	0	4
Groceries not otherwise rated	per cwt.	0	1
Hair	per ton	1	0
Hammocks	per dozen	0	3
Hams loose	per dozen	0	3
Hardens	per cwt.	0	4
Hardware	per cwt.	0	3
Harrows	each	0	2
Hay	per ton	0	6
Hampers of goods not otherwise rated	each	0	1½
Hemp rough	per ton	0	6
Hides dry wet pieces of or glue pieces	per ton	1	0
Honey	per cwt.	0	2
Hoops mast and truss	per 120	0	9
„ wood	per 1200	1	6
Hoofs of cattle	per ton	0	6
Hops	per cwt.	0	2
Horns horn tips and pieces of horns	per cwt.	0	1
Hurdles	per dozen	0	6
Hartall or orpiment	per cwt.	0	1
Jackscrews	per pair	0	3
Jars jugs and cans containing goods not otherwise rated	each	0	1
Ice	per ton	0	2
Iceland moss or lichen Icelandicus	per cwt.	0	3

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		s.	d.
Indigo	per cwt.	0	3
Ipecacuanha root	per cwt.	0	3
Iron pig broken old and metal	per ton	0	2
„ bar bolt rod rail plate sheet hoop and wire	per ton	0	2
„ ore stone cinders blackband and pyrites	per ton	0	1
„ anchors boilers castings engines guns pipes and other ironwork under 20 cwt.	per ton	0	5
„ in packages (*see* Hardware)			
„ railway chairs	per ton	0	2
Isinglass	per cwt.	0	3
Juice lemon lime and orange	per 25 gallons	0	6
Junk	per ton	0	6
Jute hemp	per ton	0	6
Ivory and sea-horse teeth	per cwt.	0	3
Kemp	per cwt	0	2
Kips dry	per ton	2	0
„ wet	per ton	1	0
Lac gum stick seed and shell	per cwt.	0	3
Lace	per cwt.	0	4
Lapiz lazuli	per cwt.	0	6
Lamplack	per ton	0	2
Laths	per bundle	0	0½
Latten black	per ton	1	0
Lavender flowers	per cwt.	0	2
Lead	per ton	0	6
„ ores	per ton	0	2
„ black red and white and powder and shot	per ton	0	6
Leather	per ton	2	6
Leeches	per 14 lbs.	0	2
Lemons	per cwt.	0	2
Lime	per ton	0	1
Lime salt acetate of lime	per ton	0	2
Limes	per cwt.	0	2
Limestones	per ton	0	1
Liquorice paste	per cwt.	0	3
„ or luccus liquorita	per ton	1	0
„ root bundles or loose	per ton	1	6
Litharge	per ton	0	1
Macaroni	per cwt.	0	3
Mace	per cwt.	0	3
Machines and agricultural implements not otherwise rated under 20 cubic feet	each	0	3
„ „ 20 feet to 40 cubic feet	each and so on in proportion	0	5
Madder and roots	per cwt.	0	1
Mangles	each	0	6
Magnesia	per cwt.	0	3
Manganese	per ton	0	1

		s.	d.
Manna	per cwt.	0	3
Manure artificial not otherwise rated	per ton	0	1
Marble and other stones sculptured	per cwt.	0	2
Marble baths	each	1	0
„ mortars	per ton	1	0
„ slabs and rough in packages	per cwt.	0	0½
Marble block	per ton	0	8
Marbles	per cwt.	0	3
Marmalade	per cwt.	0	3
Mastic	per ton	5	0
Mats	per 120	0	3
„ Indian	per cwt.	0	3
Melons loose	per dozen	0	1
Melting pots	per cwt.	0	6
Metal and alloys not containing copper and not otherwise rated	per ton	0	6
Mill boards	per 120	0	3
Mineral waters	per cwt.	0	3
Mohair yarn	per cwt.	0	3
Molasses	per cwt.	0	0½
Morels	per cwt.	0	3
Mother of pearl shell	per cwt.	0	6
Mum	per 25 gallons	0	6
Muriatic acid	per cwt.	0	1
Musical instruments	per 28 lbs.	0	6
Mustard	per cwt.	0	2
Myrobalans	per cwt.	0	1
Myrrh	per cwt.	0	1
Nails	per cwt.	0	0½
Nanari	per cwt.	0	2
Naphtha camphine and spirits of wine	per 10 gallons	0	2
Natron	per ton	0	2
Nests of trunks	each	0	6
Nickel	per ton	0	6
„ ore of	per ton	0	3
Nitrate of soda	per ton	0	2
Nutmegs	per cwt.	0	6
Nuts	per bushel	0	1
„ coquiltra	per 1000	0	3
Nux Vomica	per cwt.	0	3
Oakum	per ton	0	6
Ochre or oker	per ton	0	6
Oil in flasks	per 28 lbs.	0	1
„ castor and chemical	per cwt.	0	3
„ animal cocca nut and palm	per ton	0	6
„ all others	per 36 gallons	0	2
„ refuse of oil	per 40 gallons	0	2
„ of tar	per 36 gallons	0	2

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		s.	d.
Oil cake	per ton	0	6
Olives	per cwt.	0	1
Onions	per ton	0	4
Opium	per cwt.	0	3
Oranges	per cwt.	0	2
Orchilla weed	per ton	2	0
Orchill	per ton	1	0
Orpiment	per cwt.	0	1
Orrice root	per cwt.	0	3
Ostrich feathers	per 14 lbs.	0	4
Oysters	per 1000	0	1
Paddy or rice in the husk	per imperial quarter	0	1
Paint and painter's colours and materials not otherwise rated	per ton	1	0
Painter's pegs	per 1000	0	3
Palm leaf and nuts	per 56 lbs.	0	3
Paper writing printing and hanging (house)	per cwt.	0	1
,, packing and cap	per cwt.	0	0½
Parcels 12 inches square	each	0	1
Patent and other fuels not otherwise rated	per ton	0	1
Pearl and shelled barley	per cwt.	0	1
Peas	per cwt.	0	1
Pepper black and white	per cwt.	0	1
Pewter	per ton	0	6
Pickles	per gallon	0	1
Pimento	per cwt.	0	1
Pine apples (loose)	per dozen	0	1
Pink root	per cwt.	0	3
Pitch in cargoes	per ton	0	3
Plants and trees above 5 cwt.	per package	0	6
,, ,, above 2 cwt.	per package	0	4
,, ,, under 2 cwt.	per cwt.	0	2
Plaster of Paris	per ton	0	4
Plate and plated ware	per package	0	6
Platina	every 100*l.* value	0	6
,, ore	every 100*l.* value	0	2
Ploughs (loose)	each	0	6
Pomegranates and pomegranate peel	per cwt.	0	1
Potatoes	per ton	0	3
Potsherds	per ton	0	2
Poultry	per dozen	0	1
Pozzolano	per ton	1	0
Preserves	per cwt.	0	3
Prints or pictures	per cwt.	0	6
Prunes	per cwt.	0	3
Pumice stone	per cwt.	0	1
Pianofortes and organs	each	1	0
Pyroligneous acid	per cwt.	0	2
Prussiate of potash	per ton	1	0

		s.	d.
Quassia wood	per cwt.	0	3
Quicksilver	per cwt.	0	3
„ ore	per ton	0	6
Quills	per 1200	0	1
Quinine	per cwt.	0	3
Rabbits	per score	0	1
Rags	per ton	0	6
Rail ends	per ton	0	1
Raisins	per cwt.	0	1
Regulus of metal other than copper or tin	per ton	0	2
Resin	per cwt.	0	0¼
Rope	per ton	0	6
Rhatany root or radix rhatania	per cwt.	0	3
Rhubarb	per cwt.	0	3
Rice	per ton	1	0
Rock moss	per ton	1	0
Rotten stone	per ton	0	2
Rushes	per load (63 bundles)	0	0½
Sacks of goods not otherwise rated	each	0	1
Saccharum saturni	per cwt.	0	3
Saddlery	per cwt.	0	6
Safflower	per ton	5	0
Saffron	per ton	5	0
Sago	per ton	3	4
Sailcloth	per cwt.	0	3
Sails	each	0	6
Sal ammoniac	per ton	0	3
Salep	per cwt.	0	3
Salmon	per cwt.	0	2
Saltpetre	per ton	0	2
Salt rock rough broad and agricultural	per ton	0	1½
Salts Epsom	per ton	0	2
Sand or loam	per ton	0	1
Sarsaparilla	per cwt.	0	3
Sassafras	per cwt.	0	3
Sanders wood white and yellow	per ton	1	8
Sausages	per cwt.	0	2
Scammony	per cwt.	0	3
Scrap steel	per ton	0	1
Sealing wax	per cwt.	0	3
Seeds aniseed canary carraway castor cinnamon coriander cummin	per cwt.	0	1
„ flax or linseed clover grass turnip furze and other seeds for manufacturing garden or agricultural purposes	per imperial quarter	0	1
Senna	per cwt.	0	3
Shaddocks	per cwt.	0	2
Shovels or spades scythes and sickles	per dozen	0	1

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		s.	d.
Sheep pelts	per cwt.	0	1
Shumac	per ton	1	8
Sieves	per dozen	0	1
Silica sand or stone	per ton	0	1
Silk raw or thrown	per 100 lbs.	1	0
„ waste	per 100 lbs.	0	4
„ manufactured (*see* Cloth)			
Silkworm gut	per cwt.	1	0
Silver ore	per ton	0	2
„ bullion	per 100*l.* value	0	6
Skins kip and calf dry	per cwt.	0	4
„ „ wet	per cwt.	0	3
„ badger beaver deer martin otter elk ermine fisher fox and seal (fur)	per dozen	0	1
„ leopard lion panther tiger and bear	each	0	3
„ cat chinchilla husse mink racoon seal (hair) goat fitch kid lamb musquash nutria sheep and swan	per score	0	1
„ hare mole and rabbit	per 100	0	1
Slates and stone tiles	per ton	0	3
Slate slabs	per ton	0	3
Smalts	per ton	5	0
Snuff	per 100 lbs.	0	6
Soap	per cwt.	0	1
Soda crystals	per ton	0	2
Soda and other aërated water	per dozen bottles	0	0½
Sofas	each	1	0
Spelter	per ton	0	6
Spermaceti	per cwt.	0	3
Spinel	per cwt.	0	3
Spirits and wines	per 252 gallons	1	0
„ „	per 126 gallons	0	10
„ „	per 84 gallons	0	8
„ „	per 63 gallons	0	6
„ „	per 42 gallons	0	3
„ „	per 5 gallons	0	2
„ „ bottled	per dozen bottles	0	1
Sponge	per cwt.	0	6
Spruce beer	per 32 gallons	0	6
Squills	per ton	5	0
Starch	per cwt.	0	1
Stationery	per cwt.	0	6
Steel not otherwise enumerated	per cwt.	0	0¼
bars ingots rails plates angles wire blooms and blossoms	per ton	0	2
Stone blocks flags slate slabs mill and grave	per ton	0	4
„ burr	per score	0	3
„ grinding	every 12 inches diameter	0	1
„ litho. and Turkey	per ton	0	9
„ works of art	every 5*l.* ad valorem	0	1

			s.	d.
Straw	-	per ton	0	3
„ plait	-	per cwt.	0	2
Succades and sweetmeats	-	per 28 lbs.	0	2
Sugar	-	per ton	0	8
„ refined loaves	-	-	0	4
„ of lead	-	per ton	0	4
Sulphur roll and flowers	-	per cwt.	0	1
Sulphuric acid (oil of vitriol)	-	per cwt.	0	1
Sulphate of soda (salt cake)	-	per ton	0	2
„ potash (sal inixum)	-	per ton	0	2
„ copper (blue vitriol)	-	per ton	0	2
„ zinc (white vitriol)	-	per ton	0	2
„ iron (green vitriol)	-	per ton	0	2
Talc	-	per cwt.	0	3
Tallow	-	per ton	0	6
Tamarinds	-	per cwt.	0	3
Tapioca	-	per cwt.	0	3
Tar	-	per cwt.	0	1
„ coal and gas	-	per 100 gallons	0	1
„ „ „	-	per ton	0	2
„ water	-	per 100 gallons	0	2
Tea	-	per cwt.	0	3
„	-	less quantity	0	1½
Teazles	-	per 1,000	0	0¼
Terrapins	-	per cwt.	0	1½
Tessera	-	per ton	1	0
Thread linen	-	per cwt.	0	4
Thrumbs	-	per cwt.	0	3
Timber viz. anchor stocks	-	each	0	1
„ axe handles	-	per 120	0	1½
„ battens batten ends boards deals deal ends and lath wood		per ton	0	2
„ masts	- 6 inches and under 12 inches		0	1½
„ 12 inches and upwards (*see* Fir timber)				
„ knees under 8 inches square	-	per 120	0	6
„ oak rafters and oars	-	per 120	0	4
„ planks	-	per 120	0	6
„ spars viz. under 22 feet long	-	per 120	0	4
„ „ 22 feet long and upwards	-	per 120	0	5
„ staves above 1½ inches thick not exceeding 36 inches long	-	per 120	0	1½
„ „ exceeding 36 inches and under 60 inches long		per 120	0	2
„ „ exceeding 60 inches long	-	per 120	0	3
„ „ not above 1½ inches thick not exceeding 36 inches long	-	per 120	0	1
exceeding 36 inches and under 60 inches long		per 120	0	1½
„ exceeding 60 inches long	-	per 120	0	3
„ teak or oak	-	per ton	0	3
„ pine fir and all other timber	-	per ton	0	2

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			s.	d.
Timber wainscot logs	-	per ton	0	6
„ wedges and trenails	-	per 1200	0	6
„ wheel spokes and fellies	-	per 1200	1	0
„ bar wood and box wood	-	per ton	0	10
„ brazil braziletto and cramwood	-	per ton	1	6
„ cedar wood ebony fustic and Guinea wood	-	per ton	0	10
„ gumwood planks	-	per ton	0	6
„ „	-	per 120	1	6
„ gunstocks and handspikes	-	per 120	0	3
„ lignum vitæ and logwood and mahogany	-	per ton	0	10
„ Nicaragua wood and rose wood	-	per ton	1	6
„ red and red sanders	-	per ton	0	10
„ satin wood	-	per ton	1	6
„ coal-pit props copper poles sleepers crate and crop wood old wood and wood for distillation	-	per ton	0	1½
Tin	-	per ton	0	7½
„ ore	-	per ton	0	3
„ plates	-	per ton	0	6
„ plate boxes	-	per dozen boxes	0	1
Tobacco pipes	-	per 28 lbs.	0	1
„ unmanufactured and stalks	-	per cwt.	0	3
„ manufactured cigars and snuff	-	per 100 lbs.	0	6
Tongues loose	-	per dozen	0	1
„ in packages (*See* Beef or Pork)				
Tonquin beans	-	per cwt.	0	3
Tortoise shell	-	per cwt.	0	6
Toys (*See* Furniture)				
Trees loose or in pots or tubs only	-	each	0	1
Tripe (*See* Beef or Pork)				
Truffles	-	per cwt.	1	0
Turmeric	-	per cwt.	0	1
Turnips carrots beets parsnips and mangolds	-	per ton	0	1
Turpentine rough	-	per ton	1	0
„ spirits of	-	per 10 gallons	0	2
Twine	-	per cwt.	0	2
Types	-	per cwt.	0	3
Umbrellas	-	per 100	0	6
Valerian	-	per cwt.	0	3
Valonia	-	per cwt.	0	1
Vanilla	-	per cwt.	0	3
Varnish	-	per cwt.	0	2
Vermicelli	-	per cwt.	0	3
Vermilion	-	per cwt.	0	3
Vinegar and Verjuice (*See* Ale)				
Weld	-	per cwt.	0	3
Whalebone	-	per cwt.	0	3
Whale fins	-	per ton	1	0
Wheels wooden	-	per pair	0	1
Wheelbarrows	-	each	0	2

		s.	d.
Whetstones	per cwt.	0	1
Whips	per 28 lbs.	0	1
Whipsticks	per 28 lbs.	0	1
Whiting	per ton	0	2
Window frames	per cwt.	0	1
Wine (*See* Spirits)			
Woad	per cwt.	0	3
Wool	per ton	1	0
Works of Art	every 5*l.* ad valorem	0	1
Yams	per cwt.	0	2
Yarn bay cotton or twist grogram linen mohair and worsted	per cwt.	0	1
Zaffres	per cwt.	0	3
Zinc	per ton	0	6
„ ores	per ton	0	2½

A "ton" shall mean either one ton dead weight or forty cubic feet by measurement at the option of the Commissioners.

When the rate per unit is nine pence or less than nine pence parts of a unit may be charged as a whole unit.

When the rate per unit is more than nine pence parts of a unit may be charged at the proportional rate provided that sub-divisions smaller than one-tenth of a unit shall be reckoned as one-tenth.

The term "package" when used in this Schedule includes any crate sack hamper bundle or other article or means wherein or whereby the commodity charged is conveyed.

For all articles not specified in this Schedule sums may be charged equal to the rates payable in respect of goods specified therein which are as nearly as may be of like nature package and quantity.

THE FOURTH SCHEDULE.

Rates for the Discharge Removal and Deposit of Ballast Use of Cranes &c.

Register Tonnage of Vessels from which the Ballast is discharged.	Rates per Ton on the Quantity of Ballast. s.	d.
Under one hundred tons	0	6
One hundred tons and under two hundred tons	0	8
Two hundred tons and under four hundred tons	0	9
Four hundred tons and under six hundred tons	0	10
Six hundred tons and under eight hundred tons	0	11
Eight hundred tons and under one thousand tons	1	0
One thousand tons and upwards	1	1

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ADDITIONAL RATES.

For the use of barges if required fourpence per ton on the quantity discharged For discharging ballast by night threepence per ton on the quantity so discharged For trimming ballast to within fifteen feet of any hatchway from which the ballast is to be discharged twopence per ton or the captain may employ his crew for that purpose.

RATES FOR THE USE OF CRANES.

For Cranes lifting up to Six Tons.

	For the first Lift.		For each succeeding Lift.	
	s.	*d.*	*s.*	*d.*
Under one ton	2	6	0	4
One ton and under two tons	3	0	0	6
Two tons and under three tons	3	6	0	8
Three tons and under four tons	4	0	0	10
Four tons and under five tons	4	6	1	0
Five tons and under six tons	5	0	1	2

For Cranes lifting up to Ten Tons.

	For the first Lift.		For each succeeding Lift.	
	s.	*d.*	*s.*	*d.*
Under six tons	5	0	2	6
Six tons and under seven tons	10	0	5	0
Seven tons and under ten tons	20	0	10	0

For Cranes lifting Ten Tons and upwards.

	For each Lift.		
	£	*s.*	*d.*
Ten tons and under fifteen tons	1	10	0
Fifteen tons and under twenty tons	2	10	0
Twenty tons and under twenty-five tons	5	0	0
Twenty-five tons and under thirty tons	10	0	0
Thirty tons and under thirty-five tons	12	10	0
Thirty-five tons and under forty tons	15	0	0
Forty tons and under forty-five tons	17	10	0
Forty-five tons and under fifty tons	20	0	0
Fifty tons and upwards any sum the Commissioners think fit to demand.			

The labour to be done by the parties requiring the use of the cranes.

In addition to the above rates for cranes sixpence per hour to be paid for wages to craneman attending while the crane is in use.

For Steam Cranes lifting up to Six Tons.

	For the first Lift.		For each succeeding Lift.	
	s.	*d.*	*s.*	*d.*
Under one ton	3	0	0	6
One ton and under two tons	3	6	0	8
Two tons and under three tons	4	0	0	10
Three tons and under four tons	4	6	1	0
Four tons and under five tons	5	0	1	2
Five tons and under six tons	5	6	1	4

Rates for the use of Shearlegs.

For getting out landing lifting or shipping Boilers or Heavy Machinery Engines &c.

	For each Lift.		
	£	*s.*	*d.*
Under five tons weight	0	10	0
Five tons and under ten tons	1	0	0
Ten tons and under fifteen tons	1	10	0
Fifteen tons and under twenty tons	2	10	0
Twenty tons and under twenty-five tons	5	0	0
Twenty-five tons and under thirty tons	10	0	0
Thirty tons and under thirty-five tons	12	10	0
Thirty-five tons and under forty tons	15	0	0
Forty tons and under forty-five tons	17	10	0
Forty-five tons and under fifty tons	20	0	0
Fifty tons and upwards any sum the Commissioners think fit to demand.			

For masting or dismasting Vessels and for Bowsprits.

For vessels under three hundred tons register	1	0	0
For vessels of three hundred tons register and under five hundred tons	1	10	0
For vessels of five hundred tons register and under one thousand tons	2	0	0
For vessels of one thousand tons register and under one thousand five hundred tons	3	0	0
For vessels of one thousand five hundred tons register and upwards	4	0	0

For putting on and taking off Tops.

For vessels under three hundred tons register	0	5	0
For vessels of three hundred tons register and under five hundred tons	0	7	6
For vessels of five hundred tons register and under one thousand tons	0	10	0
For vessels of one thousand tons register and under one thousand five hundred tons	0	12	6
For vessels of one thousand five hundred tons register and upwards	0	15	0

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The Commissioners to provide men to work the shearlegs but not the slings nor are they to undertake the slinging in masting or dismasting nor to be responsible for accidents occurring during the use of the shearlegs.

Masts after being landed to be placed so as not to interfere with the working of the shearlegs and to be removed from the deck quay within twenty-four hours after being landed.

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