ANNO QUINTO & SEXTO

# GULIELMI IV. REGIS.

## *Cap.* lxxv.

**An Act for making and maintaining a Dock and other Works in the Port of *Newport* in the County of *Monmouth*, with a Railway and Stone Road therefrom. [21st *July* 1835.]**

WHEREAS the Trade of the Sea-port of *Newport* in the County of *Monmouth* has of late Years considerably increased, but large Vessels cannot conveniently use the said Port for Want of proper Accommodation: And whereas the making and maintaining a commodious Wet Dock within the said Port, with sufficient Locks, Piers, and other Works, for the safe and convenient harbouring and Passage of Ships and other Vessels into and out of the said Dock, and the making and maintaining of a Railway or Tramroad and of a Stone Road from the said Dock, in the Manner herein-after mentioned, all in the County of *Monmouth*, would tend in a great degree to remedy the Evil before mentioned, and to improve in Value the Mineral and other Estates situate near the said Town of *Newport*, and generally to increase the Commercial Prosperity of a large Portion of the County of *Monmouth*, and the same would be in other respects of great public Benefit and Utility: And whereas the several Persons herein-after named are willing, at their own Costs and Charges, to carry into execution the said Undertaking; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the

Proprietors Names.

the Authority of the same, That *Henry Somerset* commonly called the Marquis of *Worcester*, *John Jones*, *Philip Jones*, *Richard Blakemore*, Sir *Charles Morgan* Baronet, the Company commonly called the *Tredegar* Wharf Company, *George Oliver*, *Aaron Crosfield*, *Samuel Homfray*, *William Jones*, *Reginald James Blewitt*, *John Owen*, *Francis M'Donnell* and *Henry Mostyn*, *Joseph Latch*, *Thomas Prothero* and *Thomas Phillips* the younger, *Thomas Powell*, *John Jenkins*, *William Conway*, *Summers Harford*, *Charles Lloyd Harford*, *George Jones*, *Stephen Richards*, *James Street*, *William Perkins*, *William Watkins*, *Joseph Beaumont*, *Jacob R Nicholas*, *Thomas Wall*, *Edward Harris Phillips*, *William Burfield*, *William Townsend*, *John Corner*, *Benjamin Batchelor*, *Evan Prosser*, *Robert Pyne*, *Thomas Wedlake*, *John Lewis*, *William Williams*, *William Williams* junior, *Thomas Robert Williams*, *John Young*, *James Morgan*, *Morgan Morgan*, *William Edwards*, *Evan Morgan*, *Daniel Tombs*, *John Fletcher*, *Lewis Thomas*, *Rosser Thomas*, *William Phillips*, *Frederick Justice*, *George Reynolds New*, *Edmund Jones*, *John Church*, *John Milner*, and *Henry Webber*, and all other Persons and Bodies Politic and Corporate who have subscribed or shall hereafter subscribe towards the said Undertaking, and their several and respective Successors and Assigns, shall be and they are hereby united into One Body Politic and Corporate for making and maintaining the said Dock, Ways, Roads, and other Works by this Act authorized,

Style of the Company.

by the Name and Style of "The *Newport* Dock Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and shall also have Power and Authority to purchase and hold Lands, Tenements, and Hereditaments to them, their Successors and Assigns, for the Use of the said Dock, Ways, Roads, and other Works, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain, and shall also have Power to bargain, sell, and dispose of any of the said Lands, Tenements, and Hereditaments to be purchased by them in manner by this Act authorized.

Power to make Dock and Wharfs, &c.

II. And be it further enacted, That it shall be lawful for the said *Newport* Dock Company, and they are hereby fully authorized and empowered, by themselves, their Deputies, Agents, Officers, Contractors, Workmen, and Servants, to make and construct a commodious Dock for the Reception of Ships and other Vessels in the said Port of *Newport*, and also such Locks, Piers, and other Works and Conveniences as shall be deemed necessary by the said Dock Company for the safe and convenient Entrance and Egress of Ships and other Vessels into and from the said Dock, and for supplying the said Dock with Water, and also such proper Wharfs, Quays, Warehouses, Landing Places, Cranes, Weighing Machines, Reservoirs, and other Works and Conveniences as shall be

Railway or Tram-road from Newport Tunnel.

deemed necessary by the said Dock Company; and also to make and maintain a Railway or Tramroad, with necessary Turn-outs and Conveniences, for the Passage of Carriages properly constructed, along or near to the Western Bank of the *Monmouthshire* Canal, from a certain Place in the Town of *Newport* called "The *Newport* Tunnel" to the Western Margin of the said Canal at a Point opposite or nearly so to the Entrance into the said Dock, and which said Railway or Tramroad beginning and ending as aforesaid is the Railway or Tramroad meant and intended in this Act by the Words "the Railway or Tramroad first herein-before mentioned;" also a certain other Railway or Tramroad

from the Termination of the Railway or Tramroad first herein-before mentioned, passing over the said Canal by means of a good and sufficient Draw or Swivel or other movable Bridge, (to be erected by the said Dock Company across the same for that Purpose at a convenient Elevation, and so as not unnecessarily to prejudice, impede, or interfere with the Navigation of the said Canal,) and thence along the Eastern Side of the said intended Dock, at a safe and proper Distance from the Quay Wall, towards and unto the First Dock Gate at the Sea Lock, and thence over the Neck or Entrance into the said Dock, at the Southern Extremity of the said Dock by a Swivel or Draw or other movable Bridge of not less than Twelve Feet in Width, and afterwards passing or leading along the Western Side of the said Dock, at a safe and proper Distance from the Quay Wall, back again towards and unto the said Canal, and over the same by means of another good and sufficient Draw or Swivel or other moveable Bridge, to be erected by the said Dock Company at a proper Elevation as aforesaid, so as to communicate with and join the said Railway or Tramroad first herein-before mentioned at a Distance not exceeding Fifty Yards from the first-mentioned Bridge, and to the South-westward thereof; also a certain Stone Carriage and Horse Way of the Width of Thirty Feet at the least, from a Point opposite the Custom House, or nearly so, in a certain Street called *Llanarth Street*, in the Town of *Newport*, towards and unto the last-mentioned Bridge across the said Canal, and which said Stone Road is the Stone Road in this Act called "The Stone Road first herein-before mentioned," and a Continuation of the Stone Road first herein-before mentioned over the said Canal by means of such last-mentioned Bridge, along the Western Side of the said Dock, at a safe and convenient Distance from the Quay Wall, towards and unto the said Bridge (and by means of the same) over the Neck or Entrance of the said Dock at the Southern End of the said Dock, thence passing or leading along the Eastern Side of the said Dock, and at a safe and convenient Distance from the Quay Wall, towards and unto and over the said Canal by means of the first-mentioned Bridge, so as to communicate with and join the said Stone Road first herein-before mentioned at the Termination thereof; and also a good and sufficient Aqueduct or Watercourse from the River *Ebbw* towards and unto the said Dock, for supplying the same with Water from such River, the said Aqueduct not to be more than Six Feet wide in the Waterway, in, through, and into the several Parishes, Townships, Hamlets, and Places herein-after mentioned, (namely,) the Borough of *Newport* and the Parish of *Saint Woollas* in the County of *Monmouth*; and also from Time to Time and within Twelve Calendar Months from the passing of this Act to take, and to have, hold, and enjoy to them and their Successors, a sufficient Quantity of Ground on the Eastern Bank of the River *Usk* for the Deposit of Ballast for Vessels using or about to enter and use the said Dock, not exceeding Twenty Acres in the whole; and for the Purposes aforesaid the said Company of Proprietors, their Deputies, Agents, Servants, Surveyors, Contractors, Lessees, and Workmen, are hereby authorized and empowered to enter into and upon the Lands, Tenements, and Hereditaments of all and every Person and Persons, Body and Bodies Politic, Corporate, and Collegiate whomsoever, and to survey and take Plans, Sections, and Levels of the same or any Part thereof, and to set out and ascertain such Parts thereof as they shall think necessary and proper for making the said Dock, Railways or Tramroads,

Continuation thereof around the said Dock and across the Monmouthshire Canal by means of Two Bridges.

Stone Road from Custom House.

Continuation of Stone Road around the said Dock.

Aqueduct for supplying Dock with Water.

Power to take Ground for Ballast;

to enter on Lands.

Tramroads, Stone Roads, Watercourse, and such other Works, Matters, and Conveniences as they shall think proper and necessary for making, effecting, preserving, and improving, completing, maintaining, and using the same, and for the Reception and Accommodation, loading and unloading of Ships and other Vessels in the said Dock, and for the Conveyance of Goods to and from the said Dock and Railways or Tramroads and Stone Roads; and also to dig, bore, cut, trench, sough, get, raise, remove, take, carry away, lay, use, and manufacture any Earth, Clay, Stone, Soil, Rubbish, Timber and other Trees, Roots of Trees, Beds of Gravel, Sand, and other Matters and Things which shall or may be dug, raised, or gotten in the making of the said Dock, Railways or Tramroads, Stone Roads, and other Works, out of or upon the Lands or Grounds of any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, adjoining or contiguous thereto, and which may be proper, requisite, or necessary for making, carrying on, continuing, maintaining, altering, improving, extending, or maintaining the same, according to the true Intent and Meaning of this Act; and to make, build, erect, bank, excavate, and set up, in, under, over, or upon the Lands adjoining the same, such and so many Bridges, Piers, Arches, Tunnels, Aqueducts, Basins, Boats, Posts, Ropes, and Chains, Graving Docks, Slips, and other Conveniences for the Repair of Vessels, and such and so many Wharfs, Quays, Houses, Warehouses, Toll Houses, Landing Places, Weighing Beams, Cranes, or other Machines, and other Works, Ways, Roads, and Conveniences, as and where the said Dock Company shall think necessary and convenient for the Purposes of the said Undertaking, and also from Time to Time to alter, repair, and amend or discontinue the same or any Part thereof; and also to make, divert, alter, widen, enlarge, and extend all Bridges, Ways, Roads, Passages, or Conveniences for the carrying and conveying of Goods, Wares, Merchandize, and other Articles, Matters, and Things to and from the said Dock, Railways or Tramroads, Stone Roads, and other Works hereby authorized to be made, or any of them, or for the carrying and conveying of all Manner of Materials necessary or useful for making, erecting, altering, repairing, maintaining, amending, widening, or enlarging the said Dock, Railways or Tramroads, Stone Roads, Bridges, and other Works; and also to place, lay, work, or manufacture all such Materials on the Grounds adjoining to the Place or Places where the said Works or any of them shall be or are intended to be made, erected, repaired, or done (subject as herein-after mentioned); and also to make, maintain, repair, and alter any Fences or Passages over, under, or through the said Dock, Railways or Tramroads, Stone Roads, and other Works; and also to make, set out, and appoint such Roads and Ways convenient for the drawing of Waggons or other Carriages passing upon the said Railways or Tramroads, with Men, Horses, and Cattle, and such proper Places for Waggons, Engines, and Carriages to turn, stand in, or pass each other, as the said Dock Company shall think necessary or expedient; and also to make such Roads, Ways, and Passages as the said Dock Company shall think necessary or expedient for the Use and Accommodation of the Owners or Occupiers of any such Lands or Grounds as shall be cut through, separated, or divided, or otherwise affected by, or the Use or Occupation whereof shall be obstructed or rendered inconvenient in consequence of, the making the said Dock, Railways or Tramroads, Stone Roads, and other Works, or any of them, subject

General Powers.

subject as after mentioned; and to construct, erect, set up, use, make, and do all other Matters and Things whatsoever for the making, effecting, preserving, improving, completing, and using of the said Dock, Railways or Tramroads, Stone Roads, and other Works, in pursuance of and according to the true Intent and Meaning of this Act; they the said Dock Company, their Deputies, Agents, Contractors, Servants, and Workmen, doing as little Damage as may be in the Exceution of the several Powers to them hereby given and granted, and making full Satisfaction, in manner herein-after mentioned, to the Owners, Proprietors, and Occupiers of and to all Persons interested in any Lands, Tenements, and Hereditaments which shall or may be taken, used, or injured, for all Damages to be by them respectively sustained in or by the Execution of all or any of the Powers hereby granted; and this Act shall be sufficient to indemnify the said Dock Company, their Deputies, Agents, Servants, Contractors, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue of the Powers hereby granted; subject nevertheless to such Provisions and Restrictions as are herein-after mentioned and contained.

Power to convey Materials for making the Dock along the Monmouthshire Canal and Sirhowy Tramroad Toll-free.

III. And whereas the making of the said Dock will be of great Advantage to the Company of Proprietors of the *Monmouthshire* Canal Navigation as well as to the *Sirhowy* Tramroad Company; be it further enacted, That it shall and may be lawful to and for the said Dock Company, and their Contractors, Agents, Servants, and Workmen, from Time to Time and at all Times hereafter, within Three Years from and after the passing of this Act, to convey by means of and along the Canals and Roads belonging to the said Canal and Tramroad Companies, any or either of them, towards and unto the said Dock and Works hereby authorized, all such Stone, Iron, Timber, Wood, Lime, and other Materials as shall be *bonâ fide* intended to be used in the Construction of the said Dock and Works hereby authorized to be made as aforesaid, without the Payment of any Toll or Tonnage in respect thereof: Provided always, that if any of such Materials which shall have passed along any of the Canals or Roads belonging to the said Canal Company or the *Sirhowy* Tramroad Company respectively shall be used for any other Purposes than in or for the Construction of the said Dock and Works, or of some Part thereof, the said Dock Company are hereby required forthwith after the same shall have been so differently used or applied as aforesaid to pay to the said Canal Company or to the said *Sirhowy* Tramroad Company respectively the full Amount of the Toll or Tonnage to which they or either of them would have been respectively entitled but for such Exemption; and in case the said Dock Company shall omit to pay the same, either after or without an Application or Demand, for the Space of One Month after the said Articles shall have been applied to a different Purpose, then the said Dock Company shall forfeit and pay to the said *Monmouthshire* Canal Company or to the said *Sirhowy* Tramroad Company, or to both of them, as the Case may be, in every Instance of such different Use or Application, the Sum of Twenty Pounds, over and above and in addition to the Amount of such Toll or Tonnage, to be recovered by Action in any of His Majesty's Courts of Record at *Westminster*.

Penalty on using such Materials for other Purposes.

Power to make Channel to communicate with Monmouthshire Canal.

IV. And be it further enacted, That the said Dock Company shall be and they are hereby empowered and required to cut and open, within Twelve Months after the passing of this Act, and ever afterwards to maintain, a good and sufficient Channel or Communication, of not less than Eighteen Feet in Width at the Base, and of not less than Five Feet in Depth, towards and into the *Monmouthshire* Canal, at the nearest convenient Point to the Northward of the said Dock, for the Purpose of affording at all Times a safe and commodious Passage into and from the said Dock from and into the said Canal for Boats and other Vessels, laden or unladen, and also to make and maintain sufficient Gates, Locks, and other Works for the Purpose aforesaid; and the said Dock Company are hereby further empowered to erect and make a Waste Weir (unless the said Canal Company shall do so) on the East Side of the said Canal at or near the Dock Entrance, for the Purpose of discharging into the said Dock all superfluous Water which the said Canal Company shall not have further Occasion for, for their own Purposes or for the Use of the Wharfs between *Newport* and *Jack's Pill*, or which may be reasonably required by the *Tredegar* Wharf Company, for their Continuation of the said Canal up to the present Termination thereof at *Pillgwenlly*: Provided always, that nothing herein contained shall in anywise extend or be construed to extend to prevent or hinder the said Canal Company from repairing, cleansing, and scouring the said Canal from Time to Time, or at any Time when and as they shall see Occasion so to do, or from letting out the Water of the said Canal for those Purposes, any or either of them, nor to destroy, abridge, or in any Manner prejudicially to affect any existing Right or Interest (if any such there be) to or in the surplus Water from the said Canal or any Part thereof.

Waste Weir for discharging superfluous Canal Water into the Dock.

The Canal Company authorized to let off Water of Canal when necessary.

Drawbridges to draw off to the Eastern Side of Canal.

V. Provided always, and be it enacted, That the said Bridges herein-before authorized to be made by the said Dock Company over the said Canal as aforesaid shall be so made and constructed as that the same shall be fixed on the Eastern Side of the said Canal, and be drawn up to or on that Side only: Provided also, that the said Dock Company shall be and they are hereby obliged and required, from Time to Time and at all Times from and after the Cut or Channel herein-before authorized to be made into the said Canal from the said Dock shall have been made and completed entirely, or so far as to occasion any Efflux of Water from the same Canal, to erect, and for ever after to maintain Water-tight and in good Repair, at their own Costs and Charges, a good and sufficient Lock, with proper Gates and Conveniences, for the Purpose of regulating the Discharge of Water from the said Canal to be occasioned by the Passage of Boats or Vessels therefrom into the said Dock, and *vice versâ*, but that the said Lock shall be under the exclusive Control and Management of the said Canal Company, if they shall choose to exercise the same, just as if the said Lock had been made under the Powers of some or one of the Acts passed in relation to the said Canal: Provided also, that if the said Dock Company shall at any Time hereafter refuse or neglect or decline to repair and amend the said Bridges and Lock herein-before authorized to be made by them as aforesaid, or any or either of them, or any Part thereof, for the Space of Three Days after Notice in Writing that such Repairs are necessary shall have been given by the said Canal Company to the said Dock Company, then and in every such

Dock Company to make Lock between Canal and Dock; and to repair the same.

In case of Default by Dock Company to repair Lock or Bridges, Canal Company may do so at Dock

 Case

Case it shall and may be lawful to and for the said Canal Company to cause the same to be sufficiently and effectually repaired, and to recover the Costs and Charges of such Repairs of and from the said Dock Company. Company's Expence.

VI. Provided always, and be it enacted, That if within Three Months after the passing of this Act a certain Company commonly called "The *Tredegar* Wharf Company" shall assign any Quantity of Land belonging to them or in their Occupation (being not less than Fourteen Acres in the whole, and lying contiguous and all together, and situate within Four hundred and fifty Yards of the said intended Dock,) for the Purpose of receiving the Deposit of any Earth, Stone, or Materials to be dug out or otherwise excavated from the Site of the said intended Dock and Works, and within the same Period shall give a Notice to the said Dock Company that such Land, defining the same, has been so assigned as aforesaid, it shall not be lawful for the said Dock Company, by virtue of any of the Powers conferred upon them by this Act, to use for the Purpose of such Deposit, or for any other Purpose whatsoever, any other Land belonging to the said *Tredegar* Wharf Company, or in their Occupation, or in that of their Lessees or Under-tenants, over and beyond the Quantity of Land which the said Dock Company are hereby empowered to take and purchase for the Construction, Erection, or Formation of the said Dock, Quays, Wharfs, Warehouses, and Roads, some or one of them, or to use for the Purpose of the said Watercourse, without the Consent of the said *Tredegar* Wharf Company, and their Lessees or Under-tenants. Restriction as to Quantity of Land belonging to Tredegar Wharf Company to be used for Deposit of Spoil, &c.

VII. Provided also, and be it enacted, That if within the same Period *John Jones* Esquire, his Heirs or Assigns, shall assign any Quantity of Land belonging to him or in his Occupation, being not less than Four Acres in the whole, and lying contiguous and altogether, and situate within Four hundred and fifty Yards of the said intended Dock, for the Purpose of receiving such Deposit as aforesaid, and within the same Period shall give Notice to the said Dock Company that such Land, defining the same, has been so assigned, it shall not be lawful to or for the said Dock Company, by virtue of any of the Powers conferred upon them by this Act, to use any other Land belonging to the said *John Jones*, or in his Occupation, or in that of his Tenants or Lessees, for the Purpose of such Deposit, or for any other Purpose whatsoever, over and beyond the Quantity of Land which the said Dock Company shall be entitled to take and purchase for the Construction, Erection, or Formation of the said Dock, Quays, Wharfs, Warehouses, and Roads, some or one of them, without the Consent of the said *John Jones*, and his Tenants or Lessees. Restriction as to Quantity of Land belonging to John Jones, Esquire, to be used for the same Purpose.

VIII. Provided always, and be it enacted, That the said Dock Company shall make to the said *Tredegar* Wharf Company and to the said *John Jones* respectively a reasonable Satisfaction for the Use of such Land to be so assigned for the Purpose last herein-before mentioned; and that the Power of the said Dock Company to use the same shall cease at the Expiration of Two Years from the passing of this Act: Provided also, that the said Dock Company shall be required in the course of the said Two Years to place the Deposit regularly, uniformly, and beneficially for the said *Tredegar* Wharf Company and the said *John Jones* respectively, Dock Company to make Satisfaction for the Use of such Land. Limitation as to Time and Mode of Deposit.

tively, and to level the Surface of such Deposit, and that they shall not be allowed to raise the same in any Place, otherwise than temporarily, to a Height above the Surface of the Canal Bank.

Company of Proprietors of the Monmouthshire Canal Navigation may make the Railway first mentioned, if they think proper.

IX. And whereas by virtue of the several Acts for making the *Monmouthshire* Canal Navigation the Company of Proprietors of the said Canal may make Railways or Tramroads communicating therewith; And whereas the Line of the Railway or Tramroad first herein-before mentioned and authorized to be made by the said Dock Company is in great Part upon the Towing Path of the said Canal Company, and the same Road cannot conveniently and profitably be made in any other Line, but the making thereof may interfere with or be attended with Interruption to the Traffic now enjoyed by the said Canal Company, and it is therefore reasonable that the said Canal Company should have the Pre-option of making the same; be it therefore further enacted, That if within Twelve Calendar Months next after the passing of this Act the said Canal Company, at any Special General Assembly of the Proprietors of the said Canal Navigation to be convened for the Purpose of taking the Matter of the said Railway or Tramroad first herein-before mentioned into consideration, or at any Half-yearly General Assembly of such last-mentioned Proprietors, shall elect and determine to make and maintain the same Railway or Tramroad, and of such their Determination shall, within the Space of One Month thereafter, give or cause to be given Notice in Writing to the said Dock Company, it shall not be lawful for the said Dock Company to commence making or executing the same.

In case the Proprietors of the Monmouthshire Canal Navigation refuse, Dock Company to complete the Railway.

X. Provided always, and be it further enacted, That in case no such Determination shall have been come to and notified by the said Canal Company as aforesaid, or in case the said Canal Company shall not make and complete the said Railway or Tramroad within Three Calendar Months after such Notice, the said Dock Company shall be and they are hereby required to make and complete the said Railway or Tramroad first above mentioned within Two Years from the passing of this Act; but in case such Determination shall have been come to, and shall have been notified as aforesaid, then the said Canal Company shall be in like Manner required and obliged to make and complete the same within the Time aforesaid, and afterwards for ever to maintain the same.

Dock Company to make Continuation Railway around the Dock within Two Years.

XI. Provided always, and be it enacted, That the said Dock Company shall be and they are hereby authorized and required to make and maintain the Continuation of the Railway or Tramroad first herein-before mentioned, by means of a similar or corresponding Railway or Tramroad from the Termination thereof around the said Dock, and by Two Bridges over the said Canal, in the Manner aforesaid, and to complete such Continuation so that it may be fit for the Use of the Public within the like Period of Two Years next after the passing of this Act.

Dock Company required to make Stone Road within Three Months from opening of

XII. And be it further enacted, That the said Dock Company shall be and they are hereby obliged and required to make and complete the said Stone Road or Way first herein-before mentioned, or to cause the same to be so made and completed, at their own Costs and Charges, within Three Months from the Time when the said Dock shall have been first opened to the Public: Provided also, that after the said Stone Road first herein-

before

before mentioned shall have been completed to the Satisfaction or Approval of any Two of His Majesty's Justices of the Peace acting for the Division, District, or Place in which the same shall be situate, who shall have viewed the same, such Satisfaction or Approval to be testified by a Certificate under their Hands and Seals, and from and after such Certificate shall have been entered amongst the Records of the Court of General Quarter Sessions of the Peace for the County of *Monmouth*, which said Court is hereby required so to enter the same upon Application for that Purpose, the said Stone Road first herein-before mentioned shall be considered as a Street or Highway belonging to the Borough of *Newport* and Parish of *Saint Woollas* respectively, according to the respective Limits of the said Borough and Parish.

Dock; but not to be obliged to future Repair thereof.

XIII. Provided always, and be it enacted, That the said Dock Company shall be and they are hereby authorized and required to make the Continuation of the Stone Road first herein-before mentioned around the said Dock, in the Manner aforesaid, within Three Months next after the Completion of the said Dock, and ever afterwards to maintain the same; or otherwise at all Times to provide and afford good and sufficient Means of Passage for Horses, Carts, and Carriages from the Termination of the Stone Road first herein-before mentioned, around and at a safe and proper Distance from the Quay Wall of the said Dock, up to the Stone Road first herein-before mentioned at the Point aforesaid.

Dock Company required to make and maintain the Continuation of the Stone Road.

XIV. And be it enacted, That the said Dock Company shall not be at liberty at any Time to take from the said River *Ebbw*, by means of the Watercourse or Aqueduct herein-before mentioned and authorized to be made by them, a larger Supply or Quantity of Water than can be taken by an Aperture or Mouth equal to a Pipe of Two Feet in Diameter, which Aperture shall or may be made or laid down in the said River within Forty Feet below the Bridge called *Ebbw Bridge*, on a Level with the Bed of the said River; but they shall be empowered and are hereby authorized to erect and for ever to maintain a Weir or Wall, not exceeding Twenty Inches in Height, across the said River, in order to dam and collect the Water flowing down the same, and to direct the said Water into the said Pipe or Aqueduct; and the said Dock Company shall, at their own Costs and Charges, arch over or otherwise well and sufficiently cover the said Aqueduct or Watercourse where the same shall pass through any inclosed Lands, if required by the Owners of such Lands, with Brick or Stone and Earth, in such Manner and at such a Depth below the Surface as not to interfere with or prejudice the Cultivation thereof; and the said Dock Company shall likewise, at their own Costs and Charges, make Tunnels or Culverts, where necessary and required, for the Purpose of conveying the Water from the Land Springs which may be separated or cut off by the said Aqueduct or Watercourse, so as to cause the Water from such Land Springs to flow in its natural or accustomed Course and Channel; and the said Dock Company shall likewise make good, continue, and complete all Reens, Ditches, and Watercourses which may be cut through, divided, or otherwise obstructed by the making of the said Aqueduct or Watercourse as aforesaid; and the said Dock Company shall make reasonable Compensation to the Tenants or Occupiers for the Time being of the Land over or through which the said Aqueduct or Watercourse

Restriction as to Water to be taken from the Ebbw.

Aqueduct to be covered over.

Tunnels or Culverts to be made.

Compensation to be made to Tenants.

Watercourse shall be made for any Damage which they may sustain in the making thereof and of the Tunnels or Culverts aforesaid, but no Compensation is to be claimed by the Owner of the Land for the making of such Watercourse, or for the Water to be taken from the said River, or for any Damage to be occasioned to the Inheritance of the said Land; and in order to provide a sufficient Supply of Water for the Purposes of the said Dock at all Periods of the Year it shall and may be lawful for the said Dock Company to lay down a Pipe of Twelve Inches in Diameter from the Stream, Cut, or Feeder by which the Mill called the *Ebbw Mill* is supplied with Water, at some convenient Place near the *Wooden Foot Bridge*, leading from the *Cardiff* Turnpike Road to *Tredegar House*, which said Pipe shall communicate with the Aqueduct or Watercourse hereinbefore authorized to be made, and shall have a regulating Sluice or Hatch at the Mouth or Entrance thereof; and when and so often as the Water procured from the said River by means of the said Aqueduct or Watercourse shall not be deemed by the said Dock Company to be sufficient for the proper Supply and the scouring and cleansing of the said Dock, it shall and may be lawful for the said Dock Company, after giving Twenty-four Hours Notice in Writing to the said Sir *Charles Morgan* or the Owner or Owners of *Tredegar Park* for the Time being, or his or their Agent, to take from the said Stream, Cut, or Feeder, through the said Pipe so to be laid down as aforesaid, but so as to leave a proper Supply for *Tredegar* House, Mill, and Demesne for any Purpose to which this Water is at present applied, a sufficient Quantity of Water for the Purpose of filling the said Dock, and for locking in and locking out the Vessels frequenting the same, but not for the Purpose of scouring out the said Dock, nor shall any of such last-mentioned Water be unnecessarily wasted: Provided always, that in each and every Year, commencing from the First Day of *January*, in which the said Company shall take any Water from the said Stream, Cut, or Feeder as last aforesaid, the Sum of Thirty Pounds shall be paid by the said Company to the said Sir *Charles Morgan*, or the Owner or Owners of *Tredegar Park* for the Time being, as a full Compensation for the Use of the said last-mentioned Water, and for any Damage or Injury which may be done or occasioned by taking the same in such Year: Provided always, that in case the said Aqueduct or Watercourse shall not be completed within the Space of Three Years from the Time of the first opening of the said Dock, then and from thenceforth the Powers hereby granted for making the same, and for laying down the said Pipe from the said Stream, Cut, or Feeder as aforesaid, and for taking the said Water, (unless with the Consent in Writing of the Owners and Occupiers of the Lands through which it may be proposed to make the same,) shall cease and determine: Provided also, that the said Sir *Charles Morgan*, and the Owner and Owners for the Time being of the Estate and Lands called the *Tredegar Estate*, and the Owners and Proprietors of certain Lands and Wharfs demised by the said Sir *Charles Morgan* to the said *Tredegar* Wharf Company for a Term of Ninety-nine Years from the Twenty-fifth Day of *March* One thousand eight hundred and seven, shall be entitled to take and use all Water which shall flow through the said Aqueduct or Watercourse, when the same shall not be required by the said Dock Company for the Purposes of their said Undertaking, which Water may be taken and obtained by means of a Sluice to be inserted in some convenient Part of the said

Power to take Water from Mill Stream.

30*l.* a Year to be paid for Water taken from Mill Stream.

If Aqueduct not completed in Three Years, Power for making same to cease.

Power for Owners of Tredegar Estate and for Tredegar Wharf Company to take Water not required for Docks

Aqueduct at the Expence of the Person or Persons requiring the same: Provided always nevertheless, that no Water shall be at any Time taken from the said Aqueduct or Watercourse without the Consent of the said Dock Company, or their Agent lawfully authorized; but that in case of any arbitrary or unreasonable Refusal of such Consent, they the said Dock Company shall be liable from Time to Time to make Compensation to the Party injured by such Refusal, such Compensation to be ascertained and determined by any Two or more Justices of the Peace of the said County, and levied by Distress and Sale of any of the Goods, Chattels, or Effects of the said Dock Company: Provided also, that it shall and may be lawful to and for the said Dock Company, and their Agents, Servants, and Workmen, and they are hereby authorized, from Time to Time and at all Times hereafter, to enter into and upon the Land through which the said Aqueduct or Watercourse shall or may be made, or the Land in which the said Pipe shall or may be laid down, in order to inspect and examine the State and Condition thereof respectively, and also when and as often as there shall be Occasion to open, relay, repair, and cleanse the same respectively, and to repair the said Weir or Wall, using Horses, Carts, and other Carriages for that Purpose if they shall think proper, they the said Dock Company, their Agents, Servants, or Workmen, doing no unnecessary Damage, and being answerable for and liable to make good any Damage to be thereby occasioned.

Water not to be taken without Consent of Dock Company.

Power to enter Lands to repair Watercourse, Weir, &c.

XV. And be it further enacted, That a Waste Weir of sufficient Dimensions and proper Constructions shall be made on each Side of the Basin of the said Dock, with Culverts leading therefrom, whereby the Water in the said Dock which the said Dock Company shall not have any further Use or Occasion for (subject nevertheless to the Right herein-before reserved to Sir *Charles Morgan* Baronet, his Lessees or Assigns, to the surplus Water from the River *Ebbw*,) shall be discharged from the said Dock for the Use of the Occupiers of the Land and Ground adjoining to the Lands of the said Dock Company on each Side thereof; and that the said Weirs shall be of equal Elevation on each Side.

Waste Weirs to be made on each Side of the Basin.

XVI. And be it further enacted, That nothing herein contained shall be construed to give to or to confer on the said Dock Company any Estate or Interest in the Land over and through which the said Railway or Tramroad first herein-before mentioned, or the said Stone Road first herein-before mentioned, or the said Aqueduct or Watercourse, any or either of them, shall or may be made as aforesaid, (beyond the Limits of the Land herein expressly authorized to be purchased by the said Dock Company,) nor any greater Right than the Rights or Easements, Liberties and Privileges hereby expressly given to the said Company in relation thereto, and that, subject to the Exercise by the said Dock Company, and by the Public as to the Stone Road, of such Rights or Easements, Liberties and Privileges, the Soil and Freehold in such Land shall remain, continue, and be in the present Proprietors thereof, their respective Heirs, Successors, or Assigns, as the Case may be, in the same Manner as if this Act had not been passed.

Dock Company to have an Easement only in the Land to be used in the first-mentioned Railway, Stone Road, and Aqueduct.

XVII. And be it enacted, That, in taking the Land or Ground for the Deposit of Ballast as herein-before authorized, the said Dock Company shall not be at liberty to take any Land more than Three hundred Yards above or

Situation and Limits of Ballast Ground.

or below a Point on the Western Bank of the River *Usk* in a direct Line due South from the Entrance into the said Dock, otherwise than with the Consent in Writing of the Owner or Owners of the Land or Ground to be so taken: Provided always, that it shall and may be lawful to and for the said Dock Company, and they are hereby authorized, from Time to Time and at all Times hereafter, to take from and to contract with any Person or Persons who may be willing to sell and dispose of the same, either in Fee Simple or for a Term of Years, any Quantity of Land situate on or near to either Bank of the River *Usk*, for the Deposit of Ballast, not exceeding in the whole, and together with the Land or Ground to be taken for that Purpose by virtue of the Power last before given, the full Quantity of Fifty Acres.

Power to contract for more Ballast Ground.

Transfer of a certain Portion of Canal Company's Road to Tredegar Wharf Company, and vice versâ.

XVIII. And whereas Part of the Tramroad of the said Canal Company which leads to certain Lands and Wharfs near *Pill Gwenlly*, belonging to *John Jones* Esquire, now traverses Land which it is intended to take and which will be required for the making of the said Dock; and the Communication by means of the said Road with the said Lands and Wharfs will be thereby cut off and destroyed, unless some other Means can be afforded for that Purpose: And whereas, in order to facilitate the making of the said Dock, the said *Tredegar* Wharf Company and the said Sir *Charles Morgan* as the Lessor or Reversioner as aforesaid are willing to relinquish to the said Canal Company, and the said Canal Company are willing to take, so much of the Tramroad and Land of the said *Tredegar* Wharf Company as are herein-after mentioned in lieu of so much of the Tramroad belonging to the said Canal Company as is herein-after mentioned, and subject to such Conditions as are herein-after provided; be it therefore enacted, That from and after the passing of this Act so much of the said Tramroad belonging to the said Canal Company as extends from the Point where the Tramroad of the *Tredegar* Wharf Company branches off from the Road of the said Canal Company opposite to the Wharf of Mr. *Thomas Powell*, and all the Estate, Right, Title, or Interest of the said Canal Company therein or thereto, shall be transferred to and become the Estate and Property of the said *Tredegar* Wharf Company in the same Manner and with the like Reversion to Sir *Charles Morgan* Baronet, and his Heirs, as if the same had been included in the Demise herein-before referred to from the said Sir *Charles Morgan* to the said *Tredegar* Wharf Company; and that so much of the said Tramroad belonging to the said *Tredegar* Wharf Company and the said Sir *Charles Morgan* respectively as branches off from the said Tramroad of the said Canal Company opposite to the Wharf of Mr. *Thomas Powell*, and continues up to the Westward Limit of the Land hereby expressly authorized to be taken and purchased by the said Dock Company, and the Land on which the same is made, as also a sufficient Space for another Railway or Tramroad alongside thereof, so as to make the same a Double Road, with proper Room and Convenience for the Drivers or Conductors of Horses and Carriages, not exceeding in any Place a Width of Twenty-four Feet, and all the Estate and Interest of the said *Tredegar* Wharf Company and Sir *Charles Morgan* respectively therein or thereto, shall thenceforth be transferred to and become and be the Estate and Property of the said Canal Company, with such and the like Powers, Privileges, and Authorities, Conditions, Liabilities, and Restrictions, to or upon the said Canal Company, as they now have or enjoy

or

or are entitled or subject to in respect to the Piece or Portion of Tramroad to be so relinquished and transferred by them as aforesaid, and which said last-mentioned Portion of Tramroad shall thenceforth be freed and discharged from all Right and Privilege to or on the Part of any Person or Persons whomsoever, save and except the *Tredegar* Wharf Company and the said Sir *Charles Morgan*, his Heirs or Assigns: Provided nevertheless, that the said *Tredegar* Wharf Company and the said Sir *Charles Morgan* as such Reversioner as aforesaid, his Heirs or Assigns, shall be at liberty and they are hereby authorized from Time to Time and at all Times hereafter to make a transverse Rail or Tram Road across the said Tramroad so given up by them, for the Purpose of taking Ballast over the same, without the Payment of Tonnage to the said Canal Company in respect to such Ballast; and also that it shall and may be lawful to and for the said *Tredegar* Wharf Company, and their Lessees or Tenants, to use the said substituted Road for the Passage of all Goods, Wares, and Merchandize, which shall have previously paid Tonnage to the said Canal Company, from the Wharfs belonging to the *Tredegar* Wharf Company, or any or either of them, towards and unto the said Dock, without the Payment of any new or other Tonnage to the said Canal Company: Provided also, that it shall and may be lawful to and for the said *Tredegar* Wharf Company, their Lessees or Tenants, Executors, Administrators, or Assigns, to make, maintain, move, and alter their present Communications and Junctions between their Wharfs and the said Tramroad so substituted on the River Side thereof, and any other similar Communications and Junctions on that Side which they shall think fit, and to make Openings and lay down Plates in the Flanches or Ledges of such last-mentioned Tramroad for that Purpose.

Dock Company required to make Continuation of Tramroad to Land of John Jones, Esquire.

XIX. And be it further enacted, That the said Dock Company are hereby authorized and required to make and for ever maintain a Continuation of the said Tramroad so to be transferred to the said Canal Company as aforesaid, from the Termination thereof at the Western Verge or Limit of the Land authorized to be taken and purchased by the said Dock Company, by a corresponding Tramroad of equal Dimensions, over or across the Neck or Entrance of the said Dock by means of the Continuation and movable Bridge herein-before mentioned, up to and through the Lands of the said *Tredegar* Wharf Company on the Eastern Side thereof, to the nearest convenient Part of the adjoining Lands of the said *John Jones*, and such Continuation shall be free and open to all Persons whomsoever; and provided also, that the said Dock Company shall be and they are hereby further required, from Time to Time and at all Times for ever hereafter, to maintain and keep in repair, at their own proper Costs and Charges, so much of the said Continuation Tramroad as shall extend from the End of the Tramroad so to be transferred to the said Canal Company as aforesaid, over the Neck or Entrance into the said Dock, up to the Eastern Verge or Boundary of the Land of the said Dock Company and the said Bridge; and the said *John Jones* and his Heirs, or other the Owner or Owners or the Occupier or Occupiers for the Time being of the nearest Land now belonging to the said *John Jones*, shall be and they are hereby required, at their own Costs and Charges, for ever afterwards to maintain and keep in repair the remaining Part of such Continuation Tramroad.

Power to Tredegar Wharf Company to make Junctions with Monmouthshire Canal Company's Roads between Court y Bella and Pill Gwenlly, &c.;

XX. And be it further enacted, That it shall and may be lawful to and for the said *Tredegar* Wharf Company to make Openings and Communications from their Lands adjoining or contiguous to the said Canal Company's Tramroads into and with the same Tramroads between *Court y Bella Machine* in the Parish of *Saint Woollas* and *Pill Gwenlly* in the same Parish, and between the Corner of *George Street* and *Jack's Pill*, both in the same Parish, and to lay down Tram Plates in the Flanches or Ledges thereof for the Purpose of communicating with the said Dock: Provided always, that all Goods, Articles, and Things carried and conveyed upon the said Tramroads of the said Canal Company, and passing to or from the same by means of such Communications as aforesaid, shall be liable to and charged with the same Tonnages to the said Canal Company as if the same had been conveyed upon the said Tramroads to or from the present Terminations of the same at the Land of *John Jones* Esquire near *Pillgwenlly* and *Jack's Pill* aforesaid; and likewise it shall and may be lawful for the said *Tredegar* Wharf Company to make One Bridge across the *Monmouthshire* Canal, between a Place called *Potters Lock* and the Entrance into the said Dock, to communicate between their said Lands and the Side Entrance into the said Dock.

and to make a Bridge across Canal between Potters Lock and the Dock Entrance.

Crossing public Highways.

XXI. And be it further enacted, That where the said Railways or Tramroads, or any Branch or Branches therefrom, shall cross any Turnpike Road or public Highway, the Ledge or Flanch of such Railways or Tramroads, Branch or Branches, for the Purpose of guiding the Wheels of the Carriages, shall not rise above nor sink below the Level of such Road or Highway more than One Inch.

Railway to be crossed by Bridge.

XXII. And be it further enacted, That in case any locomotive Engne shall be used upon the said Railway or Tramroad, then the said Railway or Tramroad shall be raised or sunk wherever it shall cross any Turnpike Road, or shall be crossed by any other Railway or Tramroad, so that the said Railway or Tramroad shall pass over the said Road or Railway or Tramroad, or the said Road or Railway or Tramroad shall pass over the Railway or Tramroad hereby authorized to be made, by means of a Bridge, of such Height and Width and with such an Ascent or Descent as is herein mentioned.

Width of Arch over Turnpike Roads.

XXIII. And be it further enacted, That where any Bridge shall be erected by the said Company for the Purpose of carrying the said Railway over or across any Turnpike Road, Railway, or Tramroad, the Span of the Arch of such Bridge shall be formed and shall at all Times be and be continued of such Width as to leave a clear and open Space under every such Arch of not less than Fifteen Feet, and of a Height from the Surface of such Turnpike Road to the Centre of such Arch of not less than Sixteen Feet; and where any Bridge shall be erected for carrying any Turnpike Road over the said Railway the Road over such Bridge shall be formed and shall at all Times be continued of such Width as to leave a clear and open Space of not less than Fifteen Feet; and the Ascent to such Bridge, in case of a Turnpike Road, shall not be more than One Foot in Thirty Feet, and the Descent under such Bridge, in case of a Turnpike Road, shall not be more than One Foot in Thirty Feet.

XXIV. And

Extent of Land to be taken for Dock, &c.

XXIV. And be it further enacted, That the Land to be taken or used for the Purposes of the said Dock, Quays, Landing Places, Wharfs, Warehouses, and other Buildings, Works, and Conveniences, over and above the Ballast Ground herein-before mentioned, shall not exceed Twenty-six Acres; and the Portion of such Lands to be used for the Purpose of the Basin Part of the said Dock shall not exceed Sixty-six Yards in Width; and the Portion of such Lands to be taken and used for the said Quays, Landing Places, Wharfs, Warehouses, and other Buildings, and for Continuations of the said Railway or Tramroad and Stone Road first herein-before mentioned respectively, shall extend the whole Length of the said Dock on each Side thereof, but the same shall not exceed in Width or Breadth on either Side One hundred and forty-five Feet from the Edge of the Waterway, unless with the Consent in Writing of the Owner or Owners of the Lands or Grounds adjoining to or beyond the Limits herein-before specified for the Purpose of the said Quays, Landing Places, Wharfs, Warehouses, and Buildings.

Apportionment of Ground to be so taken.

Plan and Book of Reference to remain with Clerk of the Peace, and be open to Inspection.

XXV. And whereas a Map or Plan describing the Situation of the said Dock and other Works, and the Line or Course of the said Railway (first herein-before mentioned), Stone Road, and Watercourse, and the Lands or Grounds in, through, across, under, over, or upon which the same are proposed to be made or carried, together with a Book of Reference thereto, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands and Grounds, has been deposited at the Office of the Clerk of the Peace in and for the said County of *Monmouth*; be it therefore enacted, That the said Map or Plan and Book of Reference so deposited shall remain with and be kept by the said Clerk of the Peace, and all Persons whosoever shall have Liberty to inspect and peruse the same, and to make Copies thereof or Extracts therefrom, at all seasonable Times, on Payment of One Shilling for each Inspection, and of Two Shillings and Sixpence more for every Hour during which such Inspection shall continue after the First Hour, and paying for every Copy or Extract the Sum of Sixpence for any Number of Words not exceeding One hundred, and so in proportion for any greater Number of Words; and the said Map or Plan and Book of Reference, or true Copies thereof or of so much thereof as shall relate to any Matter which may be in question, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Limiting Deviation from Plan.

XXVI. And be it further enacted, That the said Dock Company, in making the said Dock, Stone Road, and Railway or Tramroad first herein-before mentioned, shall not deviate from the Situation, Course, or Direction delineated in the said Map or Plan, without the Consent in Writing of the Owners or Owner of the Ground into or over which such Deviation shall be made, and in that Case not more than One hundred Yards.

Unintentional Errors not to prevent the Execution of the Act.

XXVII. And be it further enacted, That the said Dock Company shall and may make the said Dock, Railways or Tramroads, Watercourse, and Stone Road, and other Works, into, through, across, or over any Lands or Grounds or other Premises described or intended to be described in the said Map or Plan, although the Name or Names of the Owner or Owners or Occupier or Occupiers thereof is or are omitted or mis-stated in the said

said Book of Reference, or in the Schedule to this Act annexed, in case it shall be made to appear to any Two or more of His Majesty's Justices of the Peace for the said County of *Monmouth* not being interested, and shall be by them certified under their Hands, that such Omission or Misstatement proceeded through Mistake: Provided always, that nothing herein contained shall authorize or empower the said Dock Company, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage any House or other Building which was erected or built on or before the Thirtieth Day of *November* One thousand eight hundred and thirty-four, or any Land or Ground which was then set apart and used as and for a Garden or Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, without the Consent in Writing of the Owners thereof or Persons interested therein respectively, other than and except those specified in the Schedule annexed to this Act.

If Land not contracted for in Two Years, Power to take it to cease.

XXVIII. And be it further enacted, That unless the said Dock Company shall within the Space of Two Years, to be computed from the passing of this Act, agree for or cause to be valued and paid for as in this Act is mentioned the Lands, Tenements, and Hereditaments which they are by this Act empowered to take, purchase, and use, or so much thereof as shall be by them deemed necessary and proper for the Purposes of making the said Dock, Railways or Tramroads, and Stone Roads, or other Works hereby authorized, then and from thenceforth the Powers which are hereby granted to them for taking or using such Lands, Tenements, or Hereditaments not valued or paid for as aforesaid shall cease and be utterly void, without the Consent in Writing of the Owners of such Lands, Tenements, and Hereditaments first had and obtained.

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

XXIX. And be it further enacted, That after any Lands or Hereditaments shall be set out and ascertained for making the said Dock, Railways or Tramroads, Stone Road, and other Works and Conveniences hereby authorized to be made, or any of them, or any Part or Parts thereof respectively, it shall be lawful for all Bodies Politic, Corporate, Collegiate, Corporations Aggregate and Sole, Tenants in Tail or for Life, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and for and on behalf of their Cestuique Trusts, (whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons,) and to and for all Femes Covert who are or shall be seised or possessed of or interested in their own Right, or entitled to Dower or other Interest in any such Lands, Grounds, or Hereditaments, and for all and every other Person or Persons whomsoever, who is or are or shall be seised or possessed of or interested in any Lands, Grounds, or Hereditaments which shall be set out and ascertained for the Purposes aforesaid, to contract for, sell, grant, and convey the same and every Part thereof, or the Easement, Liberty, and Privilege therein or thereupon which is hereby authorized, as the Case may be, unto the said Dock Company; and all such Contracts, Agreements, Sales, Conveyances, Grants, and Assurances shall be made at the Expence of the

said Dock Company, and may be in or according to the following Form, or as near thereto as the Circumstances of the Case will admit of; (that is to say,)

Form of Conveyance.

'I of in consideration of the Sum of to me paid by the *Newport* Dock Company, do hereby grant, release, assign, and confirm unto the said Dock Company all [*describing the Premises to be conveyed*], and all my Estate, Right, Title, and Interest in and to the same and every Part thereof, [*or the Easement, Liberty, and Privilege therein or thereupon which is hereby authorized, as the Case may be,*] to hold to the said Dock Company and their Successors for ever, by virtue and according to the true Intent and Meaning of an Act passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*]. In witness whereof I have hereunto set my Hand and Seal this Day of in the Year of our Lord '

And all such Grants, Conveyances, and Assurances as aforesaid shall be good, valid, and effectual in the Law to all Intents and Purposes, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever; and all such Conveyances and Assignments respectively shall be kept by the Clerk or Clerks to the said Dock Company, who shall from Time to Time, when requested, deliver attested Copies thereof to any Person or Persons requiring the same, and shall have and receive the Sum of Sixpence for every One hundred Words of such Copies, exclusive of Stamps.

Pieces of Land separated to be purchased by the Company, if required.

XXX. And be it further enacted, That if in making the said Dock, or Tramroads, Railways, or Stone Roads, any Pieces or Parcels of Ground shall be cut through and divided so that what shall be left on each or either Side of the said Dock, Railways or Tramroads, or Stone Roads, shall be of less than an Acre in Quantity, or shall be throughout the whole Length thereof less than Fifty Yards in Breadth, and if the Owner or Owners of any such Pieces or Parcels of Ground shall not have any other Land or Ground adjoining to what shall be so left, then and in every such Case, and if the Owner or Owners or Person or Persons entitled to the Possession or to the Rents and Profits of the same shall so require, but not otherwise, they the said Dock Company shall also take and purchase the Piece or Parcel, Pieces or Parcels of Ground so to be separated or left, being less than Half an Acre in Quantity or less than Fifty Yards in Breadth throughout the whole Length thereof as aforesaid, the Value thereof to be ascertained, in case of Disagreement, in the same Manner as is hereby directed concerning any Land or Ground to be cut, taken, and used for the Purposes of this Act: Provided always, that the Owner or Owners of any Land adjoining the said Pieces or Parcels of Land so separated, and which the said Dock Company shall be required to purchase, and shall purchase and pay for as aforesaid, shall have the Option of taking and purchasing the same from the said Dock Company at any Time within Six Calendar Months after the said Dock Company shall have purchased and paid for the same, for the same Price in Money, together with the Interest thereof, and on reimbursing the said Dock Company all Expences they may have incurred in and about such Purchase.

Owners of adjoining Lands to have the Option of purchasing the same.

Disputes touching the Purchase Money to be settled by Juries.

XXXI. And for settling all Differences which may arise between the said Dock Company and the Owners and Occupiers of or Persons interested in the Lands, Tenements, or Hereditaments which shall or may be set out and ascertained for making the said Dock, Railways or Tramroads, Stone Roads, and other Works and Conveniences, or any of them respectively, or which may be otherwise affected or prejudiced by the Execution of the Powers hereby granted, touching the Purchase or Consideration Money to be paid or Recompence to be made respectively for and in respect of the same; be it further enacted, That if any Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, seised or possessed of or interested in any such Lands, Tenements, or Hereditaments as aforesaid, shall, for and on his, her, or their own Part or Parts, or for or on the Part of his, her, or their Cestuique Trusts, or of any incapacitated Person or Persons as aforesaid, refuse to accept such Purchase or Consideration Money or Recompence as shall be offered to him, her, or them respectively by the said Dock Company, and shall give Notice thereof in Writing to the said Dock Company within Twenty-one Days next after such Offer shall have been made, and the Party or Parties giving such Notice as aforesaid shall therein request that the Matter or Matters in dispute may be submitted to the Determination of a Jury; or if any Body Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons, seised or possessed of or interested in any such Lands, Tenements, or Hereditaments as aforesaid, shall neglect or refuse to treat or shall not agree with the said Dock Company in regard to their respective Estates or Interests therein; or if any such Body Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons, seised, possessed, or interested as aforesaid, cannot be found, or shall not be known or discovered, or shall not produce or evince a clear Title to the Premises which they respectively are or shall or may be in Possession of, or to the Interest which they shall respectively claim therein, to the Satisfaction of the said Dock Company; then and in every such Case the said Dock Company shall and may and they are hereby empowered and required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the County of *Monmouth*, and in case such Sheriff or his Under Sheriff shall be one of the said Dock Company, or shall hold any Office of Trust or Profit under the said Dock Company, or shall be otherwise interested in the Matter in question, then to some one of the Justices of the Peace in and for the said County who shall not be so interested as aforesaid, commanding such Sheriff or Justice to impanel or summon and return a Jury of at least Eighteen sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in His Majesty's Court of Exchequer, to appear before the Justices of the Peace for the same County at some Court of General or Quarter Sessions of the Peace to be holden for the same County, or at some Adjournment thereof, as in such Warrant or Warrants shall be appointed; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid, such Sheriff or Justice shall return other honest and indifferent Men of the Standers-by, or who can speedily be procured to attend that Service (being so qualified as aforesaid), to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and

Company may require the Sheriff to impanel such Jury.

the Clerk of the Peace for the said County, or his Deputy, is hereby empowered and required to summon and call before the said Justices all and every Persons or Person who shall be thought necessary to be examined as Witnesses or as a Witness touching the Matter in question, and may order and authorize the said Jury, or any Six or more of them, to view the Place or Places or Matter or Matters in controversy; and such Jury, upon their Oaths, (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence as herein-after mentioned, the said Court is hereby empowered to administer,) shall inquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of or as a Consideration for such Lands, Tenements, and Hereditaments, Easements, Liberties, Privileges, and also what separate and distinct Sum or Sums of Money shall be paid by way of Recompence, either for Damage which shall or may before that Time have been sustained, or for the future temporary or perpetual Continuance of Damage the Cause or Occasion of which shall have been only in part obviated, repaired, or remedied by the said Dock Company, and which cannot or will not be further obviated, repaired, or remedied by the said Dock Company; and the Justices shall accordingly give Judgment for such Purchase Money or Recompence as shall be assessed by such Jury; which said Verdict, and the Judgment to be thereupon pronounced as aforesaid, shall be binding and conclusive to all Intents and Purposes against all Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever: Provided always, that in all Proceedings before any Jury the Persons claiming Compensation shall be deemed Plaintiffs; Provided also, that not less than Fourteen Days Notice in Writing of the Time and Place of Meeting of the said Justices and Jury shall be given by or on behalf of the said Dock Company to the Party or Parties with whom such Controversy shall be depending, by leaving such Notice at the Dwelling House of such Person or Persons, Trustee or Trustees, or with the Clerk or Agent of any such Body Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises to be valued or respecting which such Question shall be depending.

Fine on Sheriff making Default, and on Persons refusing to appear.

XXXII. And be it further enacted, That if such Sheriff or his Deputy, or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make Default in the Premises, he shall for every such Offence forfeit the Sum of Fifty Pounds; and if any Person so summoned and returned upon such Jury as aforesaid shall not appear (without sufficient Excuse), or appearing shall refuse to be sworn or give his Verdict, or in any other Manner wilfully neglect his Duty contrary to the true Intent and Meaning of this Act, or if any Person so to be summoned to give Evidence as aforesaid shall not appear (without sufficient Excuse), after having been paid or tendered a reasonable Sum for his, her, or their Expences, or appearing shall refuse to be sworn or examined or to give Evidence, then and in every such Case every Person so offending shall forfeit and pay, for the Benefit of the Party for whom or on whose Account such Jury or Witnesses shall be summoned, any Sum not exceeding Ten Pounds, to be levied, under a Warrant or Warrants from the said Court, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering to him, her, or them the Overplus (if any), after such Penalty, and the Charges and Expences of such Distress and Sale, shall be deducted.

XXXIII. And

Juries to be under same Regulations as in Courts at Westminster.

XXXIII. And be it further enacted, That every such Jury and Juryman as aforesaid shall be liable to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of an Issue joined in any of His Majesty's Courts of Record at *Westminster*; and all and every Person and Persons who in any Examination to be taken by virtue of this Act upon their Oath shall wilfully and corruptly give false Evidence before any such Jury, or before the said Court of Session, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to the same Pains and Penalties to which Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable.

Persons giving false Evidence may be punished.

Expences Juries, how to be paid.

XXXIV. And be it further enacted, That in every Case where the Verdict of a Jury shall be given for a greater Sum than shall have been previously offered or tendered by or on behalf of the said Dock Company, then and in such Case the Costs and Expences of summoning such Jury and the Attendance of Witnesses as aforesaid shall be ascertained by the Clerk of the Peace for the said County of *Monmouth*, or his Deputy, who is hereby empowered and required to ascertain the same; and in case of Nonpayment thereof by the said Dock Company for the Space of Seven Days next after the same shall have been so ascertained, and an Account and Demand in Writing, signed by the said Clerk or his Deputy, shall have been delivered and made thereof to and from the said Dock Company, then the said Justice shall and he is hereby required, by Warrant under his Hand and Seal, to levy the same by Distress and Sale of any of the Goods and Chattels of the said Dock Company, for the Use of such Person or Persons to whom such Costs and Expences shall have been allowed, rendering to the said Dock Company the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale; and every or any such Person or Persons, upon Refusal or Neglect of the said Dock Company to pay the said Costs and Expences as aforesaid, shall and may have such and the like Remedy against them for the Recovery thereof by Action at Law to be commenced and prosecuted in such Manner as in other Cases is by this Act described and directed; but if the Verdict of the Jury shall be given for the same or a smaller Sum than shall have been previously offered or tendered by the said Dock Company, or if no Verdict shall be given for Damages where the whole Dispute shall be whether any Damage has or has not been done, then and in every such Case one Moiety of such Costs and Expences shall be defrayed by the Person or Persons with whom the said Dock Company shall have such Controversy or Dispute, and the other Moiety thereof shall be defrayed by the said Dock Company; which said Costs and Expences, having been ascertained and settled in manner aforesaid, shall and may be deducted out of the Money to be determined or adjudged to be paid to such Person or Persons as aforesaid, if any, as so much Money advanced to and for his, her, or their Use, and the Payment or Tender of the Remainder of the Money so to be determined or adjudged shall be deemed and taken to all Intents and Purposes whatsoever to be a good Payment or Tender in satisfaction of the whole thereof: Provided always, that in all Cases where, by reason of Absence in Foreign Parts, or otherwise, any Person or Persons shall have been prevented from treating and agreeing as aforesaid, the whole of such Costs, Charges, and Expences shall be borne and paid by the said Dock Company.

XXXV. And

Persons requesting Juries to enter into Bond to prosecute and pay Expences.

XXXV. And be it further enacted, That all and every Person or Persons with whom the said Dock Company shall have any such Controversy or Dispute as aforesaid shall, before the said Dock Company shall be obliged to issue out their Warrant or Warrants for the summoning such Jury, first enter into a Bond to the said Dock Company in the Penalty of One hundred Pounds to prosecute his, her, or their Complaint, and to bear and pay his, her, or their Proportion of the Costs and Expences of summoning and returning such Jury, and taking such Inquest, and of the summoning and Attendance of Witnesses, in case such Costs and Expences shall fall upon him, her, or them, to be paid according to the true Intent and Meaning of this Act.

Compensation to be apportioned.

XXXVI. And be it further enacted, That the said Juries shall and they are hereby respectively empowered to settle what Shares and Proportions of the Purchase or Consideration Money or Compensation for Damages which shall be agreed for, determined, and adjusted or assessed in manner aforesaid, shall be allowed to any Tenant or other Person or Persons having a particular Estate, Term, or Interest in the Premises, for such his, her, or their Interest or respective Interests therein.

Verdicts of Juries to be recorded.

XXXVII. And be it further enacted, That all the said Verdicts and Judgments shall be kept by the Clerk of the Peace for the said County of *Monmouth* amongst the Records of the Quarter Sessions for that County, and shall be deemed Records to all Intents and Purposes; and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for each Inspection the Sum of One Shilling and no more, and also to take and make Copies thereof, paying for each Copy after the Rate of Sixpence for every One hundred Words.

No Complaint to be taken notice of unless previous Notice has been given to the Company.

XXXVIII. And be it further enacted, That the said Dock Company shall not be obliged by virtue of this Act to receive or take notice of any Complaint or Complaints to be made by any Person or Persons whomsoever for any Injury or Damage by him, her, or them sustained or supposed to be sustained by virtue or in consequence of the Execution of any of the Powers of this Act, unless Notice in Writing, with full Particulars of the Cause of Complaint and of the Amount of Damage claimed, shall have been given in relation thereto by or on behalf of such Person or Persons to the said Dock Company within the Space of Six Calendar Months next after the Time such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Mortgagees to convey.

XXXIX. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on any Lands, Tenements, or Hereditaments to be taken or used for the Purposes of this Act, shall, on Tender of the Principal Money and Interest due thereon, together with Six Months Interest on the said Principal Money, by the said Dock Company, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Dock Company; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Dock Company that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the

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

Application of Compensation when

XL. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, or for

for any Estate or Interest, Easement, Liberty, or Privilege therein or thereupon, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, except the said Canal Company, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, Cestuique Trust, or to any other Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer, to be placed to his Account there, *ex parte* the *Newport* Dock Company, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order to be made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or in the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or to the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so hereby directed to be purchased in case such Purchase and Settlement were made.

amounting to or exceeding 200*l.*

1 G. 4. c. 35.

XLI. Pro-

Application when less than 200*l.* and amounting to 20*l.*

XLI. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands or Hereditaments, Easement, Liberty, or Privilege purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, except as aforesaid, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees to be nominated by the Person or Persons making such Option and approved of by the said Dock Company, (such Nomination and Approbation to be signified in Writing by the nominating and approving Parties,) in order that such Principal Money and the Dividends arising therefrom may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

When less than 20*l.*

XLII. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in every such Case the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for any of the Purposes of this Act, in such Manner as the said Dock Company shall think fit; or in case of Infancy or Lunacy, then to the Guardian or Guardians of such Infant or Infants, or to the Committee or Committees of such Lunatic or Lunatics, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of Refusal to accept Compensation, or of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

XLIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be assessed to be paid as aforesaid shall refuse to accept the same, or shall not be able to make out a good Title, to the reasonable Satisfaction of the said Dock Company; or in case such Person or Persons to whom such Sum or Sums of Money shall be so assessed or awarded to be paid as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall and may be lawful to and for the said Dock Company to order the said Sum or Sums of Money so assessed as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing such Lands, Tenements, or Hereditaments,) subject to the Order, Control, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person

or

or Persons making claim to any such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is or are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons who shall pay any Sum or Sums of Money into the Bank as aforesaid.

In case of disputed Titles, Persons in Possession to be deemed entitled.

XLIV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court of Exchequer may order Expences of Purchases to be paid by the Company in certain Cases.

XLV. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall and may be lawful to and for the said Court to order the reasonable Expences of all Purchases from Time to Time to be made in pursuance of this Act, and of the Reinvestment of the Purchase Money in Land, together with the necessary Costs and Charges of obtaining the proper Orders for such Purposes, to be paid by the said Dock Company, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XLVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by any Jury or Juries in manner aforesaid, for the Purchase of any such Lands, Tenements, or Hereditaments, or by way of Compensation or Satisfaction for the Damage to be done thereto, as the Case may be, to the Person or Persons interested therein or entitled to receive such Compensation or Satisfaction, within Thirty Days after the same shall have been so agreed or determined or awarded; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to, or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act, then upon Payment of such Sum or Sums of Money into the Bank of *England* as herein-before directed and required for the Use of such Person or Persons so interested or entitled as aforesaid; it shall and may be lawful to and for the said Dock Company, and their Agents, Workmen, Contractors, or Servants, immediately or at any Time thereafter to enter upon such Lands, Tenements, and other Hereditaments respectively, and to make and construct the said Dock, Railways or Tramroads, Stone Road, Watercourse, and other Works; and then and thereupon such Lands, Tenements, and other Hereditaments as shall be required to be purchased as aforesaid, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Dock Company to and for the Purposes of this Act for ever; and such Tender or Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made in the Lands or Hereditaments to be so purchased as aforesaid, but shall also extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that before such Payment or legal Tender as aforesaid it shall not be lawful for the said Dock Company, or any Person or Persons acting by or under their Authority, to dig or cut, or to take down, remove, or alter, any Land, Ground, Messuage, Building, Tenement, or other Hereditament, for the Purpose of making the said Dock, Railways or Tramroads, Stone Roads, and other Works, without the Leave and Consent of the Proprietor or Proprietors thereof respectively entitled to such Payment; and in case the said Dock Company, or any Person or Persons acting by or under their Authority, shall enter upon any such Lands, Grounds, or Premises before or until such Payment or legal Tender shall have been made, they or he shall respectively forfeit and pay to the Party aggrieved the Sum of Ten Pounds for every Day he or they shall remain on such Land or Premises.

Enabling the Company to sell Lands not wanted.

XLVII. And whereas by means of the Purchases which the said Dock Company are empowered or are required to make by virtue of this Act they may happen to be seised or possessed of more Lands than will be necessary for effecting the Purposes of this Act, or of Lands not applicable to the Purposes thereof; be it therefore further enacted, That it shall be lawful for the said Dock Company to contract for and to sell,

and by any Deed under their Common Seal, and for such Considerations as they may deem reasonable, to convey to the Purchasers thereof, any Part or Parts of such superfluous Lands, or any Estate or Interest which they may have therein, either together or in Parcels, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same, subject as aforesaid; and such Conveyances from the said Dock Company shall be valid and effectual, any thing in this Act contained, or in any other Law, Statute, or Custom, to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by any such Sale it shall be lawful for the Treasurer or Treasurers for the Time being of the said Dock Company to sign and give Receipts for the same, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands or Grounds shall be sold, or for so much thereof as in any such Receipt or Receipts shall be acknowledged or expressed to be received, and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof.

Company to make first Offer of such Lands to Owners of adjoining Lands.

XLVIII. Provided always, and be it enacted, That, subject as aforesaid the said Company, before they shall dispose of any such superfluous Lands, shall first offer to sell the same to the Person or to the several Persons whose Lands or Premises shall immediately adjoin the Lands so proposed to be sold, such Persons being in *England* and conveniently to be found, and being capable of entering into a Contract for the Purchase of such Lands; and such respective Persons, in case they shall be desirous of purchasing the same, shall signify such their Desire and Intention in that Behalf to the said Company within Twenty-eight Days after such Offer of Sale shall have been made; and in case such Persons shall decline to avail themselves of such Offer, or shall neglect to signify their Desire and Intention to purchase such Lands for the Space of Twenty-eight Days, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer of Sale shall cease; and an Affidavit made and sworn to before a Master or Master Extraordinary in the High Court of Chancery, or before any Justice of the Peace for the County or Place where such Lands may be situate, by some Person not interested in such Lands, stating that the Person entitled to such Right of Pre-emption was not in *England*, or was not found, or was not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made by or on behalf of the said Company, and that such Offer was refused or was not accepted by the Person to whom the same was made within the Space of Twenty-eight Days from the Time of making the same, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was refused or was not accepted within the Time aforesaid (as the Case may be) by the Person to whom such Offer was made; and in case any such Person as aforesaid shall be desirous of purchasing any such Lands, and such Person and the said Company shall not agree with respect to the Price thereof, then the Price thereof shall be ascertained by a Jury in the Manner by this Act directed with respect to the disputed Value of Lands to be taken or used by the said Company, and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as in this Act is directed with respect to the disputed Value of

Lands

Lands to be taken or used by the said Company, *mutatis mutandis;* and the Money produced by the Sale which may be made by the said Company of such Lands as aforesaid shall be applied to the Purposes of this Act.

Empowering Company to purchase additional Land.

XLIX. And be it further enacted, That it shall be lawful for the said Dock Company and they are hereby empowered to contract with any Person, or with any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole (who shall be willing to sell the same), for the Purchase of any Lands, Tenements, or Hereditaments, not exceeding in the whole Twenty Statute Acres, (in addition to the Lands, Tenements, and Hereditaments herein-before authorized to be taken and used,) in such Places as shall be deemed eligible (subject to the Restrictions herein-after mentioned) for the Purpose of enlarging the said Dock, and of making and providing Yards, Wharfs, Quays, Landing Places, Warehouses, and other Buildings and Conveniences for receiving, depositing, carrying, or keeping any Goods, Merchandize, or other Things conveyed or intended to be conveyed upon the said Railways or Tramroads and Stone Roads, any or either of them, or which may be discharged from any Ship or other Vessel coming into the said Dock, or for making convenient Roads or Ways leading thereto respectively, or any other Purposes whatsoever by this Act authorized which the said Company shall judge requisite; and it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, and all other Persons whomsoever (including such or the like Corporations and Persons as are herein-before capacitated to sell and convey other Lands, Tenements, and Hereditaments for the Purposes of this Act,) to sell and grant or convey to the said Dock Company, and their Successors, any Lands, Tenements, or Hereditaments whatsoever for the Purposes herein mentioned, or any of them, in the same Manner as is herein-before directed concerning Lands, Tenements, and Hereditaments to be taken or used for the Purposes of making and maintaining the said Dock, Railways or Tramroads, Stone Roads, and other Works; and provided always, that in case of such further Purchase of additional Land as is lastly above mentioned it shall and may be lawful to and for the said Dock Company to use such additional Land for enlarging the said Dock, and the Space for Quays, Wharfs, Warehouses, and other Buildings, Roads, Works, and Conveniences hereby authorized, in such Proportions as they shall think proper.

Empowering Company to sell such Lands and purchase others.

L. And be it further enacted, That it shall be lawful for the said Dock Company from Time to Time to sell and dispose of such additional Lands, Tenements, and Hereditaments as they are in the Clause last herein-before contained empowered to purchase and shall actually have purchased for the Purposes of this Act, or such Parts thereof as the said Dock Company shall think proper, and either together or in Parcels, by public Auction or private Contract, as shall be thought expedient, and again from Time to Time to contract for the Purchase of any other Lands, Tenements, or Hereditaments which the said Dock Company shall deem more eligible for the Purposes aforesaid, and afterwards to sell and dispose of the same, so that the Number or Quantity of Acres to be purchased and held by the said Dock Company for any of the Purposes lastly herein-before mentioned shall not exceed at One Time the Quantity or Number of Acres for those Purposes expressly specified or allowed.

LI. And

Restraining Company from purchasing more than Twenty Acres of Land from incapacitated Persons.

LI. And whereas the said Company are enabled to purchase Twenty additional Statute Acres of Land by virtue of this Act, and all Corporations and all Persons whomsoever are empowered to sell such Number or Quantity of Acres to the said Company: And whereas it is expedient to restrain the said Company from selling any such additional Lands so purchased from any Corporation or other Person being under legal Disability or Incapacity, and again purchasing other Lands from the same or from any other Corporation or Person being under legal Disability or Incapacity in lieu or stead of the Land so sold; be it therefore enacted, That it shall not be lawful for the said Company to purchase from any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or any other Purpose, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, Cestuique Trust, or from any Tenant for Life or in Tail, or Person to whom or for whose Benefit Lands are limited in strict Settlement, or other Person being under legal Disability or Incapacity, more than such Twenty Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Land so purchased, it shall not be lawful for the said Company to purchase of or from the same or of or from any other Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or any other Purpose, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for any Infant, Lunatic, Idiot, Feme Covert, Cestuique Trust, or Tenant for Life or in Tail, or Person to whom or for whose Benefit such Lands are limited in strict Settlement, or other Person being under legal Disability or Incapacity, nor for the same or any other Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or any other Purpose, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for any Infant, Lunatic, Idiot, Feme Covert, Cestuique Trust, or Tenant for Life or in Tail, or Person to whom or for whose Benefit such Lands are limited in strict Settlement, or other Person being under legal Disability or Incapacity, to sell to the said Company, any other Lands in lieu or instead of such Twenty Acres of Land or any Part thereof so sold or disposed of by the said Company.

Provision for Deficiencies of Land Tax.

LII. And whereas, by reason of the Exercise of the Powers by this Act granted, there may be Deficiencies in the Assessments for Land Tax in the several Parishes or Townships through or in which the several Works hereby authorized may pass or be situate; be it therefore enacted, That the said Company shall, from and after they shall have become seised and possessed by virtue of this Act of any Premises charged with the Land Tax, and until the Works hereby authorized to be made shall be completed and assessed to such Land Tax, unless the said Company shall think fit to redeem the same under the Powers of the Acts for the Redemption of Land Tax, be subject and liable from Time to Time to pay and make good to or in aid of such several Parishes or Townships as aforesaid, out of the Monies to arise by virtue of this Act, all such Sums of Money as shall be deficient in the said several Assessments for Land Tax within the said several Parishes or Townships by reason of taking down or using for the Purposes of this Act any Premises liable to such Assessments, according to the Rental at which the same

were valued or rated at the Time of the passing of this Act; and the Treasurer or Collector or Receiver to be appointed under this Act is hereby required to pay all such Deficiencies, on Demand thereof, to the Collector of the said Assessments.

The whole of the Expence to be subscribed for before the compulsory Powers of the Act are put in force.

LIII. And whereas the probable Expence of making the said Dock and the other Works hereby authorized will amount to the Sum of Thirty-three thousand two hundred and fifty Pounds, and the said Sum has been already subscribed for by several Persons under a Contract binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them respectively subscribed for; be it therefore enacted, That from and after the passing of this Act, this Act and all the Powers relating to the compulsory taking of Land for the Purposes of the said Dock and other Works shall be put in force.

Proprietors to raise Money amongst themselves for completing the Works.

LIV. And to the end that the said Dock Company may be enabled to carry on the said Undertaking, be it further enacted, That it shall be lawful for the said Dock Company to raise and contribute amongst themselves, in such Proportions as they shall think proper, a competent Sum of Money for making and completing the said Dock, Railways or Tramroads, Stone Roads, Watercourse, and other Works and Conveniences by this Act authorized to be made, not exceeding in the Whole the Sum of Fifty thousand Pounds, and the same shall be divided into Shares of One hundred Pounds each, and such Shares shall be numbered in regular numerical Progression, and every Share shall for ever afterwards be distinguished by the Number to be appointed for the same.

Shares vested in the Proprietors.

LV. And be it further enacted, That the said Shares shall be and they are hereby vested in the several Bodies Politic, Corporate, and Collegiate, and other Persons so raising and contributing the same, and their several and respective Successors, Executors, Administrators, and Assigns, to and for their and every of their proper Use and Benefit, accordingly and proportionately to the Sums they shall severally raise and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, and Assigns, who shall subscribe for One or more Share or Shares, or such Sum or Sums as shall be demanded in lieu thereof, towards carrying on and completing the said Undertaking and other the Purposes of the said Subscription, shall be entitled to receive, after the said Dock, Railways or Tramroads, Stone Roads, and other Works, or so much of them as shall or may be deemed necessary, shall have been completed, a due and just Proportion, according to their respective Number of Shares, of the clear Profits and Advantages which shall or may arise or accrue by or from the Rates, Tolls, Duties, and other Monies to be raised, recovered, or received by virtue of this Act, and shall also from Time to Time bear and pay a like due and just Proportion of the Money wanted for carrying on the said Undertaking in manner herein directed and appointed:

Shares to be deemed Personal Property.

LVI. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, or Collegiate, and all other Person or Persons, of and in the said Undertaking or the Joint Stock or Fund of the said Dock Company, shall be deemed Personal Estate, and be transmissible as such, and not of the Nature of Real Property.

LVII. And

To compel Payment of Subscriptions.

LVII. And be it further enacted, That the several Persons who have subscribed or who shall hereafter subscribe any Money for or towards making and maintaining the said Dock, Railways or Tramroads, Stone Roads, and other Works hereby authorized to be made, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the Committee under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Dock Company or the said Committee in manner after mentioned; and in case any Person or Persons shall refuse or neglect to pay the same at the Time and in the Manner required for that Purpose it shall and may be lawful for the said Dock Company to sue for and recover the same in any Court of Law or Equity.

Power to Company of Proprietors of Monmouthshire Canal Navigation to subscribe 5,000*l.*;

LVIII. And whereas the Establishment of the said Dock and Works authorized by this Act will probably tend as well to increase as to consolidate the Income of the said Canal Company, and they have accordingly agreed at a General Meeting of such Company convened for that Purpose to subscribe the Sum of Five thousand Pounds to the said Undertaking; it is hereby further enacted, That it shall be lawful for the said Canal Company so to subscribe the same, and to borrow and raise the said Sum of Five thousand Pounds by Debentures or Charges on their Canal and Works, in the same Manner as they were or are authorized and empowered to borrow and take up Money at Interest for their own Purposes by any of the Acts passed for the Establishment or Regulation of the said Canal and Works, and in addition to the Sums or Sum therein respectively mentioned; and that the said Canal Company shall and may have and be possessed of as many Shares in the said Dock and Works in proportion to their subscribed Capital as any Person or Persons shall or may have therein in proportion to his or their subscribed Capital.

and to hold equivalent Number of Shares.

Directing how Subscribers shall vote at Meetings.

LIX. And be it further enacted, That every Body Politic, Corporate, and Collegiate, and all and every other Persons and Person, who shall by virtue of this Act have subscribed for or who shall become entitled to and be in the actual Possession of One or more Share or Shares in the said Undertaking, shall be deemed a Proprietor of every such Share; and at all General and Special General Meetings to be held by virtue of this Act all Persons and Corporations who shall have duly subscribed for or become entitled to any Share or Shares (not exceeding Ten) in the said Undertaking, and their respective Successors, Executors, Administrators, and Assigns, shall have a Vote for each such Share; and all such Persons and Corporations as aforesaid as shall have subscribed for or become entitled to more than Ten Shares in the said Undertaking, their respective Successors, Executors, Administrators, and Assigns, shall, over and above the Ten Votes which they shall respectively have for or in respect of the first Ten Shares, have an additional Vote for every Two Shares which they shall have subscribed for, and shall then be or which they shall have become otherwise entitled to, in the said Undertaking, beyond the Number of Ten Shares; and such Vote or Votes may be given by such respective Parties, or, in their Absence, by their respective Proxies constituted under the Seals of such Bodies, and under the

Hands

Hands of the other Proprietors appointing such Proxies, all such Proxies being Proprietors of Shares in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person; and every Question, Matter, or Thing which shall be proposed in any General or Special General Meeting of the said Dock Company shall be determined by the Majority of Votes of the Proprietors of the said Dock Company then present personally or by Proxy; and at every such Meeting the Chairman thereof shall and may not only vote as a Principal and also as a Proxy, but, in case of an Equality of Votes, shall and may also have the deciding or casting Vote; and the Determination of every such Meeting upon any Question, Matter, or Thing, unless as herein otherwise provided for, shall be and be deemed and taken to be the Decision of the said Company, notwithstanding any Irregularity which may have occurred in the giving or taking of any Votes at such Meeting; and the Appointment of every such Proxy may be made according to the Form following, or as near thereto as the Quality, Nature, and Number of the Appointer or Appointers of the Proxy thereby constituted, and other Circumstances, will admit; (that is to say,)

Form of Proxy.

'*A. B* of , one of the Proprietors of the *Newport* Dock 'Company, doth hereby appoint *C. D.* of to be the Proxy 'of the said *A. B.* to vote or give his Assent to or Dissent from any 'Business, Matter, or Thing relating to the said Undertaking which shall 'be proposed at any General or Special General Meeting of the said 'Company, in such Manner as he the said *C. D.* shall think proper. In 'witness whereof the said *A. B.* hath hereunto set his Hand and Seal '[*or* Common Seal] the Day of .'

And every Question, Matter, and Thing whatsoever which shall be proposed, discussed, or considered in any Meeting of the said Dock Company to be held by virtue or in pursuance of this Act shall be finally determined by a Majority of Votes and Proxies then present, computing such Votes as aforesaid.

The Person whose Name stands first as a Joint Proprietor with others to be deemed the Owner, and to vote.

LX. And be it further enacted, That whenever several Persons shall be jointly possessed of or entitled to any Share in the said Undertaking, the Person whose Name shall stand first in the Books of the said Dock Company as Proprietor of such Share shall for the Purposes of this Act be deemed the Proprietor of such Share, and as between several Proprietors all such Proprietors shall be entitled to give their Votes in respect thereof by the Person whose Name shall so stand first in the Books of the said Dock Company as Proprietor of such Share, and whose Vote shall, either in Person or by Proxy, and which Proxy may be any other Co-Proprietor, on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share; and all Notices by this Act directed to be given to the Proprietors of Shares in the said Undertaking shall and may, for or in respect of any such Share so jointly held, be given to the Person whose Name shall so stand first in the Books of the said Dock Company, or be left with some Inmate of the last or usual Place of Abode of such Person, (as the Case may require,) and such Notice shall be deemed

sufficient Notice to such Person whose Name shall so stand first as aforesaid, and to all other the Proprietors of such Share, for all the Purposes for which such Notice is intended to be given.

Lunatics and Minors to vote by Committees and Guardians.

LXI. And be it further enacted, That in case any Proprietor entitled to vote at any such Meeting as aforesaid shall be a Lunatic or Idiot or Minor, such Lunatic or Idiot shall or may vote at such Meeting by his Committee or by any of his Committees, and such respective Committees, or any of them, may vote in respect of the Interest of such Lunatics or Idiots either in Person or by Proxy; and such Minor shall or may vote by his Guardian or by any of his Guardians, and such respective Guardians, or any of them, may vote in respect of the Interest of such Minor either in Person or by Proxy: Provided always, that every such Committee or Member of Committee, or Guardian or each of several Guardians, may also vote in right of his own Share, if he have any, as well as in the Character of Committee or Guardian.

Power to raise a further Capital by Mortgage.

LXII. And be it further enacted, That in case the Money hereby authorized to be raised shall be found insufficient for the making, completing, and maintaining of the said Dock, Railways or Tramroads, Stone Roads, and other the Works hereby authorized to be made, and for defraying all necessary Charges and Expences relating thereto, then and in such Case it shall be lawful for the said Dock Company to raise any further or other Sum of Money for completing and [illegible] the said Undertaking, not exceeding the Sum of Seventeen thousand Pounds, by Mortgage of the said Undertaking; and it shall be lawful for the said Dock Company, by an Order of any Special General Assembly to be convened for that Purpose in the Manner and upon such Notice as is herein mentioned, to borrow and take up at Interest all or any Part of the said Sum of Seventeen thousand Pounds on the Credit of the said Dock, Railways or Tramroads, and Undertaking, belonging to the said Company, as to them shall seem meet and convenient; and the said Dock Company, or their Committee after an Order of any such Special General Assembly, are hereby fully authorized and empowered to assign the Property of the said Dock, Railways or Tramroads, and other Works belonging to them, and the Rates arising or to arise by virtue of this Act, or any Part thereof, (the Costs and Charges of assigning the same to be paid out of such Rates,) as a Security for any Sum or Sums of Money to be borrowed as aforesaid, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees, as shall advance the same; all which said Mortgages or Assignments shall be made under the Common Seal of the said Dock Company, and may be in the Words and to the Effect following, or as near thereto as Circumstances will admit:

Form of Mortgage.

‘ Number

‘ BY virtue of an Act made in the Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], ‘ we, the *Newport* Dock Company, incorporated by virtue of the said ‘ Act, in consideration of the Sum of in hand paid ‘ to us by of do assign unto the said ‘ his [*or* her] Executors, Administrators, and Assigns, the ‘ said Undertaking, and all and singular the Rates arising by virtue of the ‘ said

'said Act, and all the Estate, Right, Title, and Interest of us the said 'Dock Company of, in, and to the same; to hold the same unto the 'said his [*or* her] Executors, Administrators, and Assigns, 'until the said Sum of , together with Interest for 'the same after the Rate of *per Centum per Annum*, 'shall be fully paid and satisfied. Given under our Common Seal this 'Day of in the Year of our Lord .'

Mortgagees to be entitled to Proportions of the Tolls.

LXIII. And be it further enacted, That the respective Parties to whom any such Mortgages or Assignments as are herein-before mentioned shall be made shall be entitled one with another to their respective Proportions of the said Rates, Tolls, Sums, and Premises, as the Case may be, according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any other Preference by reason of Priority of the Date of any such Order of Meeting, or Priority of Date of such Mortgage or Assignment, or on any other Account whatsoever, save and except as herein-after mentioned; and an Entry or Memorial of such respective Mortgages or Assignments, containing the Numbers and Dates thereof, and the Names of the Parties with their proper Additions, to whom the same shall have been made, and of the Sums borrowed, together with the Rate of Interest to be paid thereon respectively, shall within Twenty-one Days next after the Date thereof be entered in some Book to be kept by the Chief Clerk of the said Company, which said Book may be perused at all reasonable Times by the Proprietors or Mortgagees of the said Undertaking, or other Persons interested therein, without Fee or Reward; and all Parties to whom any such Mortgage or Assignment shall have been made as aforesaid, or who shall be entitled to the Money due thereon, may from Time to Time transfer their respective Rights and Interests therein to any other Person or Persons; and every Transfer thereof may be in the Words or to the Effect following; (that is to say,)

Form of Transfer of Mortgage.

'I *A. B.* of in consideration of the Sum of 'paid by *C. D.* of do hereby transfer to the said *C. D.*, his '[*or* her] Executors, Administrators, and Assigns, a certain Mortgage, 'Number , made by the *Newport* Dock Company to 'bearing Date the Day of for securing the Sum 'of and Interest, and all my Right, Estate, and 'Interest in and to the Money thereby secured, and in and to the 'Rates, Tolls, Sums of Money, and Property thereby assigned. Dated 'this Day of in the Year of our 'Lord .'

And every such Transfer shall, within Twenty-one Days after the Date thereof, if executed in *England*, or otherwise within Twenty-one Days after the Arrival thereof in *England*, if executed elsewhere, be produced to the Chief Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as of the original Mortgage or Assignment, for which the said Clerk shall be paid the Sum of Two Shillings and Sixpence; and after such Entry or Memorial made every Transfer shall entitle such Assignee, or his Executors, Administrators, and Assigns, to the full Benefit thereof and Payment thereon; and it shall not be in the Power of any such Person who shall have

made such Transfer to make void, release, or discharge the Mortgage so transferred, or any Money thereon due or thereby secured, or any Part thereof.

For securing Repayment of Principal Money borrowed.

LXIV. And be it further enacted, That in case of Nonpayment of any Principal Sum of Money which shall be secured by any such Mortgage or Assignment by virtue of this Act, or of any Part of such Principal Monies, at the Time or Times when the same ought to be paid, and in case the same shall not be paid within Six Calendar Months next after the same shall be so payable as aforesaid, and after Demand thereof in Writing shall have been made to the said Company, it shall be lawful for Two or more Justices of the Peace acting for the said County of *Monmouth*, not being interested in the Matter in question, and they are hereby respectively required, on Request to them made by or on behalf of any Two or more of the Parties entitled to any such Mortgages or Assignments as aforesaid, and to whom any Principal Sums of Money shall be then due thereon and unpaid, amounting together to the Sum of Five thousand Pounds, by an Order under their Hands to appoint some Person to receive the Whole or such Part of such Rates, Tolls, or Sums as are liable to pay such Principal Monies so due and unpaid as aforesaid; and the Money so to be received by such Person is hereby declared to be so much Money received by or to the Use of the Persons and Corporations to whom such Principal Money shall be due and on whose Behalf such Receiver shall have been so appointed, until the same, together with the Costs and Charges of recovering and receiving the Rates, Tolls, or Sums, and all Interest then due thereon, shall be fully paid and satisfied in the Order and having regard to the Priority aforesaid; and after such Principal, Interest, and Costs shall have been paid and satisfied, the Power and Authority of such Receiver for the Purposes aforesaid shall cease and determine; or otherwise the said Principal Money so due and unpaid as aforesaid may be sued for and recovered from the said Company, with Costs, by an Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Interest of Money borrowed to be paid in preference to Dividends.

LXV. And be it further enacted, That the Interest of the Money which shall be raised by any such Mortgage, Assignment, or Charge as aforesaid shall be paid to the several Parties entitled thereto in preference to any Dividends payable by virtue of this Act to the Proprietors of the said Company or any of them; and in case such Interest or any Part thereof shall be unpaid by the Space of Thirty Days next after the same shall have become due and payable as aforesaid, and the same shall not be paid within Thirty Days next after Demand thereof in Writing shall have been made to the said Company, it shall be lawful for Two or more Justices of the Peace acting for the said County of *Monmouth*, not being interested in the Matter in question, and they are hereby respectively required, on Request to them made by or on behalf of any Mortgagee or Assignee of a Mortgagee whose Interest shall be so in arrear, by an Order under their Hands to appoint some Person to receive the Whole or such Part of the said Rates, Tolls, or Sums as are liable to pay such Interest so due and unpaid as aforesaid; and the Money so to be received by such Person is hereby declared to be so much Money received by or to the Use of the Person to whom such Interest shall be then due, until the same, together with the Costs and Charges of recovering and receiving

the Rates, Tolls, or Sums, shall be fully paid and satisfied; and after such Interest and Costs shall have been paid and satisfied the Power and Authority of such Receiver for the Purposes aforesaid shall cease and determine; or otherwise the said Interest so due and unpaid as aforesaid may be sued for and recovered from the said Company, with Costs, by an Action of Debt in any of His Majesty's Courts of Record at *Westminster*.

Power to borrow Money of Exchequer Loan Bill Commissioners, and give Security. 3 G. 4. c. 86.

LXVI. And be it further enacted, That it shall be lawful for the said Dock Company, at any Time or from Time to Time, by Order of any Special General Meeting to be convened as herein mentioned, to borrow of the Commissioners for carrying into execution an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, any Sum or Sums of Money, not exceeding in the whole the Sum or Sums of Money hereby authorized to be raised by Mortgage as aforesaid, and by Deed under the Common Seal and at the Costs of the said Company to assign and assure to the Secretary for the Time being of the said Commissioners, and as they shall direct, free from all Incumbrances, the said Undertaking, and all the Works and Property of the said Company, and all Rates, Tolls, Profits, and Receipts accruing and thereafter to accrue to or for the Use of the said Company under or by virtue of the Authority of this Act, or otherwise, for securing to the said Commissioners the Repayment of the Amount of the Exchequer Bills to be so borrowed as aforesaid.

Security to Commissioners to have Priority.

LXVII. And be it further enacted, That every Security to be given to the said Commissioners as aforesaid shall not be affected by any Informality in any Meeting or Proceeding of the said Company or their Committee, and shall have Priority over all other Mortgages, Charges, and Securities whatsoever to be created by the said Company under the Authority of this Act.

Property to revert to the Company after Payment of Mortgage Debts.

LXVIII. And be it further enacted, That after Payment or Satisfaction of all the Monies due from the said Dock Company upon or by virtue of any Mortgage made by them under the Powers of this Act, all the Estate, Property, Rights, and Interests by such Mortgage vested in the Mortgagee, his Successors, Heirs, Executors, Administrators, or Assigns, shall, without any Transfer or Conveyance, or any other Act or Deed, immediately revert to and revest in the said Company.

In case Mortgages are paid off, Power to raise the Amount again.

LXIX. And be it further enacted, That in case the said Dock Company shall raise the Whole or any Part of the Money herein-before authorized to be raised by Mortgage, Assignment, or Charge as aforesaid, and shall afterwards pay off all or any Part thereof, then and in every such Case it shall be lawful for the said Dock Company, immediately or at any Time thereafter, again to raise, in lieu of the Principal Money so paid off by them, such Sum of Money as they shall from Time to Time have paid off, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any Event borrow more than the Money herein-before authorized to be raised in

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the whole over and above the Amount of the Calls for the Time being remaining unpaid, and still to be called for by the said Company.

Application of Money to be raised.

LXX. And be it further enacted, That the Money to be raised by the said Dock Company by virtue of this Act, or a sufficient Part thereof, shall be laid out and applied in the first place in Payment, Discharge, and Satisfaction of the Costs, Charges, and Expences attending the obtaining and passing of this Act, and the making the proper Surveys, Plans, and Estimates, and the doing and providing of all the Matters and Things preparatory and previous thereto; and the Residue and Remainder of such Money shall be laid out and applied for and towards the purchasing of Lands, and the making, carrying on, completing, and maintaining the said Dock and Tramroads or Railways, and the making of the said Stone Roads and other Works and Conveniences, and for other the Purposes of this Act, and within the true Intent and Meaning thereof.

First and other General Meetings.

LXXI. And be it further enacted, That the First General Meeting of the said Dock Company for putting this Act into execution shall be held at the *King's Head* Inn or at some other convenient Place at *Newport*, within Eight Weeks after the passing of this Act, of the Time, Place, and Occasion of which Meeting not less than Twenty-one clear Days Notice shall be given by public Advertisement in some Newspaper or Newspapers usually circulated in the County of *Monmouth*; and ever afterwards there shall be Two Half-yearly General Meetings, to be held on every *Thursday* immediately following the First *Wednesday* in the Months of *May* and *November* in every Year, at such Place or Places and at such Hour of the Day as the said Dock Company at their respective General Meetings shall direct; and the said Dock Company, at their First General Meeting or some Adjournment thereof, and also at every subsequent General Meeting or Assembly to be held in the Month of *May* yearly, shall nominate and appoint Eight Persons out of such of the said Dock Company as at the Time of such Election shall respectively be possessed in their own Right of Five Shares at the least in the said Undertaking, who, together with the Persons herein-after mentioned, shall be and constitute a Committee for managing and conducting the Affairs and Business of the said Dock Company, in such Manner as is herein-after directed, for the Space of One Year then next ensuing, or until another Committee shall be appointed: Provided always, that no Person holding any Office, Employment, or Contract under the said Dock Company, or being directly or indirectly interested in supplying or furnishing any Article, Matter, or Thing to be employed or made use of by the said Dock Company, shall be capable of being chosen or acting on such Committee during the Time of his Continuance in such Office or Employment or holding such Contract, and no Person shall, during such Time as he shall be a Member of such Committee, be capable of taking or entering into any Contract with the said Company; and in case any one of the Eight Persons nominated and appointed to be Members of such Committee as aforesaid shall die, or refuse to act, or cease to be one of the said Dock Company, or shall hold any Office or Employment under the said Dock Company, then and in any of such Cases it shall be lawful for the said Dock Company, at any General or Special General Meeting, to nominate and appoint some other Person or Persons in the Room or Stead

Committee to be appointed.

Disqualification.

of the Person or Persons so dying, refusing to act, ceasing to be one of the said Dock Company, or holding any Office or Employment under the said Dock Company; and every Person or Persons so nominated and appointed shall have the like Powers and Authorities for acting as one of the said Committee, and shall be subject to the like Rules, Orders, Regulations, and Restrictions, as the Person or Persons in whose Room or Stead he or they shall be so nominated and appointed.

The Chief Clerk of Monmouthshire Canal Company and Holders of Fifty Shares to be Committeemen without Election;

LXXII. Provided always, and be it enacted, That the principal Clerk for the Time being to the said Canal Company, or instead of such principal Clerk any other Person to be from Time to Time appointed as the Proxy of the said Canal Company for this especial Purpose in the Form next herein-after prescribed, or as near thereto as the Circumstances will permit, as well as every other Person who shall have originally subscribed for at least Fifty Shares, and shall have continued without Interruption to hold the same in the said Undertaking in his own Right, during such Time and so long as such Person shall hold and be entitled to such Fifty Shares therein, shall and may be entitled and he is hereby empowered to become and be a Member of and to sit and vote upon such Committee as of course, and without being elected, and in addition to the Eight Persons to be so elected as aforesaid: Provided also, that it shall and may be lawful to and for the said Person entitled to sit upon such Committee by reason of his holding Fifty Shares to appoint any other Proprietor as his Proxy for that Purpose by any Writing under his Hand and Seal, in the Form following; (that is to say,)

or their Proxies.

Form of Proxy.

'BE it remembered, That I of
'have made, constituted, and appointed *A. B.* of
'to be my Proxy, and for me and as such Proxy to sit and vote upon
'the Committee of the *Newport* Dock Company, and to continue to be
'my Proxy until I shall have given Notice to the said Dock Company
'that I have revoked such Appointment. Dated
'.'

Regulating the Transmission of this Right.

And which said Proxy shall be entitled to sit and vote upon such Committee in the same Manner and as fully to all Intents and Purposes as his Principal would have been but for such Appointment: Provided also, that in case of the Death of any Person who shall or may be possessed of Fifty Shares in the said Undertaking, and who by virtue of any Power contained in this Act shall be entitled to sit and vote upon the said Committee as the Holder of such Fifty Shares, the Right to sit and vote upon such Committee in respect of such Fifty Shares shall devolve upon any One Person to whom the Person so dying and so entitled as aforesaid shall have bequeathed the same Fifty Shares by his last Will and Testament, or shall have otherwise given or disposed of the same by any Instrument in Writing, to take effect in favour of such One Person after the Death of the Donor, and so *toties quoties*, but such Right shall not be alienable or transmissible in any other Manner or to more Persons than One at any Time: Provided also, that if in the Case of such Transmission as aforesaid, the Person who shall thereby become entitled shall be a Minor under the Age of Twenty-one Years, such Right shall and may be used or enjoyed by the Guardian or by One of the Guardians of the said Minor until he shall have attained his full Age.

In case of Transmission to Minors, Guardian may sit.

LXXIII. And

Company empowered to make Bye Laws.

LXXIII. And be it further enacted, That it shall be lawful for the said Dock Company at any General Assembly from Time to Time to make, ordain, and establish such Orders, Rules, and Regulations for the good Government of the Committee, and of the Clerk, Treasurer, Superintendent, Collectors, Engineers, Surveyors, Workmen, Watchmen, Lightermen, and Labourers, and other Persons appointed or employed under or by virtue of this Act, and for the better regulating, governing, and managing the several Works, Matters, Accounts, and Things by this Act authorized to be made and done, as well whilst the same are doing as after the same shall be finished and completed, and in respect of the Admission of Ships, Boats, or other Vessels into, and of the Removal thereof out of, the said Dock and Basin, and of the unshipping, landing and relanding, shipping, lading, loading, and discharging, carrying and conveying, laying and depositing, and warehousing and removing of Goods, Merchandize, Ballast, and other Things upon, to, in, or from the said Quays, Wharfs, Warehouses, Roads, Ballast Ground, and Premises, and also in respect of the Hours during which the Gates and Entrances of the said Locks and Cuts, and the Wickets or Foot Gates of the said Docks and Premises, shall be open, and in respect of the Persons who shall be permitted to be so employed in or about the said Dock, Quays, Wharfs, Warehouses, and Premises of the said Company, and as to the lighting or using of Candles, Fires, and Lamps within the said Dock or Premises of the said Company, and for providing and regulating Porters, Carters, and Carmen, and others, and Horses, Cattle, or Engines hauling, carrying, driving, conducting, or conveying, or employed in hauling, driving, conducting, carrying, or conveying, loading, unloading, wharfing, or warehousing Goods, Wares, or Merchandize, Ships, Vessels, Waggons, Sledges, or Carriages to or from, in, over, upon, or along the said Quays, Wharfs, Roads, and Warehouses, or any Part thereof, and the Commencement, Continuance, Suspension, Cessation, turning, passing, or repassing of all Waggons, Engines, and Carriages upon or along the said Railways or Tramroads and Stone Roads belonging to the said Dock Company, and otherwise, and for so far regulating the Structure of such Waggons, Engines, and Carriages as shall from Time to Time be used upon the said Railways or Tramroads or other Roads belonging to the said Dock Company as to prevent their damaging or hindering others, and for regulating the Weight of Lading to be carried in each Waggon or other Carriage, and for directing and regulating all Masters of Vessels, Pilots, and others within the said Dock and Premises, and for preventing Damage being done to Shipping and Craft, or to any Goods, Merchandize, or Things within the Premises of the said Company; and also to repeal, annul, amend, add to, or alter such Rules, Orders, and Regulations, as to them the said Dock Company shall seem meet; and to affix and appoint reasonable Penalties, not exceeding Five Pounds for any One Offence, for the Nonobservance, Nonperformance, or other Breach of all or any of such Rules, Orders, or Regulations, or any Part of them, such Fines and Forfeitures to be levied and recovered by such Ways and Means as herein-after mentioned; which said Rules, Orders, and Bye Laws, being reduced into Writing under the Common Seal of the said Dock Company, shall be binding upon and observed by all Parties using or in any way concerned in the said Dock, Railways or Tramroads, or other Roads belonging to them, and other Works thereto belonging, or any of them, or any Part thereof, and shall be sufficient in any Court of Law or Equity to justify all Persons

Persons who shall act under the same; provided that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or to any of the express Directions and Provisions of this Act; and provided that Copies of such Rules, Orders, and Bye Laws, so far as the same may relate to the same Dock and Railways or Tramroads, or other Roads belonging to the said Dock Company, shall be painted on Boards, and renewed from Time to Time when defaced, destroyed, or obliterated, and fixed in some conspicuous Place upon or near or adjacent to the Dock, and in such other Place or Places as the said General Meeting shall direct; and all such Rules, Orders, and Bye Laws shall be subject to Appeal in manner herein-after directed.

Proceedings of General Meetings.

LXXIV. And be it further enacted, That every such General Meeting shall have Power to call for, audit, and settle all Accounts of Money received, laid out, and disbursed on account of the said Undertaking by the Treasurers, Receivers, Collectors of the Rates, and other Officers by them appointed, or by any other Person or Persons employed by or concerned for or under them in and about the said Dock and Railways or Tramroads, or other Roads and Works belonging to the said Dock Company, and shall have Power to adjourn themselves from Time to Time as they shall see Occasion for the Execution of this Act.

Meetings of the Company may be specially convened.

LXXV. And be it further enacted, That if it shall at any Time appear that, for the more effectually putting this Act into execution, a Special General Meeting of the said Dock Company is necessary or advisable it shall be lawful for any Ten or more of the said Proprietors to cause Twenty-one Days Notice at the least to be given of such Special General Meeting by public Advertisement in some Newspaper or Newspapers usually circulated in the County of *Monmouth*, specifying in such Notice the Reason and Intention of calling such Special General Meeting, and the Time when and the Place where the same shall be held; and the said Dock Company are hereby authorized to meet in pursuance of such Notice; and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Dock Company with respect to such Matters alone as shall be specified in such Notice; and all Acts and Proceedings of the said Dock Company at every such Special General Meeting shall be as valid with respect to the Matters specified in such Notice as if the same had been done at any General Meeting of the said Dock Company.

General and Special General Meetings to consist of 7 Proprietors of not less than 130 Shares.

LXXVI. Provided always, and be it further enacted, That if at any such General or Special General Meeting there shall not be Seven Persons present, either as Principals or Proxies, who shall together be possessed of or entitled to at least One hundred and thirty Shares in the said Undertaking, nothing shall be done at such General or Special General Meeting, but in such Case there shall be another Special General Meeting of the said Dock Company upon that Day Two Weeks, and so from Time to Time until there shall be Persons present at such General Meeting having such Number of Shares as aforesaid; and of every such adjourned Meeting Seven Days Notice shall be given by Letters from the Clerk of the said Dock Company to the several Members thereof, at their usual Place of Residence.

LXXVII. And

General Meetings to appoint Officers.

LXXVII. And be it further enacted, That it shall be lawful for the said Dock Company, at any General or Special General Meeting, and they are hereby authorized and empowered, from Time to Time to nominate and appoint a Treasurer or Treasurers, and One or more Receiver or Receivers, Collector or Collectors of the Rates, Tolls, and Duties hereby allowed to be demanded and taken, and also One or more Clerk or Clerks to the said Dock Company, and such other Officers as to them shall seem meet, and to grant or allow to such Officers respectively such Salary or Allowance as the said Dock Company shall think proper; and the said Dock Company shall take Security from every such Treasurer, Receiver, Collector, and other Officer having the Care or Custody of any Money to be raised or received by virtue of this Act, for the faithful Execution of their respective Offices, and may also take such Security from any other of their Officers as they shall think proper, and from Time to Time discharge and dismiss any such Treasurer or Treasurers, Collector or Collectors, Clerk or Clerks, or other Officer or Officers, or any of them, and appoint others in their Stead, as there shall be Occasion.

Treasurer, &c. to give Security.

Same Person not to be Clerk and Treasurer.

LXXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Dock Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or Clerks or other Person or Persons in the Service or Employ of such Clerk, the Treasurer for the Purposes of this Act, nor to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk or Clerks to the said Dock Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in anywise officiate for such Clerk, or if any such Treasurer shall hold or accept any Place or Office of Trust or Profit under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*.

Officers, &c. to account.

LXXIX. And be it further enacted, That every such Treasurer, Clerk, Collector, and all other Officers and Persons to be appointed by virtue of this Act shall under their Hands, at such Time and Times and in such Manner as the said Dock Company or their Committee shall direct, deliver to the said Dock Company or to the said Committee, or to such Person or Persons as they shall respectively appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Clerk, Collector, Officer or Officers, and Person or

Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Dock Company or to the said Committee, or to such Person or Persons as they shall respectively appoint; and if any such Treasurer, Clerk, Collector, or Officer or Person shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Dock Company or to the said Committee, or to such Person or Persons as they respectively shall appoint, within Fourteen Days after being thereunto required by the said Dock Company or by the said Committee, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Dock Company or to the said Committee, or as they respectively shall direct and appoint, then and in any of the Cases aforesaid the said Dock Company may and are hereby authorized and empowered to bring or cause to be brought any Action or Actions against any such Treasurer, Clerk, Collector, Officer or Officers, Person or Persons so neglecting or refusing as aforesaid, for Recovery of the Monies that shall be in their Hands respectively; or if Complaint shall be made by the said Dock Company or by the said Committee, or by such Person or Persons as they respectively shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more of the Justices of the Peace for the County of *Monmouth*, such Justices may and they are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cause the Treasurer, Clerk, Collector, Officer or Officers, Person or Persons so refusing or neglecting to be brought before them, and upon his, her, or their appearing, or having been summoned and not appearing, without giving some reasonable Excuse for not appearing to the Satisfaction of such Justices, or in case of his, her, or their not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any One or more credible Witness or Witnesses upon Oath (which Oath such Justices are hereby empowered to administer), it shall appear to such Justices that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Treasurer, Clerk, Collector, Officer or Officers, Person or Persons, such Justices may and are hereby authorized and required, upon the Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Clerk, Collector, Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Treasurer, Clerk, Collector, Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money and the Charges of levying the same, or if such Treasurer, Clerk, Collector, Officer or Officers, Person or Persons, shall still persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid to the said Dock Company or to the said Committee, or as they respectively shall appoint, then and in any of the Cases aforesaid such Justices shall commit every such Offender to the Common Gaol of the said County, there to remain without Bail or Mainprize until he shall give and make a true

Proceedings in case of Default.

true and perfect Account and Payment as aforesaid, or until he shall compound with the said Dock Company or with the said Committee for such Money, and shall have paid such Composition Money in such Manner as they respectively shall appoint, and which Composition the said Dock Company or the said Committee are hereby empowered to make, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Dock Company or to the said Committee: Provided always, that no Treasurer, Clerk, Collector, Officer, or Person so committed for Want of sufficient Distress shall be confined or detained in Prison by virtue of this Act for any longer Space than Three Calendar Months.

Officers to quit the Possession of Houses, &c. belonging to the Company when their Services terminate.

LXXX. And be it further enacted, That if any Agent, Toll Collector, Wharfinger, or other Servant of the said Dock Company, occupying any House, Toll House, Offices, or Buildings belonging to the said Dock Company, without paying Rent for the same, shall be discharged from his Office by or by the Order of the said Dock Company or their Committee, and shall not deliver up Possession of such House, Toll House, Offices, Buildings, and Appurtenances, together with the Books, Papers, and other Matters and Things belonging to the said Dock Company in his Custody, Power, or Possession, within Fourteen Days next after such Notice of Discharge shall have been given him, or left at such House, Offices, or Buildings, or if the Wife, Widow, or any of the Children or Family or other Representatives of any Agent, Toll Collector, Wharfinger, or other Servant who shall happen to die while in the Service of the said Dock Company, or who shall abscond or absent himself, or any other Person or Persons, shall refuse to deliver up the Possession of such House, Toll House, Offices, Buildings, and Appurtenances as aforesaid, together with the Books, Papers, and other Matters and Things belonging to the said Dock Company in his, her, or their Custody, Power, or Possession, within Three Days after another Person shall be appointed in the Place and Stead of the Person so dying, absconding, or absenting himself, then and in any of the said Cases it shall be lawful for any Two or more of the Justices of the Peace for the said County of *Monmouth*, and they are hereby required, by Warrant under their respective Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House, Toll House, Offices, and Buildings, with their Appurtenances, in the Daytime, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods and Chattels, out of such House, Offices, and Buildings, and to take Possession of all the Books, Papers, Matters, and Things belonging to the said Dock Company which shall be found therein, and to deliver Possession of such House, Toll House, Offices, Buildings, and Appurtenances, together with the Books, Papers, Matters, and Things found therein belonging to the said Dock Company, unto the new-appointed Agent, Toll Collector, Wharfinger, or other Servant, or to such other Person or Persons as the said Dock Company or their Committee shall appoint to receive the same.

Committee may contract for the Works.

LXXXI. And be it further enacted, That the said Committee, or such Person or Persons as they shall for that Purpose appoint, is and are hereby authorized to contract and agree with any Person or Persons for the Purchase of Lands, Tenements, and Hereditaments, and for the proper

proper Consideration or Recompence to be paid for any Damage to be done to any Lands, Tenements, or Hereditaments, and also for making the said Dock, Railways or Tramroads, Stone Roads, Watercourses, or any Part or Parts thereof, or any other of the Works hereby authorized to be made or done by the said Dock Company, in such Manner, and for such Sum and Sums of Money, and under such Regulations and Restrictions as the said Dock Company shall think proper; and all Contracts in Writing for any of the Purposes aforesaid shall be binding upon the said Dock Company and all other the Parties thereto, and their respective Successors, Heirs, Executors, or Administrators, and Actions and Suits may be maintained thereon, and Damages and Costs recovered against the said Dock Company or other the Parties failing in the Execution thereof; and the said Committee shall or may also order and direct how the several Works hereby authorized to be made and done shall from Time to Time be carried on, and suspend or remove any Treasurer, Engineer, Clerk, Collector, Officer, or Servant of the said Dock Company, and to appoint some other Person in their respective Places, and also fill up Vacancies in those Offices arising by Death, Resignation, or otherwise, (such new Appointment to continue only until the next Half-yearly General Meeting of the said Dock Company, when the Appointment of such Person shall either be confirmed, or such other fit Person shall be appointed to succeed to such Office as the said Dock Company at such General Meeting shall think proper,) and shall or may do, execute, and perform all other Matters and Things whatsoever necessary and expedient to be done in and about the said Undertaking, and which the said Dock Company are by this Act empowered to do, save and except such only as are hereby specially directed to be done at a General or Special General Meeting.

Meetings of the Committee.

LXXXII. And be it further enacted, That the said Committee shall and may (subject nevertheless at all Times to the Orders and Directions of the General Assemblies) meet at such Times and Places, and from Time to Time adjourn to such other Times and Places, as they shall think fit; and all the Powers and Authorities hereby vested in or directed or authorized to be exercised by the said Committee may be done and exercised by a Majority of them present at their respective Meetings, the whole Number present not being less than Five; and all Questions, Matters, and Things which shall be discussed or considered at any Meeting of the said Committee shall be determined by the Members of the said Committee present in Person (except as herein-before provided for), and each Member present shall be entitled to One Vote; and at all such Meetings a Chairman shall be chosen, who, in case of any Equality of Votes (including the Vote of the Chairman) upon any Question agitated in the said Committee, shall have and give a second or casting Vote; and such Committee shall from Time to Time make Reports of their Proceedings to the General Meetings of the Proprietors, and shall obey their Orders and Directions; and the said Committee shall enter or cause to be entered in Books to be from Time to Time provided for that Purpose at the Expence of the said Dock Company a full and true Account of all Monies, Disbursements, and Payments made, and of all and every Sum and Sums of Money which shall be received, on behalf or in respect of the said Undertaking, by or from any Person or Persons whomsoever employed in the said Undertaking, or having any Concerns, Dealings, or Transactions with the

the said Dock Company relating to the same, and shall cause to be regularly entered in a Book or Books, to be from Time to Time provided at the Expence of the said Dock Company for that Purpose, Notes, Minutes, or Copies (as the Case shall require) of their Orders and Proceedings, which Book or Books shall be deposited with and kept by the Clerk of the said Dock Company; and every such Book, and all other Books, Papers, and Writings belonging to the said Dock Company, shall at all seasonable Times be open to the Inspection of any of the said Proprietors, who may also, without Fee or Reward, having first applied to and obtained from the said Committee an Order in Writing for that Purpose, take Copies thereof and Extracts therefrom.

Power of Committee to make Calls.

LXXXIII. And be it further enacted, That the said Committee shall have full Power and Authority from Time to Time to make such Call or Calls for Money from the several Subscribers to and Proprietors of the said Undertaking, in order to defray the Expences of or for carrying on the same, as they shall from Time to Time find wanting and necessary for those Purposes, so that no such Call shall exceed the Sum of Ten Pounds for and in respect of every Share of the said Undertaking, and so that no such Calls be made within the Distance of Six Weeks of each other; and Twenty-one Days Notice at the least shall be given of every such Call by Advertisement in some Newspaper or Newspapers usually circulated in the said County of *Monmouth*, or in such other Manner as the said Dock Company shall at any General Meeting direct or appoint; all which Money so to be called for as aforesaid shall be paid into the Hands of the Treasurer or Treasurers of the said Dock Company, to be issued, paid, and applied for carrying on the said Undertaking in such Manner as the said Committee shall from Time to Time order and direct.

Proprietors to pay their Calls at the Time and Place appointed.

In case of Default the Company may sue for the same, or may declare the Shares forfeited and sell the same.

LXXXIV. And be it further enacted, That every Proprietor of any Share or Shares in the said Undertaking shall from Time to Time pay his, her, or their Proportion of the Money so to be called for as aforesaid into the Hands of the Treasurer or Treasurers of the said Dock Company at such Time and Place as the Committee making such Calls shall direct and appoint, and of which Notice shall be given as herein-before is directed; and if any Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid, at the Time and Place which shall be appointed for that Purpose in manner aforesaid, it shall be lawful for the said Dock Company, in case they shall think fit, to sue for and recover the same, with Interest at the Rate of Five Pounds *per Centum per Annum* from the Time appointed for the Payment thereof, in any of His Majesty's Courts of Record; and if any such Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid for the Space of Two Calendar Months next after the Time to be appointed for the Payment thereof as aforesaid, and the same shall not have been sued for by the said Dock Company as aforesaid, or if sued for shall not have been recovered by them, then and in that Case the Person or Persons so neglecting or refusing shall, if the Committee shall so determine, absolutely forfeit all his, her, or their Share, Part, and Interest whatsoever in the said Undertaking, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on account thereof;

and all Shares which shall or may be so forfeited shall be sold by the said Committee by public Auction for the most Money that can be gotten for the same, and the Produce thereof shall be applied as herein directed: Provided nevertheless, that no Advantage shall be taken of any Forfeiture of any Share or Shares in the said Undertaking until after Notice in Writing shall be given by the Clerk or Treasurer of the said Dock Company to the Owner or Owners of such Share or Shares respectively, or left at his, her, or their usual or last Place or Places of Abode, nor unless the same Share or Shares shall be declared to be forfeited at some General Meeting of the said Dock Company within Six Calendar Months next after such Forfeiture shall have been incurred: Provided also, that every such Forfeiture as aforesaid shall be an actual Indemnification and Discharge to and for the Proprietor or Proprietors so forfeiting against all Actions, Suits, and Prosecutions for any Breach of Contract or Agreement between such Proprietor or Proprietors so forfeiting and the rest of the said Dock Company with regard to the future carrying on and Management of the said Undertaking, save and except nevertheless as regards the Call or Calls made and not complied with to the Time of such Sale, which shall still be a Debt to and recoverable by the said Company, except so far as it shall or may have been discharged by the Means aforesaid.

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

LXXXV. Provided always, and be it further enacted, That in case the Money produced and received by or from the Sale of any such Share or Shares as shall be forfeited by reason of the Nonpayment of any Call or Calls as herein authorized shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon, and the Expence attending such Sale or Sales, the Surplus of such Money shall be paid to such Person or Persons to whom such Share or Shares shall have belonged, on Demand: Provided also, that the said Dock Company or their Committee shall not by virtue of this Act sell or transfer, or direct to be sold or transferred, any more of such Share or Shares of such Defaulter or Defaulters in Payment of Calls than shall be sufficient, as near as may be calculated at the Time of directing such Sale or Sales, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls; and from and after Payment of all and every such Call or Calls, and the Interest and Expences as aforesaid, any Share or Shares so forfeited as aforesaid which shall remain unsold shall revert to and again become the Property of the Person or Persons to whom such Share or Shares had belonged immediately before such Forfeiture, in the same Manner as if such Calls had been duly and regularly paid.

If Purchase Money for Shares sold be more than sufficient for Call and Interest, and Expences thereon, the Surplus to be paid to the Owner, on Demand.

LXXXVI. And be it further enacted, That in any Action to be brought by the said Dock Company against any Owner or Owners of any Share or Shares in the said Undertaking to recover any Sum or Sums of Money due and payable to the said Dock Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Dock Company to declare and allege that the said Defendant or Defendants, being a Proprietor or Proprietors of such or so many Share or Shares of the said Undertaking, is or are indebted to the said Dock Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to for such and so many Call or Calls of such; and so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defendant or

Proceedings in Actions for Calls.

Defendants (as the Case may happen to be), whereby an Action hath accrued to the said Dock Company by virtue of this Act, without setting out the special Matter; and on the Trial of such Action it shall only be necessary to prove that the Defendant or Defendants at the Time of making such Call or Calls was or were a Proprietor or Proprietors of some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made such Call or Calls, or any other Matter whatsoever; and the said Dock Company shall thereupon be entitled to recover what shall appear to be due, unless it shall appear that any such Call exceeded Ten Pounds for every Sum of One hundred Pounds, or was made within the Distance of One Calendar Month from the last preceding Call, or without Notice given as aforesaid.

No Proprietor to vote unless registered as such; and Proprietors in arrear not to vote.

LXXXVII. And be it further enacted, That no Proprietor of any Share or Shares in the said Undertaking shall, either in Person or by Proxy, give a Vote or Votes in respect thereof at any Meeting of the said Proprietors, unless the same shall be standing in the Name of such Proprietor in the Register Book at and immediately before such Meeting, and unless the Sums of Money from Time to Time called for by the Committee of the said Dock Company as herein mentioned, and due and payable for or in respect of any such Share or Shares, and all Arrears thereof, shall have been duly paid to the Treasurer or Treasurers of the said Dock Company.

Shares may be sold.

LXXXVIII. And be it further enacted, That it shall be lawful for the said several Proprietors of and in the said Undertaking, or any of them, to sell, dispose of, and transfer any Share or Shares which he, she, or they shall be entitled to therein, subject to the Rules and Conditions herein mentioned; the Form of which Conveyance shall and may be in the Form and to the Effect following; (that is to say,)

Form of Conveyance of Shares.

'I [*or* We] in consideration of
'paid to me [*or* us] by of
'do hereby bargain, sell, assign, and transfer to the said
'the Sum of Capital Stock of and in the *Newport* Dock,
'being Share [*or* Shares] in the said Undertaking, to hold
'unto the said his [*or* her *or* their] Executors, Administrators,
'and Assigns, subject to the same Rules, Orders, and Regulations, and
'on the same Conditions, that I [*or* we] held the same immediately before
'the Execution hereof; and I [*or* we] the said do hereby
'agree to take and accept the said Capital Stock or Share of
'subject to the same Rules, Orders, Restrictions, and Conditions.
'As witness my [*or* our] Hand and Seal [*or* Hands and Seals] the
' Day of .'

Memorials of Sales to be kept by Clerk.

And on every such Sale the said Deed of Conveyance (being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares) shall be produced to the Clerk of the said Company, who shall enter into a proper Book or Books to be kept for that Purpose a Memorial of such Transfer and Sale, and shall indorse a Certificate of the Entry of such Memorial on the said Deed, for which no more than Two Shillings and Sixpence shall be paid, and the said Clerk is hereby required to make such Entry and give such Certificate accordingly; and until such Entry shall

shall have been made as above directed such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Vote or Votes as a Proprietor or Proprietors in respect thereof.

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

LXXXIX. And be it further enacted, That after any such Call for Money shall have been made by the Committee as aforesaid no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall then possess in the said Undertaking until he, she, or they shall have paid and discharged to the Treasurer of the said Dock Company the full Sum of Money which shall have been called for in respect of every Share so to be sold or transferred.

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

XC. And for the better securing to the several Proprietors of the said Undertaking their respective Shares therein, be it further enacted, That the said Dock Company or their Committee shall, so soon as the same can or may be done, cause the Names and Additions of the several Persons who shall then be entitled to any Share or Shares in the said Undertaking, and the Number of Shares to which they shall respectively be entitled, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk to the said Dock Company, and after such Entry to cause the Common Seal of the said Dock Company to be affixed; and they shall also cause a Certificate under the Common Seal of the said Dock Company to be delivered to every Proprietor, upon Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking; and every such Proprietor shall pay to the Clerk to the said Company Two Shillings and Sixpence, and no more, for every such Certificate; and every such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified; but the Want of such Certificate shall not hinder or prevent the Owner of any of such Shares from selling or disposing thereof, or from receiving his or her Share of the Profits of the said Undertaking in respect thereof.

Acquisition of Shares by Marriage, &c.

XCI. And be it further enacted, That before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking in right of Marriage shall be entitled to receive the same, an Affidavit containing a Copy of the Register of such Marriage shall be made and sworn to by some credible Person before a Master or a Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers and Sales of Shares in the said Undertaking; and before any Person or Persons who shall claim any Part or Share of the Profits of the said Undertaking by virtue of any Will or under any Administration shall be entitled to receive the same, the Probate of the said Will or the Letters of Administration shall be produced and shown to the said Clerk, or an official Copy of such Will, after the same shall have been proved, shall be transmitted to the said Clerk, who shall enter the same in manner herein-before mentioned; and in all Cases, other than as herein-before mentioned, where the Right and Property in any Share or Shares in the said Undertaking shall pass from the original Proprietor thereof to any Person or Persons by any other legal

legal Means than a Transfer or Conveyance thereof, an Affidavit shall be made and sworn by some credible Person before a Master or Master Extraordinary in Chancery, or One of His Majesty's Justices of the Peace, stating the Manner in which such Share or Shares hath or have passed to such other Person or Persons; and such Affidavit shall be transmitted to the Clerk of the said Dock Company, who shall thereupon enter or register the Name or Names of such new Proprietor or Proprietors in the said Register Book or List of Proprietors in the said Undertaking; and for each and every of such Entries the said Clerk shall be entitled to receive the Sum of Two Shillings and Sixpence, and no more.

Persons whose Names are in the Register Book shall be deemed the Proprietors until Transfers are enrolled.

XCII. And be it further enacted, That all and every Bodies Politic and Corporate, or Body Politic or Corporate, Persons and Person, whose Names shall at any Time hereafter stand in the Register Book or List of Proprietors of the said Dock Company as possessing any Share or Shares in the said Undertaking, shall be deemed and taken to be the Proprietors and Owners of the Share or Shares standing in the said Book in their respective Names, and shall be subject and liable to the Payment of all and every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which Proprietors of Shares in the said Undertaking are made subject and liable by this Act; and all Notices by this Act required to be given previous to the Forfeitures of Shares to the Proprietors thereof, if given to the Person or Persons appearing by the Register Book of the said Dock Company to be such Proprietor or Proprietors, or his, her, or their Representatives, shall be in all respects good, sufficient, and conclusive; and all Payments of Interest and Dividends due and to grow due on any such Shares shall be made to such Persons as by the said Book shall appear to be Proprietors thereof; and no Assignment, Transfer, or Bargain and Sale of any Share or Shares, or other Instrument giving Title to any such Share or Shares, which shall not have been brought to the said Clerk to be enrolled or registered as directed by this Act, shall be given or admitted as Evidence, either to defend any Action or Suit brought or to be brought by the said Dock Company to recover any Call or Calls, or to entitle any Person or Persons to recover any Share or Shares forfeited to the said Dock Company, or to make the said Dock Company liable to the Payment of Interest or Dividends to any Person or Persons other than such as shall appear upon the said Book to be the Proprietors of the said Shares; but in all such Cases, unless where it shall be expressly proved that the said Book is defective by reason of some Neglect or Default of the said Clerk, the said Book shall be considered as sufficient and conclusive Evidence of the Proprietorship of the said Shares.

Five per Cent. of the clear Profits to be invested in Government Securities as a Fund for Repairs, till same shall amount to 1,500*l.*

XCIII. And be it further enacted, That Five Pounds *per Centum per Annum* on the net and clear annual Profits arising to the said Dock Company from the said Rates, Tolls, Charges, and Duties, or otherwise, by virtue of this Act, shall be deducted out of such Profits, and paid annually into the Hands of the Treasurer of the said Company for the Time being, to be by him forthwith invested in the Three Pounds *per Centum* Bank Consolidated Annuities, and shall be again sold, and the Money thereby produced, together with the Dividends arising therefrom in the meantime, shall be applied and disposed of at such Time or Times and in such Manner as to the said Dock Company shall seem proper and

expedient in and for the Maintenance and Reparation of the said Dock, Quays, Warehouses, Roads, and other Works belonging to the said Dock Company, and the Amendment in general of the same; and the said Treasurer is hereby required, upon being served with a Copy of an Order of a Special or General Assembly for that Purpose, to transfer, sell, and dispose of so much of such Stock as by such Order shall be directed, and forthwith to pay the Produce thereof to the Person or Persons to whom such Order shall require the same to be paid, for the Purposes herein-before mentioned: Provided always, that when the Stock so to be purchased as aforesaid shall amount to the Sum of One thousand five hundred Pounds, such Deduction of Five Pounds *per Centum* out of the clear Profits shall cease to be made until the same Stock shall be reduced to Five hundred Pounds, in which Case such Deduction of Five Pounds *per Centum* shall again be made, and be invested in the Manner and for the Purposes aforesaid, and so from Time to Time such Deduction of Five Pounds *per Centum* shall be made and invested as aforesaid, or shall cease to be made as aforesaid, according as the Stock so purchased shall amount or be reduced to the respective Sums before mentioned.

Dock Dues.

XCIV. And be it further enacted, That it shall be lawful for the said Dock Company, and such Person or Persons as they shall from Time to Time appoint, and they are hereby authorized and empowered, to demand and take, recover, collect, and receive, to and for the Use and Benefit of the said Dock Company, for all Ships, Boats, and other Vessels coming into or departing from the said Dock, any such reasonable Rates and Duties, not exceeding the Rates or Duties set forth or specified in the Second Schedule to this Act, as shall be from Time to Time arranged and determined by the said Dock Company; and for all Articles, Matters, and Things which shall be landed from or shipped into the said Dock, or which shall be transhipped within the said Dock, from any Ship, Boat, or other Vessel, into any Ship, Boat, or other Vessel, such Wharfage Rates, Tolls, or Duties as the said Company shall think fit, not exceeding the Rates, Tolls, and Duties specified in the Third Schedule to this Act; and for all Goods, Wares, or Merchandize which shall be deposited in any of the Warehouses belonging to the said Dock Company, such Rates, Tolls, and Duties as shall be from Time to Time fixed and arranged by the same Company, not exceeding the Rates, Tolls, or Duties which shall have been taken and demanded in the Port of *London* during some Part of the Year preceding (such Year being to be calculated from the First Day of *January* to the Thirty-first Day of *December*).

Goods, &c. to be disembarked or shipped by the Company, who may charge for the Trouble of warehousing, unloading, &c.

XCV. And be it further enacted, That all Ballast, Goods, Wares, and Merchandize which shall or may be disembarked from or shall be put on board of any Ship or other Vessel in the said Dock shall be disembarked or shipped, as the Case may be, by the said Dock Company; and the said Dock Company shall and may receive, for shipping, unshipping, landing, relanding, loading, weighing, and depositing in Warehouses all or any Ballast, Goods, Wares, and Merchandize whatsoever which shall be shipped or landed at the said Dock, or shall be warehoused upon the Premises of the said Dock Company, or for all or any of such Acts, and for any other Work or Labour performed by the said Company in respect of such Ballast, Goods, Wares, and Merchandize, such reasonable Rates and Sums of Money as the said Dock Company shall from Time to

Time order and direct, so that the same shall not exceed the Rates and Sums of Money then usually paid for or in respect thereof in the Port of *London*, and which Rates or Sums of Money shall and may be recovered or recoverable by the said Dock Company in the same Manner and by the same Means as the other Rates, Tolls, and Duties by this Act imposed are or shall be recoverable.

Traffic by means of Monmouthshire Canal to be subject to Wharfage.

XCVI. Provided always, and be it enacted, That the said Dock Company shall be entitled and they are hereby authorized and empowered to take, demand, and receive, of and from the Owner, Master, or Director of any Boat or other Vessel which shall enter or depart from the said Dock along the said Canal loaded either in part or entirely with any Goods, Wares, or Merchandize, in order that the same may be embarked on board of any Ship or Vessel in the said Dock, or which shall have been taken out of or from any such Ship or other Vessel in the said Dock, such and the like Tonnages, Rates, Tolls, or Duties as the said Dock Company would have been entitled to if the said Goods, Wares, and Merchandize had been previously or immediately deposited on any Wharf or Quay belonging to the said Company: Provided always, that none of the Rates, Tolls, or Duties mentioned and specified in the Second Schedule to this Act shall be levied or taken by the said Dock Company for, from, or in respect of any Ship, Boat, or other Vessel which shall come or go into the said Dock, either from the *Monmouthshire* Canal or the River *Usk*, without any Cargo on board, and in order to take in a Cargo (directly and without any intermediate Deposit upon the Wharfs or Quays belonging to the said Company) from some other Ship or Vessel which shall have just previously paid, or become liable to pay, or shall have paid any of the Rates, Tolls, or Duties mentioned in the said Second Schedule to this Act: Provided also, that in order to entitle such Vessel or Boat to the before-mentioned Exemption the same Vessel or Boat shall take or receive her Cargo and depart from the said Dock within Five Days from the Time of her entering the same.

Vessels coming in empty to take Cargo from Bottom to Bottom, exempt from Dockage.

Vessels discharging Ballast on Company's Ground liable to Dockage.

XCVII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Dock Company to take, demand, and receive the Rates, Tolls, or Duties mentioned and specified in the Second Schedule to this Act annexed for, from, or in respect of any Ship or other Vessel of which the Ballast or any Part thereof shall be deposited on the Ballast Ground of the said Dock Company, notwithstanding that the said Ship or other Vessel shall not enter into the said Dock during the same Voyage.

Vessels remaining longer than a certain Time, to be liable to an extra Charge.

XCVIII. And be it further enacted, That in case any Ship or other Vessel shall be at the Quay of the said Dock Company or be within the said Dock a longer or greater Time than shall be from Time to Time fixed and appointed by the said Company, then and in such Case it shall be lawful for the said Company, their Collectors and Servants, to ask, demand, and collect, of and from the Master or other Person having the Charge or Command of such Ship or other Vessel, such further Dues or Sums of Money as the said Dock Company shall from Time to Time reasonably order and direct; and on Refusal or Neglect to pay the same such further or additional Dues shall and may be recovered in like Manner as the Dues hereby imposed are hereby made recoverable.

XCIX. And

To ascertain the Tonnage or Admeasurement of Ships.

XCIX. And be it further enacted, That the Tonnage or Admeasurement of all Ships and Vessels required to be registered by any Act in force relating to the registering of *British* Ships or Vessels, and trading or coming to or departing from the said Dock, and liable to the Payment of the said Rates and Duties of Tonnage by this Act imposed, shall be ascertained according to the certified Tonnage in the Ship's Register; and the Master or other Person having the Charge or Command of any Ship or Vessel is hereby required to produce such Certificate of Registry, at the Time of Payment of the said Rates and Duties, to the Person or Persons who shall be duly authorized to collect and receive such Rates and Duties; and in case of any Dispute in or about the same, or in case of any Dispute in respect of the Tonnage of any Ship or Vessel not required to be registered, or of any Foreign Ship or Vessel, then the Tonnage of any such Ship or Vessel shall be ascertained in the Manner and according to the Directions of any Act in force for the registering of *British* Vessels.

Power to measure Ships, &c.

C. And be it further enacted, That if the Collector or Collectors of any of the said Rates or Duties, or such other Person or Persons as the said Dock Company shall appoint, and the Master or other Person or Persons having the Charge or Command of any Ship, Boat, Barge, Craft, or other Vessel, cannot agree about or otherwise ascertain the Tonnage of such Ship, Boat, Barge, Craft, or other Vessel, then and in every such Case it shall be lawful for the said Collector or Collectors, or other Person or Persons appointed as aforesaid, from Time to Time and at all convenient and reasonable Times, to stop, detain, enter into, measure, and gauge the same, according to the Mode prescribed by any Act in force for the registering of *British* Vessels.

Owners to give an Account in Writing of Lading.

CI. And for better ascertaining and more easily collecting the said Rates, Tolls, and Duties, be it further enacted, That the Master, Owner, or other Person having the Care of any Boat or other Vessel entering the said Dock from the said Canal, or of any Waggon or other Carriage passing upon the said Railways or any Part thereof, shall from Time to Time give a just and true Account in Writing, signed by him, to the Collector or Collectors of the said Rates, Tolls, and Duties, at the Place or Places where they shall attend for that Purpose, of the several Quantities, Qualities, and Weight of the Goods, Wares, Merchandize, and Commodities contained in or upon every such Boat, Vessel, Waggon, or other Carriage; and if such Goods, Wares, Merchandize, or Commodities shall be liable to the Payment of different Rates, then such Master, Owner, or other Person shall specify the Quantities liable to the Payment of each Rate, and shall produce his Invoice or Bill of Lading to the Collector or Collectors, on Demand; and in case such Master, Owner, or other Person shall neglect or refuse to give such Account, or to produce his Invoice or Bill of Lading to any Collector demanding the same, or shall give a false Account thereof, or shall deliver any Part of his Lading or Goods at any other Place or Places than what shall be mentioned in such Account, every Person so offending shall forfeit and pay to the said Dock Company any Sum not exceeding the Sum of Forty Shillings for every such Offence.

Duties by whom to be paid.

CII. And be it further enacted, That the Rates, Duties, and Charges which the said Dock Company are by this Act authorized to demand and receive

receive shall be paid by the Owner, or by the Master or Commander, or other Person or Persons having the Command or Charge of any Ship, Boat, Barge, Craft, or other Vessel coming into or using or going out of the said Dock; or importing, carrying, or exporting any Goods, Wares, or Merchandize, or by the Merchant or Merchants or other Person or Persons conveying, exporting, or importing, or shipping or carrying or receiving, such Goods, Wares, and Merchandize, or by the Merchant or Merchants or other Person or Persons into whose Custody or Possession the same shall, on Demand, be delivered; and all or any of such several and respective Parties and Persons shall be severally and respectively liable to the said Dock Company for the same, or such Part or Parts of the same as shall at any Time remain unpaid by the other of such Parties or Persons; and all such Rates, Duties, and Charges shall be paid to such Person or Persons, at such Place or Places, and in such Manner and under such Regulations as the said Dock Company shall from Time to Time order, direct, or appoint.

Power to reduce Dock Dues, and again to advance the same;

but no Reduction under 2*d.* per Ton on Vessels not above 100 Tons registered Burthen.

CIII. And be it further enacted, That it shall be lawful for the said Dock Company from Time to Time to reduce all or any of the said Rates, Tolls, and Duties hereby authorized to be taken, and comprised in the Second Schedule to this Act annexed, and afterwards from Time to Time to advance the same, all or any of them, to any Sum not exceeding the Rates, Tolls, and Duties in the said Schedule mentioned; provided that no such Reduction or Advance in the Dockage Rates, Tolls, or Duties shall be made in reference to the Goods, Wares, or Merchandize, Article or Articles, contained in or to be shipped on board of any Ships or other Vessels: Provided always, that such Dues shall not be reduced under any Circumstances whatever upon Ships or Vessels which shall not exceed One hundred Tons Burthen, so as to be less than Two-pence *per* Ton for going into and departing from the said Dock.

Power to reduce Wharfage Dues.

CIV. And be it further enacted, That it shall be lawful for the said Dock Company from Time to Time to reduce all or any of the said Rates, Tolls, and Duties hereby authorized to be taken, and comprised in the Third Schedule to this Act annexed, and afterwards to advance the same to any Sum not exceeding the Rates, Tolls, and Duties in the said Schedule mentioned, and to make such Reduction or Advance in respect of One or more of the Articles in such Schedule named, without extending such Reduction or Advance to any other of such Articles.

Not to be reduced below One Third, except at General Meeting, at which Three Fourths of the Subscribers shall be present.

CV. Provided always, and be it enacted, That the Rates, Tolls, and Duties for Dockage and Wharfage by this Act imposed, and in the Second and Third Schedules contained, or any or either of them, shall not be fixed at or reduced to less than One Third Part of the Rates, Tolls, and Duties in the said Schedules mentioned, unless at a General Meeting of the Proprietors to be specially convened for that Purpose in the Manner herein-before mentioned, nor unless such Meeting shall be attended by the Holders of at least Three Fourths of the whole Number of Shares in the said Undertaking, either in Person or by Proxy: Provided also, that the Wharfage Duty, Toll, or Tonnage to be taken or charged in respect to Coal shall not in any Case or under any

Circumstances be reduced below the Rate or Charge of One Penny *per* Ton.

Vessels not to land Goods in the Dock at other Places than Quays and Landing Places.

CVI. And be it further enacted, That no Ship, Boat, or other Vessel shall land her Cargo or any Part thereof by the Sides or upon or along the Banks of the said Dock, except at such Quays, Wharfs, and Landing Places as shall be made and assigned by the said Dock Company for the loading and discharging or landing and shipping of such Cargoes, upon pain of forfeiting for every such Offence any Sum not exceeding Five Pounds, and upon pain of forfeiting to the King's most Excellent Majesty, His Heirs or Successors, such of the Goods or Merchandize so landed or shipped as shall be liable to the Payment of any Duty to His Majesty on such landing or shipping, which Goods or Merchandize may be seized accordingly by any Officer of His Majesty's Customs or Excise, and disposed of according to Law.

Vessels to unload within the Docks as soon as may be, then to be removed.

CVII. And be it further enacted, That each and every Ship, Boat, and other Vessel having a Cargo on board thereof which shall go into the said Dock shall be unloaded and discharged of the Cargo on board thereof as soon as conveniently may be after entering therein; and if there shall be any unnecessary Delay in the Delivery of the Cargo thereof, it shall be lawful for the said Dock Master or Dock Masters to cause such Cargo to be forthwith delivered, and to send such Person or Persons as he or they shall think fit on board of such Ship, Boat, or other Vessel, to deliver or assist in the Delivery of such Cargo; and the Costs and Expences thereof shall be paid by the Owner or Owners, Master, or other Person having the Charge or Command of such Ship, Boat, or Vessel, and be recovered in like Manner as Penalties are by this Act to be recovered; and after the Delivery of such Cargo such Ship, Boat, or Vessel shall then without Loss of Time be removed into such Part of the said Dock as the said Dock Master or Dock Masters shall direct or assign, and the said Dock Master or Dock Masters is and are respectively hereby authorized and required to order and cause to be removed all light or unloaded Ships, Boats, or other Vessels accordingly; and in case any Master, Owner or Owners, or other Person having the Charge or Command of any light Ship, Boat, or other Vessel, shall refuse or neglect to remove out of the said Docks such Ship, Boat, or other Vessel from such Part of the said Docks as shall be set apart for light or unloaded Vessels within Twenty-four Hours after Notice in Writing shall have been given to such Master, Owner or Owners, or other Person respectively, signed by any such Dock Master or Dock Masters, then and in every such Case he or they respectively shall forfeit and pay any Sum not exceeding Five Pounds, and the said Dock Master or Dock Masters, or his or their Assistant or Assistants, may remove or cause to be removed such Ship, Boat, or Vessel.

Power for Dock Master or his Assistant to order out light Vessels;

and the Dock Master or his Assistant may remove such Vessel.

For removing Combustibles.

CVIII. And be it further enacted, That if the Owner or Owners of or the Person or Persons in or to whose Custody or Charge any Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy or other spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or any other combustible Matter or Thing whatsoever shall be entrusted, shall permit or suffer the same or any of them, or any Part thereof respectively, to be and remain on the Quays and Wharfs aforesaid or any Part thereof,

or

or upon the Deck of any Ship, Boat, or other Vessel in the said Dock, Cut, or other Works, or any of them, above the Space of Two Hours after he or they shall have been required by the Dock Master or Dock Masters by Notice in Writing to take away or remove the same therefrom, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for every Hour such Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy or other spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or any other combustible Matter or Thing, or any of them, or any Part thereof, shall be or remain in the Place or Situation aforesaid after the Expiration of the said Two Hours, such Two Hours to be computed from the Time of such Requisition; and in every such Case the Owner or Owners of or other Person or Persons in or to whose Custody or Charge any such Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy or other spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or other combustible Matter or Thing shall be or be entrusted, if the same respectively shall be or be lying on the said Quays or Wharfs, or any of them, or the Master or other Person having the Charge or Command of the Ship, Boat, or other Vessel on the Deck of which the same shall respectively be, shall at their own Costs and Charges respectively maintain a sufficient Number of careful and sober Persons, to be in that Behalf appointed by the said Dock Master or Dock Masters, to guard and watch over such several Articles or other combustible Matters or Things as aforesaid, from or after the making of such Requisition until the same respectively shall be removed; and in case any such Owner, Master, or other Person or Persons as aforesaid shall refuse or neglect to pay such Costs and Charges on Demand, then and in such Case such Costs and Charges shall and may be ascertained by any Justice or Justices of the Peace for the said County of *Monmouth*, and be raised, levied, and recovered in like Manner as any Penalty is recoverable by this Act.

No combustible Matter to be heated on board any Vessel within the Dock; nor any Gunpowder or loaded Gun be brought in.

CIX. And be it further enacted, That no Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter shall at any Time hereafter be boiled or heated by any Device or Means whatsoever on board any Ship, Boat, or other Vessel lying in any Place or Places within the said Dock or Premises, except in such Place or Places and in such Manner as shall be specially appointed by the said Dock Company for that Purpose, nor shall any Gunpowder or loaded Gun whatever be brought into the said Dock, or be suffered to remain on board any Ship or other Vessel, upon pain that every Master, Commander, or Owner of every such Ship or Vessel shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Fire, Candles, or Lamps not to be lighted in the Dock, except as regulated.

CX. And for more effectually preventing Accidents by Fire in the said Dock and Dock Premises, be it further enacted, That if any Person or Persons shall have or keep, or cause to be had or kept, any Fire, Candle, or Lamp lighted within the said Dock or other Works which shall belong thereto, or on board any Ship or Vessel in such Dock respectively, at any Time or Times whatsoever, save and except such Fires or lighted Candles or Lamps as shall be necessary to be used in the making, building, finishing, repairing, altering, or improving of the same Dock or other Works or any of them, and save and except such Fires or lighted Candles

Candles or Lamps, and at such Times, as shall be permitted by the special Orders and Regulations of the said Dock Company given in Writing in that Behalf, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For preventing Obstructions in going on board Ship, &c. in the Docks.

CXI. And be it further enacted, That if any Person or Persons shall at any Time hereafter in any way obstruct, or be aiding or abetting any other Person or Persons in obstructing, in the Execution of his Duty or Employment, any Constable, Watchman, or Person thereto appointed by or having Instructions in Writing in that Behalf from the said Dock Company, or from the Dock Master or Dock Masters of the said Company, or the Superintendent of the said Dock, from or in going on board or entering into or upon, or being in or upon, any Ship, Boat, or other Vessel, for the Purpose of searching for or extinguishing any Fire, Candle, or Light being or suspected to be therein, contrary to any Provision of this Act, or contrary to any Order, Rule, or Regulation made by virtue of this Act, or for the Purpose of discovering any Theft or Embezzlement committed or suspected to have been committed in or about such Ship, Boat, or other Vessel, or for the Purpose of quelling any Riot or Disturbance therein, or for any other Purpose authorized by this Act, or by any such Order, Rule, or Regulation as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulations as to delivering a Copy of Manifest.

CXII. And be it further enacted, That the Master or Person having the Charge or Command of any Ship or Vessel, loaded or part loaded, which shall enter the said Dock, shall, within Twelve Hours after entering the same, deliver or cause to be delivered a true Copy of the Manifest of the Cargo of such Ship or Vessel, signed by the Master or Person having the Charge or Command of such Ship or Vessel, at the principal Office of the said Dock Company, to such Officer or Servant of the said Company as shall be appointed for the Receipt thereof; and every such Master or Person refusing or neglecting to deliver a true Copy of such Manifest, within the Time specified and in the Manner before directed, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

On Neglect to enter any Goods brought into the Dock Premises Seven Days after the Vessel importing the same shall have been reported, the Company may enter, land, and warehouse the same.

CXIII. And be it further enacted, That in case any Goods, Wares, or Merchandize shall be brought into the said Dock on board of any Ship or Vessel, and shall not be duly entered at the Custom House in *Newport*, and also at such other Office of His Majesty's Revenue as shall be required by Law, within Seven Days next after the Ship or Vessel importing the said Goods, Wares, or Merchandize shall have been reported at the Custom House, then and in every such Case it shall be lawful for such Officer or Officers of the said Dock Company as shall be appointed for that Purpose by the said Company, on the next ensuing Day, (not being a *Sunday*, *Christmas Day*, or *Good Friday*, or a Day appointed by His Majesty's Proclamation for the Purpose of a General Fast or Thanksgiving,) to cause such Goods, Wares, or Merchandize to be duly entered at the Custom House or other proper Revenue Office for warehousing within the Premises of the said Dock Company, and forthwith to land and warehouse such Goods, Wares, and Merchandize, and retain the same as a Security for the Payment of the Duties to which they may be

subject, and the Rates and Sums payable therein to the said Dock Company, and the Charges and Expences of entering, landing, coopering, and housing the same, together with the Freight due thereon.

The Commander or senior Officer, or other authorized Person, to be on board all the Time of unloading.

CXIV. And be it further enacted, That the Master, Commander, or Mate of every Ship or Vessel which shall or may load or unload in the said Dock, or some Person appointed by him, or by the Owner or Owners of such Ship or Vessel, for that Purpose, shall, during all the Time employed in loading, unloading, or discharging such Ship or Vessel, actually remain on board, and superintend, aid, and assist in such loading, unloading, or discharging; and every such Master, Commander, or Mate, or Person so appointed as aforesaid, who shall neglect or refuse to superintend, aid, and assist in the loading, unloading, and discharging of the same, as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Gate Keepers not to allow Goods to pass outwards without Production of a Pass signed by the proper Officer of the Dock Company.

CXV. And be it further enacted, That it shall not be lawful for the Person or Persons appointed by the said Dock Company as Gate Keeper or Gate Keepers of the Gates and Entrances into the said Dock to permit any Goods, Wares, or Merchandize to pass outward from the said Dock, or any of the Premises of the said Company, unless the Person or Persons in whose Custody such Goods, Wares, or Merchandize shall be shall first produce to such Gate Keeper or Gate Keepers a Pass for such Goods, Wares, or Merchandize, signed by the Officer or Officers of the said Dock Company who may be appointed by the said Dock Company to grant the same.

No Holidays to be observed, except Sundays, Christmas Day, and Good Friday, General Fasts and Thanksgiving.

CXVI. And be it further enacted, That no Holidays whatever shall be allowed to be observed and kept at the said Dock, Quays, Wharfs, Roads, Warehouses, and other Works of the said Company, when the same shall be completed for the Reception of Shipping and Merchandize, by any Officer or Servant of the said Company, (except *Sundays*, *Christmas Day*, *Good Friday*, and any Days which shall be appointed by His Majesty's Proclamation for the Purpose of a General Fast or Thanksgiving,) but that all Business of the said Company, and of all Persons using the said Dock, Quays, Wharfs, Roads, Warehouses, Vaults, or other Works, shall be carried on upon all Holidays (except as before excepted) in the same Manner as upon any other Days in the Year.

When the Dock shall be approved as ready for Reception of Ships, &c. Notice to be published in the Gazette, &c.

CXVII. And be it further enacted, That when the said Dock, and the Cuts, Locks, Quays, Roads, and Wharfs belonging or to belong thereto, shall be so far completed that in the Judgment of the Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, the same shall be fit for the Reception of Ships and Goods respectively, it shall be lawful for the Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby respectively authorized and empowered, by Warrant under their Hands to certify and make known the same, which Warrant shall be published Three Times at the least in the *London Gazette* and in One or more Papers then usually circulated in the said County of *Monmouth*; and the said Warrant so published as aforesaid shall be deemed sufficient Notice to all Parties interested in the Completion of the Dock, Quays, Wharfs, Roads, and Works concerning which such Cer-

tificate shall be made, that the same are fit and approved by the Lords Commissioners of His Majesty's Treasury for the Reception of Ships, and of all Goods, Wares, and Merchandize, under the Provisions of an Act passed in the Fourth Year of the Reign of His late Majesty, intituled 4 G. 4. c. 24. *An Act to make more effectual Provision for permitting Goods imported to be secured in Warehouses, or other Places, without Payment of Duty on the first Entry thereof,* or under any other Act or Acts relating to the warehousing of Goods, Wares, and Merchandize.

For Recovery of Rates.

CXVIII. And be it further enacted, That the said Rates, Tolls, and Duties herein authorized to be demanded and taken by the said Dock Company shall be paid to such Person or Persons, at such Place or Places, and in such Manner and under such Regulations as the said Dock Company or their Committee shall from Time to Time direct or appoint; and in case of Refusal or Neglect of Payment of any such Rates, Tolls, or Duties, or any Part thereof, on Demand, to the Person or Persons appointed to receive the same as aforesaid, it shall be lawful for the Person or Persons to whom such Rates, Tolls, or Duties ought to have been paid, and he and they is and are hereby authorized and empowered, to go on board any Ship or other Vessel in the said Dock, or elsewhere within the Port of *Newport*, and to demand, collect, and receive the said Rates or Duties, and on Nonpayment thereof to seize and distrain such Ship, Boat, or other Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and all or any Part of the Goods or Merchandize, either on board such Ship or other Vessel or on Land, as also to seize and distrain the Goods or other Things for or in respect whereof any such Tolls, Rates, or Duties ought to have been paid, or any Part thereof, and the same to retain until the said Rates, Tolls, or Duties, and any Expence attending such Seizure or Distress, shall have been paid; and in case of the Neglect or Default in Payment of the said Rates, Tolls, or Duties, and the Expences, for the Space of Five Days after such Distress or Distresses so made and taken, then the said Distress or Distresses, or the Articles or Article so seized and distrained, shall be appraised and sold as the Law directs in Cases of Distress for Rent.

Recovery of Rates, Rents, or Sums payable on Goods, &c.

CXIX. And be it further enacted, That the Rates or Dues payable to the said Dock Company in respect of any Goods, Wares, and Merchandize of a perishable Nature shall be paid at or before the Expiration of Two Calendar Months, and if not of a perishable Nature, then at or before the Expiration of Twelve Calendar Months next after the Cargo of the respective Ship or Vessel importing any such Goods shall have been completely discharged or unloaded, or previous to the Removal of the same from the Premises of the Company, which shall first happen.

Dock Master to direct dismantling, &c. of Vessels in the Dock.

CXX. And be it further enacted, That every Dock Master shall have full Power and Authority to order all Ships and Vessels entering the said Dock, or the Channel leading from the River *Usk* into the said Dock, to be dismantled in such Manner as he may think proper and safe for the Vessels entering the said Dock and Channel, and for the Prevention of Accident or Mischief to other Ships, Boats, Barges, or Vessels, or to the said Dock; and during the Time of every such Ship's Delivery, or when discharged of her Cargo, to have such Quantity of Ballast on board or dead Weight in her Hold as he may judge requisite for such

Ship or Vessel; and no Ship or Vessel shall be allowed to enter the said Dock or Channel unless she shall be so dismantled, and shall not be unladen so far as to render her insecure through the Want of Weight in her Hold, or such Quantity of Ballast on board as the said Dock Master or Dock Masters may think expedient; and every such Dock Master shall also have full Power and Authority to give Directions for topping, bracing, or striking Yards and Masts, taking in running Bowsprits, and for having substantial Hawsers and Tow Lines and Fasts to the Buoys or Mooring Posts, and also to regulate the Equipment, Rigging, and Mode of lading of all Ships and Vessels in the said Dock, as he shall think necessary; and in case he shall judge any Part of the Rigging, Lading, or Equipment of any Ship or Vessel injurious to any other Ships or Vessels in or entering or departing from the said Dock, to give Notice to the Master or other Person having the Charge or Command of such Ship or Vessel to discontinue or alter the same; and in case such Master or other Person shall not according to such Direction suspend or alter such Act or proceed immediately after Notice given to him or them, or some Person or Persons on board the said Ship or Vessel, for that Purpose, or if any Ship or Vessel shall be left in the said Dock without any Person or Persons on board, every such Master or other Person having the Command of such Ship or Vessel, or the Owner or Owners thereof, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and the Owner or Owners of such Ship or Vessel shall also be answerable for all the Injury that may be sustained by any other Ship or Vessel or by the said Dock Company through Neglect thereof.

For keeping Entrance of the Dock clear.

CXXI. And for the better making and preserving a free and clear Passage and Entrance into and out of the said Dock for all Ships and Vessels of every Description, be it further enacted, That if any Ship or Vessel of any Description whatsoever, or any Raft of Timber or other Substance, shall be put, placed, or remain within the Entrance of the said Dock, or if any such Vessel shall anchor in the River *Usk* opposite the said Channel, or be aground opposite such Channel between the Entrance thereof and the Centre of the said River, so as in any Manner to impede or obstruct the Entrance to the said Dock, and the Captain, Owner, or other Person having the Care and Management thereof shall not, immediately on being thereunto required by the said Dock Master or Dock Masters, remove such Ship, Vessel, or Raft of Timber, the Captain, Owner, or Director of such Ship, Vessel, or Raft, and every other Person so offending, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and also any Sum not exceeding Ten Shillings for every Hour that such Obstruction shall remain after such Notice; and in case the Captain or other Person having the Charge or Command of such Ship, Vessel, or Raft shall not remove the same immediately upon being required so to do, it shall be lawful for the said Dock Master or Dock Masters, and his or their Assistants, to remove the same.

Power for Dock Masters to regulate and direct the placing and

CXXII. And be it further enacted, That it shall be lawful for any Person appointed in pursuance of this Act to act as Dock Master to direct any Person having the Command of any Ship or other Vessel entering into or being within the said Dock to moor, anchor, and place the same in such Situation within the said Dock as the said Dock Master shall direct;

mooring of Ships in the Dock.

direct; and in case the Person having the Command of any such Ship or other Vessel shall refuse or neglect to remove the same as soon as may be after being required, and to moor, anchor, or place the same as the said Dock Master shall direct, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and it shall be lawful for the said Dock Master, and other such Persons as he shall call to his Assistance, to remove or cause to be removed the said Ship or other Vessel in such Manner as he shall deem necessary; and the Person having such Command shall pay all the Charges and Expences attending the removing such Ship or other Vessel after such Direction and Refusal or Neglect as aforesaid, such Charges and Expences to be recovered in manner herein directed with respect to the Recovery of Penalties and Forfeitures; and if any Person having such Command, or any other Person, shall prevent or impede the Removal of any such Ship or other Vessel, such Person shall forfeit and pay a Sum not exceeding Ten Pounds for every such Offence.

Penalty on Persons floating Timber in Canal, &c. contrary to Regulations, or throwing Ballast, &c. into Canal.

CXXIII. And be it further enacted, That if any Person or Persons shall float any Timber or Wood in the said Dock or Cut, or the Entrance into the same respectively, contrary to any Rules or Regulations that may be made and promulgated from Time to Time for the well and orderly using the said Dock or Cut respectively, or shall navigate in the said Dock, Cut, or Entrance respectively any Ship, Boat, or other Vessel laden with Timber or Wood which shall lie over the Sides of such Ship, Boat, or other Vessel in such Way as to obstruct the Passage of any other Ship, Boat, or other Vessel, and shall not, immediately upon Notice given of such Obstruction, haul or draw back, move or remove such Ship, Boat, or other Vessel to such Place or Places as shall be appointed or shall be proper for Ships or other Vessels to pass each other, or shall not otherwise remove the same so as to make a free Passage for other Ships, Boats, or Vessels; or if any Person or Persons shall wilfully or negligently throw any Ballast, Gravel, Stones, Rubbish, or other Matter or Thing into any Part of the said Dock, or into any Trenches, Sluices, or Passages for Water to be made in pursuance of this Act, or into any Part of the Bay, Cut, or Entrance from the River *Usk* or from the Canal into the said Dock; or if any Person or Persons shall wantonly or unnecessarily open or draw, or cause to be opened or drawn, any Lock, Paddle, Valve, or Sluice belonging to the said Dock or Cut, or shall wilfully flush or draw off, or cause to be flushed or drawn off, the Water from any Part of the said Dock or Cut, or shall leave any of the Gates or Sluices of any Lock open after any Ship, Boat, or other Vessel shall have passed the same, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act; every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds.

Penalty on cutting Ropes, &c.

CXXIV. And be it further enacted, That in case any Person or Persons whomsoever shall wilfully or maliciously cut, break, or in any Manner destroy any Rope or other Thing by which any Ship or Vessel lying in the said Dock shall be moored or fastened, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, over and above the Damages to be occasioned thereby; and which Damages, together with the Costs and Expences, may be recovered by the Party sustaining the same in a summary Manner: Provided always, that

that nothing herein contained shall hinder or restrain the Dock Master to be appointed in pursuance of this Act, or his Assistants, from exercising in a due and reasonable Manner any of the Powers or Authorities hereby vested in them. Not to extend to the Dock Master.

CXXV. And for the Security and Preservation of the said Dock or other Works belonging to the same, be it further enacted, That before any Ship or Vessel shall enter or pass into the said Dock such Ship or Vessel shall have her Sails taken down, so that she may not enter under Sail, upon pain that every Master, Commander, or Pilot having the Care of every such Ship or Vessel shall for every such Offence forfeit the Sum of Five Pounds. No Ships to enter the Dock under Sail.

CXXVI. And to the Intent that the said Rates or Duties may be duly answered and paid, be it further enacted, That the Collector, Receiver of Entries of Ships, Surveyor, Searcher, or Waiter, or other Officer whatsoever of or concerning the Customs of the said Port of *Newport*, may and he is hereby authorized and empowered to refuse to receive any Entry or Report for any Vessel, or give or make out any Cocquet or other Discharge, or take any Report Outwards, for any Ship or Vessel trading or coming to the said Port, and which shall use the said Dock, until the Rates, Duties, and Payments hereby granted or payable shall have been paid, and until an Acquittance shall have been produced under the Hand of the Collector of such Rates, Duties, and Payments, testifying the Receipt thereof, which Receipt such Collector is hereby required to give on Payment of such Dues, without Fee or Reward. Custom-house Officers not to discharge Vessels till Duties are paid.

CXXVII. Provided always, and be it further enacted, That in no Case shall any Person or Persons whosoever remove or take away any Goods, Wares, Merchandize, or other Things for which any Money for Wharfage or Warehouse-room shall have become due as aforesaid, from any Wharf, Quay, or Warehouse, without the Consent of the said Dock Company or their Agent chiefly intrusted with the Care of any such Wharf, Quay, or Warehouse, without Payment of such Rate or Sum for Wharfage and Warehouse-room as shall be due for the same under the Provisions of this Act, under a Penalty not exceeding Five Pounds over and above the Amount which shall be so due as aforesaid. Goods not to be removed till Charges, &c. paid.

CXXVIII. And be it further enacted, That it shall be lawful for the said Dock Company from Time to Time, and at all Times for ever hereafter, subject to the Provisions herein-before contained, to ask, demand, take, recover, and receive, to and for their own Use and Behoof, for the Tonnage of all Goods, Wares, Merchandize, and Commodities whatsoever which shall be carried or conveyed upon the said Railway or Tramroad first herein-before mentioned, or any Part thereof, such Rates, Tolls, and Duties as and calculated as to Distance in the same Manner as the said Canal Company shall from Time to Time charge and calculate the Rates, Tolls, and Duties to be charged and received on their Railways or Tramroads: Provided always, that if the said Canal Company shall appropriate to themselves, as they are before authorized and empowered to do, the Railway or Tramroad first above mentioned, then and in that Case the same shall be considered as a Continuation of the Roads authorized to be made by virtue of the Acts now in force for the Regulation of the said Rate of Tonnage for Railways.

said Canal Company, some or one of them, and the said Canal Company shall thenceforth have such and the like Powers, Privileges, and Authorities in respect to the Tolls or Tonnage to be taken thereupon, and in all other respects in relation thereto, as if the same had been made under or by virtue of the said Acts, some or one of them, and not further or otherwise.

List of Tolls to be affixed in conspicuous Places.

CXXIX. Provided always, and be it further enacted, That the said Dock Company shall from Time to Time cause to be painted on Boards, affixed and stuck up and continued, and renewed as often as the same shall be obliterated or defaced, upon every Stop Gate or Toll House, in some conspicuous Place, in large and legible Characters, an Account or List of the several Rates, Tolls, and Duties which the said Dock Company shall from Time to Time so direct and appoint to be taken.

Weight of Goods ascertained.

CXXX. And be it further enacted, That as respects all Stone and Timber Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Beech, and Ash, and Fifty Cubic Feet of all other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity, any Usage to the contrary notwithstanding.

Penalty for evading Tolls.

CXXXI. And be it further enacted, That in case any Person or Persons passing with or having the Care of any Waggon or other Carriage upon the said Railways or Tramroads or Stone Roads, or any Part thereof, shall avoid or evade the due Payment of any of the Tolls, Rates, or Duties hereby made payable on any Goods, Wares, Merchandize, or Commodities whatsoever liable to the Payment of any of the Tolls, Rates, or Duties herein-before mentioned, every such Person so offending shall for every such Offence forfeit and pay to the said Dock Company the Sum of Five Pounds.

If any Difference arise concerning Weight, Collectors may weigh or measure Boats and Waggons.

CXXXII. And be it further enacted, That if any Difference shall arise between any Collector of the said Rates, Tolls, and Duties, and the Master, Owner, or Person having the Charge of any such Boat or other Vessel, Waggon or other Carriage, or the Owners of any Goods, Wares, Merchandize, or other Things therein or thereon conveyed, concerning the Weight or Quantity of any such Goods, Wares, Merchandize, or other Things, it shall be lawful for any such Collector to stop and detain any such Boat or other Vessel, Waggon or other Carriage, and to weigh, measure, or gauge, or cause to be weighed, measured, or gauged, such Goods, Wares, Merchandize, and other Things as shall be therein contained.

If the lading of Vessels is found to be greater than stated by the Master, Expences of gauging to be paid by the Master.

CXXXIII. And be it further enacted, That in case, upon such weighing, measuring, or gauging, the said Ships, Boats, Vessels, Waggons, or other Carriages, Goods, Wares, or Merchandize shall appear to be of greater Tonnage, Weight, or any Quantity respectively than such Master, Owner, or other Person having the Care of such Ship, Boat, or Vessel, Waggon or other Carriage, Goods, Wares, or Merchandize, and Things, affirmed or stated the same to be, then the said Master, Owner, or Person having the Care of such Ship, Boat, or other Vessel, Waggon or other Carriage, Goods, Wares, Merchandize, or other Things, shall pay the Costs and Charges of such weighing, measuring, and gauging, all which

which Costs and Charges, upon Refusal of Payment thereof, upon Demand, shall and may be recovered and levied in the same Manner as the said Rates, Tolls, and Duties are hereby appointed to be recovered and levied; but if such Ship, Boat, or other Vessel, Waggon, or other Carriage, Goods, Wares, Merchandize, and other Things shall appear to be of the same or less Tonnage, Weight, and Quantity than the said Master or Owner or other Person declared the same to be, then the said Dock Company shall pay the Costs and Charges of such weighing, measuring, and gauging, and shall also pay to such Master, Owner, or other Person, or to the Owner or Owners of such Ship, Boat, or other Vessel, Waggon, or Carriage, Goods, Wares, Merchandize, or other Things, such Damages as shall appear to any One or more of His Majesty's Justices of the Peace acting in and for the said County of *Monmouth*, on the Oath of any credible Witness or Witnesses, to have arisen from such Detention; but in case it shall be made to appear to the said Justice or Justices, upon the Complaint of the said Dock Company or any of their Officers, and upon the like Oath of any credible Witness or Witnesses, that such stopping and Detention, and weighing, measuring, and gauging, were without reasonable Ground, or vexatious on the Part of such Collector, then such Collector shall himself pay the Costs and Charges of such weighing, measuring, and gauging, and shall also pay to such Master or other Person, or to the Owner or Owners of such Ship, Boat, or other Vessel, Waggon, or Carriage, Goods, Wares, Merchandize, and other Things, such Damages as shall appear to such Justice or Justices, on the Oath of any credible Witness or Witnesses, to have arisen from such Detention; and in default of immediate Payment thereof by the said Dock Company or by such Collector (as the Case may be), the same may be recovered from the said Dock Company or the said Collector (as the Case may be) by Distress and Sale of their or his Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, or otherwise by Action in any of His Majesty's Courts of Record at *Westminster*.

Disputes respecting Tolls to be settled by Justices.

CXXXIV. Provided always, and be it further enacted, That if any Dispute shall arise between the Collectors of the Tolls, Rates, or Duties, and any Persons liable to the Payment of any such Tolls, Rates, or Duties, or alleged to be so, concerning the Amount or Proportion of the Tolls, Rates, or Duties due in respect of any Ship, Boat, or other Vessel, or any Waggon or other Carriage, or any Goods, Wares, or Merchandize, or all or any of them, or the Charge for Wharfage, Warehousing, or any other Charge hereby authorized to be made, or the Charges occasioned by the taking, keeping, or selling any Distress, such Dispute or Disputes shall and may be heard and determined by One or more Justices of the Peace of the said County of *Monmouth*, who, upon Application made to him or them for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses, to be administered by him or them respectively, and shall determine the Amount of Rates, Tolls, or Duties due, and other Matter as aforesaid in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice or Justices shall seem just and reasonable; all which Costs, in case of Nonpayment thereof on Demand, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded

or

or directed to pay the same, by Warrant under the Hand and Seal of such Justice or Justices, which Warrant such Justice or Justices is or are empowered to issue; and the Overplus (if any) after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Owners to put their Names on the Outside of their Waggons.

CXXXV. And be it further enacted, That the Owner, Master, or Driver of every Boat or other Vessel which shall pass into the said Dock from the said Canal, and of every Waggon or other Carriage passing over or along the said Railways or Tramroads or Stone Roads, or either of them, into or upon the said Quays or Wharfs, shall cause his, her, or their Name or Names, or in case of a Firm or a Company the Name or Style of such Firm or Company, and Place or Places of Abode, and the Number of his, her, or their Boat or other Vessel, Waggon or Waggons or other Carriage, to be painted on a Black Ground in large White Capital Letters and Figures, Three Inches high at the least, and of a proportionate Breadth, on some conspicuous Part of the Outside of every such Boat or other Vessel, Waggon or other Carriage; and every Owner, Master, or other Person having the Care of any Boat or other Vessel, Waggon or other Carriage, or who shall conduct the same into the said Dock from the said Canal, or into or upon the said Quays or Wharfs to and from the said Railways or Tramroads or Stone Roads, or any Part thereof, without having such Names, Letters, Marks, and Figures thereon as herein-before directed, or shall refuse or neglect to put and renew the same as often as may be thought necessary by the said Committee, or shall alter, erase, or deface the same or any Part thereof, or shall fix thereon any false Names, Marks, or Figures, shall for every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds.

Owners of Waggons and Vessels to be accountable for Damages done by their Servants

CXXXVI. And be it further enacted, That the respective Masters or Owners of every Ship or other Vessel using or entering the said Dock, or the respective Owners of any Waggon, Engine, or Carriage passing upon the said Railways or Tramroads, or Stone Road, shall be, and he, she, and they is and are hereby respectively made answerable for all Damage, Spoil, or Mischief that shall be done by his, her, or their Ship or Vessel, or his, her, or their Waggon, Engine, or Carriage, or the Horses used in drawing the same, or by any Person or Persons belonging to or employed by them respectively in or about the same respectively, to the said Dock, or to the said Railways or Tramroads or Stone Road, or to the Quays or Wharfs, Bridges, Engines, or other Works or Conveniences thereunto belonging, or any of them, either by the loading, unloading, or conducting of such Vessel, Waggon, Engine, or other Carriage, or by any other Means whatsoever, and also for any Trespass or Damage that shall or may be committed or done to the Owners or Occupiers of any Buildings or other Erections, Lands, Tenements, or Hereditaments, adjoining or lying near to the said Dock, Railways or Tramroads, or Stone Road, Quays, Wharfs, or Works, by opening or leaving open Gates or otherwise, and for any Trespass whatsoever contrary to the Directions or Provisions in this Act contained or any of them; and every such Master, Owner or Owners of such Vessel, Waggon, Engine, or Carriage shall, upon Conviction before any One or more Justices of the Peace of the said County of *Monmouth*, either by the Confession of the

Parties

Parties offending, or upon the Oath or Oaths of any One or more credible Witness or Witnesses, to be administered by such Justice or Justices, pay the Person or Persons injured the Damages to be ascertained by such Justice or Justices, (provided that such Damage do not exceed the Sum of Twenty Pounds,) and shall also over and above such Damages forfeit and pay to the Informer any Sum, to be determined and awarded by such Justice or Justices, not exceeding Forty Shillings, and all the Costs, Charges, and Expences attending such Conviction; which Damages, Forfeitures, Penalties, and Costs, upon Nonpayment on Demand, shall be levied by Distress and Sale of the Goods and Chattels of such Master, Owner or Owners, in like Manner as any other Penalties or Forfeitures are by this Act directed to be levied; or if the Damages shall exceed the Sum of Twenty Pounds, then the same may be sued for and recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*.

Owners to recover back from their Servants any Sums paid for their Neglect.

CXXXVII. And be it further enacted, That in case any such Master or Owner shall be compelled to pay any Damages, Forfeiture, Penalty, and Costs, any or either of them, by reason of any wilful Act, Neglect, or Default of his, her, or their Servant or Servants or Waggoners, or any of them, then and in such Case every such Servant or Waggoner shall be liable to repay such Damages, Forfeiture, Penalty, and Costs to such Master or Owner; and in case of Nonpayment thereof on Demand, and Oath made by such Master or Owner of the Payment by him or her of such Damages, Forfeiture, Penalty, or Costs, and that the same have not been repaid to him or her by such Servants or Waggoners or any of them, although demanded, (such Oath to be made before any One or more Justices of the Peace,) the same shall be recovered in like Manner as any Penalty can or may by virtue of this Act be recovered.

Dock, Roads, &c. to be free, on Payment of Rates.

CXXXVIII. And be it further enacted, That the said Dock, Roads, and Works shall be free, and all the King's Subjects may have and enjoy the free Use thereof, at all proper and reasonable Times of the Day and Night, without Interruption, Hindrance, or Obstruction from any Person whomsoever, subject however to the Payment of such Rates, Tolls, and Duties as shall from Time to Time be demanded by the said Dock Company, not exceeding the respective Sums in this Act mentioned, and subject to the Rules, Orders, and Regulations which shall from Time to Time be made by the said Dock Company by virtue of the Powers by this Act granted.

Dock Master not to give Preference or show Partiality.

CXXXIX. And be it further enacted, That if any Dock Master or other Servant belonging to the said Dock Company shall give an undue Preference or show any Partiality to any Ship or other Vessel, Waggon or other Carriage, in coming into, remaining in, or going out of the said Dock, or in passing up or down the said Railways or Tramroads or Stone Road, or in loading or unloading any Goods or other Things at any of the Wharfs, Warehouses, Weighbeams, Cranes, or other Machines belonging to the said Dock Company, every Person so offending shall on Conviction forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

If the Company take any Soil, Sand, Clay, Gravel, or Stone, Satisfaction to be made.

CXL. And be it further enacted, That from Time to Time as and when the said Dock Company, their Agents or Servants, shall, by virtue of the Powers in this Act contained, dig, cut, take, or carry away any Soil, Sand, Clay, Gravel, or Stone for making, carrying on, and completing, maintaining or keeping in repair the said Dock, Railways or Tramroads, Stone Road, Drains, Bridges, Arches, and other Works hereby authorized to be made, in or from the Lands or Grounds of any Person or Persons whomsoever adjoining or contiguous thereto, the said Dock Company shall make a reasonable Satisfaction for the same within Fourteen Days after such Materials shall have been got or dug, taken or carried away; and the Damages done to such Lands or Grounds, in case of Difference about the same (on Application being made by the respective Owners for that Purpose to the said Dock Company), shall be ascertained by any One or more Justices of the Peace in such Manner as is by this Act directed in respect of any other Satisfaction to be made by the said Dock Company.

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

CXLI. And be it further enacted, That no Person or Persons whosoever shall pass along any Part of the said Railways or Tramroads belonging to the said Dock Company with any Waggon or other Carriage whatsoever, unless the same shall be constructed agreeably to and in conformity with the Orders and Regulations of the said Dock Company, which Orders and Regulations shall be affixed in some conspicuous Place upon or nearly adjoining to every Toll House to be erected upon or near such Railways or Tramroads for the Purposes of collecting the Rates, Tolls, and Duties by this Act granted; and if any Person or Persons whosoever shall pass or attempt to pass along any Part of the said Railways or Tramroads with any Waggon or other Carriage not constructed according to such Orders and Regulations as aforesaid, every Person so offending shall for every such Offence forfeit and pay to the said Dock Company any Sum not exceeding Five Pounds.

Penalty on Persons obstructing the Passage of Waggons.

CXLII. And be it further enacted, That if any Person or Persons shall suffer the Lading of any Waggon or other Carriage passing on the said Railways or Tramroads belonging to the said Dock Company, or shall leave, place, or suffer any Waggon, Engine, or Carriage to be left or remain on any Part of the said Railways or Tramroads so as to obstruct the Passage of any other Waggon, Engine, or Carriage, and shall not immediately remove the same, or alter the Position thereof, upon Request made for that Purpose by any Collector, Agent, or Servant of the said Dock Company, or by any other Person or Persons duly authorized, so as to make a free Passage for other Waggons, Engines, or Carriages passing thereon, every such Master, Owner or Owners, or other Person or Persons having the Care of such Waggon, Engine, or Carriage so obstructing the Passage as aforesaid shall forfeit for every such Offence any Sum not exceeding Five Pounds for every Hour during which such Obstruction shall continue after such Request for Removal thereof shall be made as aforesaid; and it shall be lawful for any of the Collectors, Agents, or Servants of the said Dock Company to cause any such Waggon or other Carriage to be unladen, if necessary, and to be removed in such Manner as shall be requisite for preventing any further Obstruction therefrom, and to seize and detain such Waggon, Engine, or Carriage, and the Lading thereof, or any

Part

Part of such Lading, until any Penalty or Penalties and the Charges of such unloading or Removal shall be paid; and if any Person shall wilfully throw or place any Gravel, Stones, or Rubbish, or any other Matter or Thing, upon any Part of the said Railways or Tramroads, or shall do any other Matter or Thing to obstruct the free Passage thereon or any Part thereof, or shall wilfully obstruct, hinder, or prevent any Person in the Execution of this Act, every Person so offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Penalty on destroying Works.

CXLIII. And be it further enacted, That if any Person or Persons shall wilfully and maliciously break, take up, throw down, or destroy any Part of the said Dock, Railways or Tramroads, or any Bridge or Bridges, Bank or Banks, Erections or Buildings, or other Works to be erected and made by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to the like Pains and Penalties as in case of Felony, and the Court by and before whom such Person shall be tried and convicted shall have Power and Authority to award such Penalty or Punishment as the Law directs in Cases of Simple Larceny.

To prevent Horses from trespassing on Lands adjoining the Railway.

CXLIV. And be it further enacted, That in case any Person or Persons employed in the hauling of any Waggon or other Carriage upon the said Railways or Tramroads or Stone Road belonging to the said Dock Company, or any of them, shall permit or suffer any Horse or Horses to be loose upon the said Railways or Tramroads or Stone Road, or any of them, without some Person being with such Horse to take care of the same, or shall commit any wilful Trespass or Damage in or upon the Lands adjoining or near to the said Railways or Tramroads or Stone Road, every such Person shall for every such Act, Default, or Neglect, upon Conviction before any One or more Justices of the Peace of the said County of *Monmouth*, either by Confession of the Party offending, or upon the Oath of One or more credible Witness or Witnesses, pay to the Person or Persons injured the Damages, to be ascertained by such Justice or Justices, and shall, over and above such Damages, forfeit and pay to the Informer any Sum to be awarded by such Justice or Justices, not exceeding Forty Shillings, and all Costs, Charges, and Expences attending the Conviction, which Damages, Penalties, and Costs shall be levied in like Manner as any Penalties are herein-after directed to be levied.

Railway not to be used as a Passage for Horses or Cattle.

CXLV. And be it further enacted, That if any Person or Persons (save and except the said Dock Company, and the Agents and Servants employed by them,) shall ride, lead, or drive, or cause to be rode, led, or driven, any Horse, Mule, or Ass, or shall lead or drive, or cause to be led or driven, any Cow or other Neat Cattle, Sheep, Swine, or any other Beast or Animal, along the said Railways or Tramroads belonging to the said Dock Company, or any Part thereof, except with the Licence of the said Dock Company, or for the necessary Occupation of the respective Farms through which the said Railways or Tramroads shall be made, every Person so offending shall for such Offence forfeit and pay to the said Dock Company any Sum not exceeding Forty Shillings: Provided always, that nothing herein contained shall extend or be construed

strued to extend to subject any Person or Persons having any Goods or Merchandize hauled along the said Railways to any Penalty for riding or passing along the same for the *bonâ fide* Purpose of superintending the Carriage and Delivery thereof.

Power to make Branches.

CXLVI. And it is hereby further enacted, That it shall and may be lawful to and for the Owners and Occupiers of the respective Lands or Grounds adjoining the said Railway or Tramroad first herein-before mentioned to construct and lay down, either upon their own Land, or upon the Land of any other Person or Persons with the Consent of such other Person or Persons, any collateral Branch or Branches from their respective Lands to communicate with the said Railway or Tramroad first herein-before mentioned, for the Passage of Horses and Carriages upon or into and along the said Railway or Tramroad first herein-before mentioned, and to make, at their own Expence, such Openings in the Ledges or Flanches of the said Railway or Tramroad first herein-before mentioned as may be necessary and proper for making such Communication; and the said Dock Company shall not be entitled to receive any Tonnage, Toll, or Duty for the passing of any Goods or other Things along such Branch or Branches.

Nothing herein to confer any Power to make transverse Roads over or Junctions with the Canal Company's Roads.

CXLVII. Provided also, and be it further enacted, That nothing in this Act contained shall extend to give or confer to or upon any Person or Persons whomsoever any greater Right, Power, or Authority than is now possessed or can or may now be exercised to make Crossings or transverse Rail or Tram or other Roads, whether fixed or movable, over or across the Railway or Tramroad first herein-before mentioned, or over or across the intended Site thereof, or over or across any other of the Rail, Tram, or other Roads of the said Canal Company, or the Sites or Site thereof respectively, or to make any lateral Junctions or Communications with the same or any or either of them, without the Consent of the said Canal Company, nor to abolish, take away, alter, or abridge any such Right, Power, or Authority which is or may now be vested in or possessed or exercised by any Person or Persons whomsoever, except as is herein otherwise provided for.

No Person to make new Bridges across the Canal without Consent, except as authorized by this Act.

John Jones, Esquire, to have Power to make Four lateral Communications with Dock Company's Wharf Ground.

CXLVIII. Provided also, and be it enacted, That nothing herein contained shall extend to authorize the said Dock Company, or any other Person or Persons whomsoever, to make any Bridge or Bridges across the *Monmouthshire* Canal other than those which are already made or erected, and save and except as is herein-before provided for, and save and except those which any such Person or Persons might have made in case this Act had not been passed, without the Consent of the said Canal Company: Provided also, that it shall and may be lawful for *John Jones* Esquire, his Heirs, Lessees, or Assigns, or the Owner or Owners of the Land adjoining the Eastern Side of the said Dock, and his or their Agents or Servants or Workmen, to make any Number of Communications, not exceeding Four, between the Land of the said *John Jones* or such Owner or Owners, contiguous to the Land authorized to be taken by the said Dock Company for the Purposes of their Warehouse or Wharf Ground on the East Side thereof, and either through the Land of the said *John Jones* or such Owner or Owners, or the Land of any other Person or Persons with the Consent of such Person

or Persons, and the said Warehouse Ground or Wharf Ground on the Eastern Side of the said Dock, and to lay down a Rail or Tram Road and a Stone Road for that Purpose in each Place of Junction, so nevertheless that the whole Width of each such Junction shall not exceed Twenty-five Feet: Provided also, that it shall and may be lawful to and for Sir *Charles Morgan* Baronet, and his Heirs, Lessees, or Assigns, or the Owner or Owners of the Land adjoining the Western Side of the said Dock, and his or their Agents, Servants, and Workmen, in like Manner to make any Number not exceeding Four, of the like Communications, between the Land of the said Sir *Charles Morgan* or of his Lessees or such Owner or Owners, contiguous to the Land authorized to be taken by the said Dock Company for the Purposes of their Warehouse or Wharf Ground on the West Side thereof, and either through the Land of the said Sir *Charles Morgan* or such Owner or Owners, or of any other Person or Persons with the Consent of such Person or Persons, and the said Warehouse or Wharf Ground on the Western Side of the said Dock, and to lay down a Rail or Tram Road and Stone Road for the Purpose of such Communications, and in each Place of Junction, so nevertheless that the whole Width of each Place of Junction shall not exceed Twenty-five Feet: Provided also, that Two of the Four Communications so authorized to be made by the said *John Jones* and Sir *Charles Morgan* Baronet respectively shall be made at the Southern or Northern Ends of the said Dock respectively, or as near thereto as they can be reasonably made, so as to secure a convenient Entrance into the said Wharf Ground; and that if either the said *John Jones* or Sir *Charles Morgan* shall make the other Two Communications herein-before authorized to be made by each of them, he shall so make them at equal Distances from each other, and from the said End Communication: Provided also, that if either the said *John Jones* or Sir *Charles Morgan* shall make only One other such Communication, the same shall be exactly in the Centre of the Wharf Ground, (that is to say,) at an equal Distance from both Extremities thereof: Provided also, that if either the said *John Jones*, his Heirs, Lessees, or Assigns, or the said Sir *Charles Morgan*, his Heirs, Lessees, or Assigns, or such Owners, or his or their Agent or Agents respectively, shall not, within Six Months next after the passing of this Act, have given Notice in Writing to the said Dock Company of his or their Intention to make the said Junctions or Junction, and unless such Notice or Notices respectively shall specify the precise Places or Spots in which the same Junctions or Junction are or is intended to be made, neither the said *John Jones*, his Heirs, Lessees, or Assigns, in case he or they shall make such Default as aforesaid; nor the said Sir *Charles Morgan*, his Heirs, Lessees, or Assigns, in case he or they shall make such Default as aforesaid, nor any such Owner as aforesaid, shall be entitled to make such Junctions or any such Junction of which the precise Situation or Situations shall not have been specifically described in such Notice or Notices: Provided also, that the said Dock Company shall be and they are hereby required, when any such Junction by means of such Rail or Tram Road shall have been made by virtue of the Power herein-before given, to continue the same by means of another corresponding Road to the Railway or Tramroad herein-before required to be made by them around the Basin of the said Dock, by a direct or convenient Course, and at their own Costs and Charges to maintain and keep such Continuation

Sir Charles Morgan to have the like Power.

As to the Communications permitted to John Jones, Esquire, and Sir Charles Morgan.

Power to make such Communications to cease, if Notice specifying the Sites thereof is not given within Six Months.

If Communications are made, Dock Company required to continue them through their Wharf Ground.

tion in good Repair ever afterwards, or so long as such Junction or Communication shall be kept up, and until the same shall have been abandoned.

Authenticated Bye Laws to be Evidence.

CXLIX. And be it further enacted, That in all Cases of Prosecution for Offences against the Bye Laws, Orders, or Rules of the said Company, the Production of a written or printed Paper purporting to be the Bye Laws, Orders, or Rules of the said Company, and authenticated by having the Common Seal of the Company affixed thereto, shall be Evidence of the Existence and of the due making of such Bye Laws, Orders, or Rules;. and it shall be sufficient to prove that a printed Paper or painted Board containing a Copy of such of the Bye Laws, Orders, or Rules as shall subject any Person to any Fine or Penalty hath been affixed and published in manner by this Act directed, and in case of its being afterwards displaced or damaged hath been replaced as soon as conveniently might be, unless Proof shall be adduced by the Defendant that such printed Paper or painted Board is not a Copy of such Bye Laws, Orders, or Rules, or hath not been duly affixed and generally continued in manner by this Act directed.

How Debts may be proved in Cases of Bankruptcy.

CL. And be it further enacted, That in case any Person against whom the said Dock Company may have any Claim or Demand shall become bankrupt or insolvent, a Secretary or Clerk or Treasurer of the said Company for the Time being may do all the same Acts, and may have and exercise all the same Powers and Privileges, as to the Establishment or Proof of Debts, voting in Choice of Assignees, signing Certificates, and other Matters and Things in respect of or relating to the Claim or Demand of the said Company, as any Person being a Creditor of such Bankrupt or Insolvent, or a Claimant against his Estate, could have or exercise in respect of his Debt or Claim.

Receipt of the Parent or Guardian of a Minor sufficient Discharge.

CLI. And be it further enacted, That in all Cases where Money shall be payable under the Provisions of this Act to any Proprietor who shall be a Minor, Idiot, or Lunatic, the Receipt of the Guardian (if any), or, if not, of the Parent of such Minor, or of the Committee or of any one of the Committees of such Idiot or Lunatic, shall be a sufficient Discharge to the said Company and their Treasurer for the same.

Chief Clerk may give Releases so as to restore the Qualification of Witnesses.

CLII. And be it further enacted, That in all Actions at Law or Suits in Equity, and in all Proceedings under this Act or otherwise for any Claim or Compensation against or for or on behalf of the said Company or the Treasurer thereof, and also in all Prosecutions or Informations commenced or instituted by or on behalf of or against the said Dock Company or the Treasurer thereof, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or other Proceedings, it shall be lawful for the Chief Clerk of the said Dock Company for the Time being, in his own Name, for and on behalf of the said Dock Company, to make, sign, seal, execute, and deliver all and every such general or other Release or Releases as may be or be deemed to be necessary for the Purpose of exonerating, releasing, and discharging all and every or any Person or Persons who shall or may be produced as a Witness or Witnesses in any such Actions, Suits, Prosecutions, Informations, Arbitrations, References, or other Proceedings, from all or any Claims or

Demands which may be or be deemed to be necessary to be released by the said Dock Company to qualify such Person or Persons to give Evidence as a Witness or Witnesses in any such Action, Suit, Prosecution, Information, Arbitration, Reference, or other Proceeding, and every such Release shall be a valid and effectual Release; and also in any such Action, Suit, Information, Arbitration, Reference, or other Proceeding to do any other Act, Matter, or Thing which any Party in his own Right might do in any Action, Suit, Information, Arbitration, Reference, or other Proceeding, and every such Release shall be a valid and effectual Release; and every such Act, Matter, and Thing shall be as effectual as if done by a Party in his own Right.

Damages and Charges, in case of Dispute, to be settled by Justices.

CLIII. And be it further enacted, That when by this Act any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damage or Charge, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who are hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in manner directed by this Act for levying any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

CLIV. And be it further enacted, That in all Cases in which any Penalty or Forfeiture imposed is made recoverable by Information before Two or more Justices of the Peace, it shall and may be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and some other Justice or Justices of the Peace for the County of *Monmouth*, who shall have Power on such Summons to hear and determine the Matter of Complaint, and, on Proof of the Offence, to convict the Offender, which said Justices shall or may adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before all of such Justices; and all Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was exhibited.

Recovery and Application of Penalties.

CLV. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by any Rule, Order, or Bye Law made in pursuance thereof (the Manner of levying and recovering whereof is not particularly directed), may in case of Nonpayment thereof be recovered in a summary Way by the Order and Adjudication of any One or more Justices of the Peace for the said County of *Monmouth*, on Complaint to him or them for that Purpose exhibited by the Oath of any Person or Persons, or on the Confession of the Party offending (which Oath such Justice or Justices are or any One Justice of the Peace for the said County is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice or Justices, rendering the Overplus which shall have been received (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges

of

of such Distress and Sale being first deducted); and all Penalties and Forfeitures when recovered, when the Application is not otherwise directed by this Act, shall be paid to the Treasurer of the said Company for the Use and Benefit of the said Company, who are hereby authorized to reward the Informer with any Proportion, not exceeding One Half of the Penalty to be adjudged, and whether the same shall be actually recovered and paid or not; but if any such Penalty shall be recovered against the said Company, One Half of such Penalty shall be paid to the Informer, and the other Half to the Overseers of the Poor of the Parish within which the Offence shall be committed, to be applied for the Use of the Poor in such Parish; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for the said Justice or Justices, and he and they are hereby authorized and required, to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before such Justice or Justices, or before some other Justice or Justices of the Peace for the said County of *Monmouth*, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Eight Days from the taking of any such Security, and which Security the said Justice and Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice or Justices, and he and they are hereby authorized and required, by a Warrant under their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or Prison for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture shall be sooner paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or otherwise shall be discharged by due Course of Law.

For securing transient Offenders.

CLVI. And whereas Offences against this Act may be committed by transient Persons, unknown to the Agents, Collectors, Surveyors, or other Officers and Servants employed by the said Dock Company; be it therefore further enacted, That it shall and may be lawful to and for the said Agents, Collectors, Surveyors, and other Officers respectively to seize and detain any such unknown Person or Persons who shall or may commit any Offence against this Act, and to convey him, her, or them before any One or more of the Justices of the Peace for the said County of *Monmouth*, without any other Warrant or Authority than this Act for so doing; and such Justice or Justices is or are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

CLVII. And

Form of Conviction.

CLVII. And for the more easy Conviction of Offenders against this Act, be it enacted, That any One or more Justices of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form, or Words to the same Effect; (that is to say,)

'BE it remembered, That on [*Time of Conviction*], at [*Place of Conviction and Name of Offender*] of [*Addition of Offender*], was duly convicted before me [*or* us] [*Names and Titles of the convicting Justices*], for that the said [*Name of Offender*] on [*Time of committing Offence*], did [*here state the Offence against the Act according to the Fact*], contrary to the Form of the Statute made in the Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*]; and I [*or* we] do therefore declare and adjudge that the said [*Name of Offender*] has forfeited for the said Offence the Sum of [*Fine*], or shall be committed to [*Place of Imprisonment*] for the Space of [*Time of Imprisonment*]. Given under my [*or* our] Hand and Seal [*or* Hands and Seals] the Day and Year first above written.'

Persons distraining not to be deemed Trespassers ab initio.

CLVIII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages by Action.

For compelling Witnesses to attend.

CLIX. And be it further enacted, That if any Person or Persons who shall be summoned as a Witness or Witnesses to attend and give Evidence before any Justice or Justices of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or the Person or Persons accused, shall refuse or neglect to appear at the Time and Place for that Purpose appointed, having been paid or tendered a reasonable Sum for his, her, or their Costs and Charges, without reasonable Excuse for his or their Refusal or Neglect, or appearing shall refuse to be examined on Oath (or, in case of any Quaker or Quakers, on solemn Affirmation,) and to give Evidence before such Justice or Justices of the Peace, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered in like Manner as any Penalty imposed by this Act may be recovered.

Persons aggrieved may appeal to the Quarter Sessions.

CLX. Provided always, and be it further enacted, That any Person or Persons thinking himself or herself or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, Order, or Determination of the said Dock Company or their Committee, or any Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing in this Act mentioned or contained, may, within Four Calendar Months next after such Order, Judgment,

Judgment, or Determination shall have been made or given, complain to the Justices of the Peace at the General or Quarter Sessions of the Peace to be held in and for the said County of *Monmouth*, the Person or Persons appealing having first given at least Ten Days Notice of such Appeal, and of the Nature or Matter thereof, to the Persons or Person appealed against, or to the Clerk of the said Dock Company, and forthwith after such Notice entering into Recognizances before some Justice of the Peace of the said County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order and Award of the said Court thereupon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace held for the said County, or if they think proper adjourn the Hearing thereof until the next General Quarter Sessions of the Peace to be held for the said County, and if they see Cause may mitigate any Forfeitures or Fines, and may order any Money to be returned which may have been levied in pursuance of such Rule, Bye Law, or Determination, and shall and may also order and award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall adjudge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Saving Rights of Monmouthshire Canal Company.

CLXI. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend, give to, enlarge, or abridge, alter, or take away any of the Rights, Powers, or Privileges vested in the said Canal Company, unless where otherwise herein specially provided for.

Proceedings not to be quashed for Want of Form.

CLXII. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

CLXIII. And be it further enacted, That if any Action, Suit, or Information shall be brought or commenced by any Person or Persons for any thing done or to be done in pursuance of this Act, or in execution of the Powers or Authorities or of the Orders and Directions herein-before given or granted, every such Action, Suit, or Information shall be brought or commenced within Six Calendar Months next after the Fact shall have been committed, or in case there shall be a Continuation of Damages then within Six Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards; and the Defendant or Defendants in such Action, Suit, or Information shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action, Suit, or Information shall be brought after the Time so limited for bringing the same, or shall be brought in any other County than that in which such Cause of Action shall arise, then and in every such Case the Jury shall find for the Defendant or Defendants.

CLXIV. And

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

CLXIV. And be it further enacted, That in all Cases wherein it may be necessary or requisite for any Person or Persons or Party or Parties to serve any Notice or Notices, Writ or Writs, or other Proceedings in Law or Equity, upon the said Dock Company, the Service upon the Chief Clerk of the said Company, or left at the Office or delivered to some Inmate at the usual Place of Abode of such Clerk, or upon any Agent or Officer of the said Company, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

If Works not completed in Five Years, Powers to cease.

CLXV. Provided always, and be it further enacted, That in case the intended Dock, Railways, and other Works hereby authorized to be constructed and made, shall not have been made and completed (unless prevented by inevitable Accident) within the Space of Five Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Five Years all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only as to the Extension of the said Dock, Quay, and Warehouses on the Land authorized to be taken by this Act, and save also as to Warehouses or other Buildings for the housing of Goods, and except with the Consent of the Owner or Owners of the Land to be taken for the Purposes of this Act, and save also as to so much, if any, of the said Dock, Railways, and Works as shall have been declared and certified to be completed within the said Term by the Justices of the Peace of the said County of *Monmouth* assembled at any Quarter-Sessions of the Peace to be held in and for the said County at any Time before the Expiration of the said Term of Five Years, or within Six Calendar Months after the Expiration thereof, upon the Evidence of Two or more Witnesses.

Interpretation Clause.

CLXVI. And be it further enacted, That in the Construction of this Act the Words "Canal Company," wherever the same have occurred, shall be taken and held to mean "The Company of Proprietors of the *Monmouthshire* Canal Navigation;" that the Words "Month" and "Months" shall be taken and held to mean a Calendar Month or Calendar Months; and that the Words "Oath" and "Oaths" shall be taken and held to mean Affirmation and Affirmations in the Case of Persons called *Quakers* as well as Oath or Oaths in all other Cases.

Public Act.

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

The

## The FIRST SCHEDULE to which this Act refers.

| Owners. | Lessees. | Occupiers. | Description of Property. |
|---|---|---|---|
| | *Parish of Saint Woollos in the County of Monmouth.* | | |
| Sir Charles Morgan, Baronet. | Sir Charles Morgan Baronet, Samuel Homfray, Watkin Homfray, and Thomas Fothergill. | Messieurs Thomas Phillips, Thomas Phillips junior, William Thomas, and Robert Thomas. | Wharf. |
| Ditto | Ditto | Benjamin Young | Ditto. |
| Ditto | Ditto | James James | Cottage. |
| Ditto | Ditto | George Young | Ditto. |
| Ditto | Ditto | David Lewis | Ditto. |
| Ditto | Ditto | Philip Richards | Ditto. |
| Ditto | Ditto | Benjamin Beaty | Ditto. |
| Ditto | Ditto | Void | Ditto. |
| Ditto | Ditto | Ditto | Ditto. |
| Ditto | Ditto | Moses Moses | House. |
| Ditto | Ditto | Benjamin Young | Ditto. |
| Ditto | Ditto | Charles Thomas Webb | Ditto. |
| Ditto | Ditto | - - - | Tramroad. |
| John Jones, Esquire | - - - | Zachariah Boon | Garden. |
| Ditto | - - - | - - - | Tramroad. |
| Ditto | Thomas Rice Estlin, Assignee of David Jones. | Henry Lawrence | Dwelling House. |
| Ditto | Ditto | Void | Ditto and Shop. |
| Ditto | David Davies | Thomas Davies | Dwelling House. |
| Ditto | Ditto | George Pring | Ditto. |
| Ditto | Ditto | Robert Webb | Ditto. |
| Ditto | - - - | In hand | Ballast Bank. |
| Ditto | - - - | Zachariah Boon | House building. |
| Ditto | - - - | John Annely | Barn. |
| Sir Charles Morgan, Baronet. | Sir Charles Morgan Baronet, Samuel Homfray, Watkin Homfray, and Thomas Fothergill. | Benjamin Young | Garden. |
| Ditto | Ditto | James Thomas | Cottage. |
| Ditto | Ditto | John Henley | Ditto. |
| Ditto | Ditto | Ditto | Garden. |
| John Jones, Esquire | - - - | Francis Vigors | Ditto. |
| The Company of Proprietors of the Monmouthshire Canal Navigation. | - - - | - - - | Canal and Towing Path. |
| Sir Charles Morgan, Baronet. | Sir Charles Morgan Baronet, Samuel Homfray, Watkin Homfray, and Thomas Fothergill. | - - - | Ditto |
| Ditto | Ditto | - - - | Occupation Road. |
| - - - | - - - | - - - | Commercial Road. |
| Ditto | Ditto | In hand of Lessees | Ballast Bank. |
| The Company of Proprietors of the Monmouthshire Canal Navigation. | - - - | - - - | Tramroad. |

| Owners. | Lessees. | Occupiers. | Description of Property. |
|---|---|---|---|
| Sir Charles Morgan, Baronet. | - - - - | In hand - - | Garden. |
| Ditto - - | - - - - | - - - - | Occupation Road. |
| Trustees of the Newport District of Roads. | - - - - | - - - - | Turnpike Road from Newport to Rumney Bridge. |
| Sir Charles Morgan, Baronet. | - - - - | William Howell - | Garden. |
| Ditto - - | - - - - | George Hopton - | Ditto. |
| The Company of Proprietors of the Monmouthshire Canal Navigation. | - - - - | - - - - | Tramroad. |
| John Jones, Esquire - | - - - - | In hand - - | Ditto. |
| Ditto - - | - - - - | Richard Leigh - - | Garden. |
| Ditto - - | - - - - | Ditto - - | Cottage and Garden. |
| Sir Charles Morgan, Baronet. | Sir Charles Morgan Baronet, Samuel Homfray, Watkin Homfray, and Thomas Fothergill. | Thomas Chambers - | Garden. |
| Ditto - - | Ditto - - | - - - - | Occupation Road. |
| Ditto - - | Ditto - - | In hand - - | Garden. |
| Ditto - - | Ditto - - | John Challacomb - | Ditto |
| Ditto - - | Ditto - - | Uriah Roberts - | Ditto. |
| Ditto - - | Ditto - - | William Henley - | Ditto. |
| Ditto - - | Ditto - - | John Waters - | Ditto. |
| Ditto - - | Ditto - - | Elizabeth Patterson - | Ditto. |
| Ditto - - | Ditto - - | In hand - - | Occupation Road |
| Ditto - - | Ditto - - | William Young - | Garden. |
| Ditto - - | Ditto - - | In hand - - | Occupation Road |
| The Company of Proprietors of the Monmouthshire Canal Navigation. | - - - - | - - - - | Tramroad. |
| - - - - - | - - - - | - - - - | Cross Street. |
| John Jones, Esquire - | - - - - | John Evans - - | Cottage. |
| Ditto - - | - - - - | John James - | Ditto. |
| Ditto - - | - - - - | In hand - - | Garden. |
| Ditto - - | - - - - | Ditto - - | Ditto. |
| Ditto - - | - - - - | Ditto - - | Ditto. |
| Ditto - - | - - - - | Ditto - - | Ditto. |
| The Company of Proprietors of the Monmouthshire Canal Navigation. | - - - - | - - - - | Canal Towing Path. |
| Sir Charles Morgan, Baronet. | Sir Charles Morgan Baronet, Samuel Homfray, Watkin Homfray, and Thomas Fothergill. | In hand of Lessees - | Land. |
| The Company of Proprietors of the Monmouthshire Canal Navigation. | - - - - | - - - - | Canal and Towing Path and Tramroad. |
| Ditto - - | - - - - | - - - - | Canal Towing Path. |
| John Jones, Esquire - | - - - - | - - - - | Occupation Road. |
| The Company of Proprietors of the Monmouthshire Canal Navigation. | - - - - | - - - | Tramroad. |
| Ditto - - | - - - - | - - - - | Canal Towing Path. |
| John Jones, Esquire - | - - - - | - - - - | Occupation Road. |

## The SECOND SCHEDULE to which this Act refers.

### RATES OF TONNAGE.

#### First Class.

*Vessels entering with Cargoes or departing with Cargoes.*

#### INWARDS.

| | £ | s. | d. |
|---|---|---|---|
| For every Ship or other Vessel which shall enter the said Dock from any Part of Great Britain, Ireland, the Isle of Man, or any of the Islands of Guernsey, Jersey, Alderney, and Sark, per Ton Measurement - - - - - - - - | 0 | 0 | 4 |
| From any other Part of Europe, except Places within the Straits of Gibraltar, and round the North Cape, per Ton Measurement - - - - - - - - - | 0 | 0 | 8 |
| From any Port or Place in Europe round the North Cape; any Port or Place within the Straits of Gibraltar, whether in Europe, Asia, or Africa; any Port or Place in British America, except the West Indies; and any Port or Place in the United States of America; per Ton Measurement - - - - - - | 0 | 0 | 10 |
| From any Port or Place in any other Part of the World, per Ton Measurement - - - - - - - - | 0 | 1 | 0 |

#### OUTWARDS.

| | £ | s. | d |
|---|---|---|---|
| For every Ship or other Vessel which shall depart from the said Dock to any Part of Great Britain, Ireland, the Isle of Man, or any of the Islands of Guernsey, Jersey, Alderney, and Sark, per Ton Measurement - - - - - - - - | 0 | 0 | 4 |
| To any other Part of Europe, except Places within the Straits of Gibraltar and round the North Cape, per Ton Measurement - - - - - - - - - | 0 | 0 | 8 |
| To any Port or Place in Europe round the North Cape; any Port or Place within the Straits of Gibraltar, whether in Europe, Asia, or Africa; any Port or Place in British America, except the West Indies; and any Port or Place in the United States of America; per Ton Measurement - - - - - - | 0 | 0 | 10 |
| To any Port or Place in any other Part of the World, per Ton Measurement - - - - - - - - | 0 | 1 | 0 |

### Second Class.

*Vessels entering in Ballast or departing in Ballast:*

| | Inward. | | | Outward. | | |
|---|---|---|---|---|---|---|
| | £ | s. | d. | £ | s. | d. |
| For every Ship or other Vessel which shall enter into or depart from the said Dock from or to any Part of Great Britain, Ireland, the Isle of Man, or any of the Islands of Guernsey, Jersey, Alderney, and Sark, per Ton Measurement - - - - - - | 0 | 0 | 2 | 0 | 0 | 2 |
| For every Ship or other Vessel which shall enter into or depart from the said Dock from or to any Port or Place in any other Part of the World, per Ton Measurement - - - - - - | 0 | 0 | 4 | 0 | 0 | 4 |

And every Vessel which shall enter into or depart from the said Dock without a Cargo shall be deemed to be a Vessel entering or departing, as the Case may be, in Ballast, except as otherwise provided for.

### Third Class.

| | £ | s. | d. |
|---|---|---|---|
| For every Ship or other Vessel with a Cargo which shall enter the said Dock and depart therefrom without breaking Bulk, or which shall discharge and afterwards take on board and depart with the same Cargo, per Ton Measurement - - - - - | 0 | 0 | 6 |
| For every Ship or other Vessel which shall enter the said Dock in Ballast, and depart therefrom in Ballast, per Ton Measurement - - - - - - - - | 0 | 0 | 3 |

And in estimating the Dues contained in this Schedule, every Vessel of less Burthen than Twenty Tons Measurement shall be rated at Twenty Tons Measurement.

## The THIRD SCHEDULE to which the foregoing Act refers.

### RATES OF WHARFAGE.

| | £ | s. | d. |
|---|---|---|---|
| For every Ton of Coal, Culm, and Iron Ore - - - | 0 | 0 | 2 |
| For every Ton of Metallic Ore, or Earth of any other Kind - | 0 | 0 | 6 |
| For every Ton of Cast, Bar, Bolt, Rod, Sheet, and Hoop Iron - | 0 | 0 | 6 |
| For every Ton of Ironmongery and Iron Wire - - - | 0 | 1 | 0 |
| For every Ton of Tin Plates - - - - - | 0 | 1 | 0 |
| For every Ton of Lead, Copper, Tin, and other Metals - - | 0 | 1 | 6 |
| For every Ton Weight of Mahogany and other fine Woods - | 0 | 1 | 6 |

| | £ | s. | d. |
|---|---|---|---|
| For every standard Hundred of 120 of Deals and Deal Ends, 12 Feet long, 1½ Inch thick, and 11 Inches wide - - - | 0 | 2 | 0 |
| For every customary Hundred of Staves - - - - | 0 | 1 | 0 |
| For every Ton Weight of other Timber - - - - | 0 | 0 | 8 |
| For every Ton Weight of Oak Bark - - - - - | 0 | 1 | 0 |
| For every Quarter of Corn - - - - - | 0 | 0 | 2 |
| For every 20 Bags or Barrels of Flour or Meal - - - | 0 | 2 | 0 |
| For every Ton of Salt - - - - - - | 0 | 0 | 6 |
| For every 100 of Paving, Brick, and Malt Kiln Tiles - - | 0 | 0 | 6 |
| For every 1,000 of Bricks or Pantiles - - - - | 0 | 1 | 0 |
| For every Ton of Slates - - - - - | 0 | 0 | 6 |
| For every Ton of other Stones - - - - - | 0 | 0 | 3 |
| For every Chaldron of Lime - - - - - | 0 | 0 | 6 |
| For every Ton of Manure - - - - - | 0 | 0 | 1 |

And so in proportion for any greater or less Quantity.

For every other Article of Goods, Wares, or Merchandize whatsoever, such reasonable Wharfage Rates, Rents, and Sums of Money as the said Dock Company shall from Time to Time order and direct, so that such Rates, Rents, and Sums of Money shall not exceed the Sums then usually paid for or in respect of Wharfage in the Port of London.

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