ANNO SEXTO

GULIELMI IV. REGIS.

Cap. lxvi.

An Act for regulating, preserving, and improving the Port or Harbour of *Newport* in the County of *Monmouth*. [21st *June* 1836.]

WHEREAS the Trade of the Port of *Newport* in the County of *Monmouth* has of late Years greatly increased: And whereas it is expedient that effectual Powers should be granted for the Conservancy of the said Port, that proper Regulations should be established for the Government thereof, and of all Persons and Vessels employed in or using the same, that Powers should be granted to regulate, maintain, and improve the said Harbour, and that reasonable Rates should be paid for or in respect of all Vessels which shall go into, enter, or use the said Port; but as the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Receiver for the Time being of the Land Revenue of the Crown for the County of *Monmouth*, or such other Person as shall from Time to Time be nominated in his Stead by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of the King's most Excellent Majesty, as Conservator, in right of His Crown, of

Appointment of Commissioners.

of the navigable River *Usk*; such One Person as shall from Time to Time be nominated by the Lord for the Time being of the Manors of *Liswerry* and *Libeneth* in the County of *Monmouth*; such One Person as shall from Time to Time be nominated by the Lord for the Time being of the Manor of *Newport* in the said County; such One Person as shall from Time to Time be nominated by the Lord for the Time being of the Manor of *Wentlooge* in the said County; such One Person as shall from Time to Time be nominated by the Lord for the Time being of the Manor of *Rogerstone* in the said County; such One Person as shall from Time to Time be nominated by the Lord for the Time being of the Manors of *Preston*, *Traston*, *Milton*, and *Langorey* in the said County; such One Person as shall from Time to Time be nominated by a certain Company called or known by the Name of the "*Tredegar* Wharf Company;" such Two Persons as shall from Time to Time be nominated by the Company of Proprietors of the *Monmouthshire* Canal Navigation; such One Person as shall from Time to Time be nominated by the *Newport* Dock Company; such Six Persons as shall from Time to Time be elected, under the Powers herein-after contained, by the registered Ship Owners of the said Port of *Newport*; such Eight Persons as shall from Time to Time be elected, under the Powers herein-after contained, by the Persons for the Time being engaged in the smelting of Iron shipped at the said Port of *Newport*; such Eight Persons as shall from Time to Time be elected, under the Powers herein-after contained, by the Persons for the Time being engaged in the mining and working of Coals shipped at the said Port of *Newport*; together with the Mayor for the Time being of the Borough of *Newport* in the said County, and such Three Persons as shall from Time to Time be nominated in manner herein-after mentioned by the Mayor, Aldermen, and Burgesses of the said Borough, shall be and they are hereby appointed Commissioners of the said Port or Harbour of *Newport*, and for ever hereafter shall and may and they are hereby authorized and empowered to regulate, maintain, deepen, cleanse, scour, amend, and improve the Navigation of the said Port or Harbour, and to make, erect, fix, and maintain such Landing Places, Watering Places, Ways, Slips, Buoys, Moorings, Lamps, Landmarks, and other Works, in, about, and adjacent to the said Port and Harbour, as the said Commissioners shall judge necessary or proper for the Preservation and Improvement of the said Port and Harbour, and the greater Safety and Accommodation of the Vessels and Persons employed in or using the same or resorting thereto, and to carry this Act into execution in all other respects whatsoever; and the Justices of the Peace for the Time being of the said Borough, and also His Majesty's Justices of the Peace for the Time being acting for the County of *Monmouth*, shall and may and they are hereby authorized and empowered to hear and determine any Offence against the Provisions of this Act committed within the Limits of the said Borough; and His Majesty's Justices of the Peace for the Time being acting for the said County shall and may and they are hereby authorized and empowered to hear and determine any Offence against the Provisions of this Act committed without the Limits of the said Borough; and no such Justice shall be disqualified from hearing and determining any Offence committed against the Provisions

Offences against Act may be heard and determined by Borough or County Justices.

Commissioners not disqualified from acting as Justices.

visions of this Act by reason of his being a Commissioner of the said Port or Harbour.

Mode of Appointment of Commissioners.

II. Provided always, and be it enacted, That the Appointment of a Commissioner by the Commissioners of His Majesty's Woods, Forests, and Land Revenues, or by any Lord of a Manor, or Company, under the Powers of this Act, shall from Time to Time be made by an Instrument in Writing, under the Hand of the Person, or the Common Seal of the Company, if incorporated, respectively authorized to nominate such Commissioner; and such Appointment may be at any Time revoked at the Discretion of the Person or Company making or entitled to make the same; and upon any Revocation of such Appointment, or upon any Person appointed becoming disqualified, another Appointment may be made by such Instrument as aforesaid, in lieu of the Person whose Appointment shall have been revoked, or who shall have become disqualified; and any Appointment so made shall continue in force until Notice of the Revocation thereof shall be given to the said Commissioners or their Clerk; and all such Appointments shall be to the Effect following; (that is to say,)

Form of Appointment.

'BE it remembered, That *A. B.*, Commissioner, *or* Lord of the Manor, *or* Company, *as the Case may be*, has *or* have nominated *C. D.* of to be a Commissioner of the Port or Harbour of *Newport* in the County of *Monmouth*. Given under my Hand, *or* the Common Seal of the said Company, the Day of .'

Time of Election of Commissioners by Ship Owners.

III. And be it further enacted, That the Six Persons to be elected Commissioners by the registered Ship Owners of the said Port shall be chosen on the Sixth *Monday* after the passing of this Act; and that on the First *Monday* in the Month of *June* in the Year One thousand eight hundred and thirty-nine, and in every Third succeeding Year, Six Persons shall be elected by the said Ship Owners to supply the Places of the Persons by them chosen at the Election then next preceding, and upon every such Election the Persons chosen Commissioners by the said Ship Owners at the Election then next preceding shall go out of Office; provided that any Commissioner so going out of Office may be then or afterwards re-elected.

Qualification of Ship Owners to vote.

IV. And be it further enacted, That at every such Election by the said registered Ship Owners every Person who for Six Months previous thereto shall have been and then shall be registered at the said Port as the Owner of Twenty Tons of Shipping belonging thereto, or who Six Months previous thereto shall have acquired and shall then be possessed of the Capital Sum of Two hundred Pounds in the Stock of any Shipping Company established at the said Port, shall be entitled and admitted to give One Vote for each of the Six Commissioners to be elected by the said Ship Owners; and every Person who for Six Months previous thereto shall have been and shall then be registered at the said Port as the Owner of Forty Tons of Shipping belonging thereto, or who Six Months previous thereto shall have acquired and shall then be possessed of the Capital Sum of

of Four hundred Pounds in the Stock of any Shipping Company established at the said Port, shall be entitled and admitted to give Two Votes for each of the said Six Commissioners; and every Person who for Six Months previous thereto shall have been and then shall be registered at the said Port as the Owner of Eighty Tons of Shipping belonging thereto, or who Six Months previous thereto shall have acquired and shall then be possessed of the Capital Sum of Eight hundred Pounds in the Stock of any Shipping Company established at the said Port, shall be entitled and admitted to give Three Votes for each of the said Six Commissioners; and every Person who for Six Months previous thereto shall have been and then shall be registered at the said Port as the Owner of One hundred and sixty Tons of Shipping, or who Six Months previous thereto shall have acquired and shall then be possessed of the Capital Sum of Sixteen hundred Pounds in the Stock of any Shipping Company established at the said Port, shall be entitled and admitted to give Four Votes for each of the said Six Commissioners; and every Person who for Six Months previous thereto shall have been and then shall be registered at the said Port as the Owner of Three hundred and twenty Tons of Shipping, or who Six Months previous thereto shall have acquired and shall then be possessed of the Capital Sum of Three thousand two hundred Pounds in the Stock of any Shipping Company established at the said Port, shall be entitled and admitted to give Five Votes for each of the said Six Commissioners; and in Cases where Two or more Persons shall be Part Owners of any Vessel the Register Burthen whereof shall not amount to Forty Tons, some One, but none other, of the Persons whose Names shall stand on the Register as Part Owners shall vote in respect thereof; and in Cases where Two or more Persons shall be Part Owners of any Vessel the Register Burthen whereof shall amount to or exceed Forty Tons, each Part Owner of such Vessel whose Share shall amount to Twenty Tons shall give One Vote in respect thereof, and each Part Owner whose Share of such Vessel shall amount to Forty Tons shall give Two Votes in respect thereof, each Part Owner whose Share of such Vessel shall amount to Eighty Tons shall give Three Votes in respect thereof, each Part Owner whose Share of such Vessel shall amount to One hundred and sixty Tons shall give Four Votes in respect thereof, and each Part Owner whose Share of such Vessel shall amount to Three hundred and twenty Tons shall give Five Votes in respect thereof; but no Owner or Part Owner of any Vessel, and no Member of any Shipping Company, shall be entitled to give more than Five Votes.

Time of Election of Commissioners by Iron Smelters.

V. And be it further enacted, That the Eight Persons to be elected Commissioners by the Persons engaged in the smelting of Iron shipped at the said Port of *Newport* shall be chosen on the Sixth *Monday* after the passing of this Act, and that on the First *Monday* in the Month of *June* in the Year One thousand eight hundred and thirty-nine, and in every Third succeeding Year, Eight Persons shall be elected by the said Smelters of Iron to supply the Places of the Persons by them chosen at the Election then next preceding, and upon every such Election the Persons chosen Commissioners by the said Smelters of Iron at the Election then next preceding shall go

out

out of Office, provided that any Commissioner so going out of Office may be then or afterwards re-elected.

Qualification to vote of Iron Smelters.

VI. And be it further enacted, That at every such Election by the Persons engaged in the smelting of Iron shipped at the said Port of *Newport*, every Person who, during the Year ending on the Thirty-first Day of *December* then next preceding, shall have shipped or sent to be shipped at the said Port Two thousand five hundred Tons of Iron, the Produce of any Iron Work whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give One Vote for each of the said Eight Commissioners to be elected by the said Smelters of Iron; every Person who during the Year ending as aforesaid shall have shipped or sent to be shipped at the said Port Five thousand Tons of Iron, the Produce of any Iron Work whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give Two Votes for each of the said Eight Commissioners; every Person who during the Year ending as aforesaid shall have shipped or sent to be shipped at the said Port Ten thousand Tons of Iron, the Produce of any Iron Work whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give Three Votes for each of the said Eight Commissioners; every Person who during the Year ending as aforesaid shall have shipped or sent to be shipped at the said Port Twenty thousand Tons of Iron, the Produce of any Iron Work whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give Four Votes for each of the said Eight Commissioners; every Person who during the Year ending as aforesaid shall have shipped or sent to be shipped at the said Port Thirty thousand Tons of Iron, the Produce of any Iron Work whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give Five Votes for each of the said Eight Commissioners; and in Cases where Two or more Persons shall be joint Proprietors, Lessees, or Tenants of any such Iron Work, One only of such joint Proprietors, Lessees, or Tenants shall be allowed to vote, and such One joint Proprietor, Lessee, or Tenant shall vote in respect of the whole Quantity of Iron produced at such Work, and so shipped or sent to be shipped as aforesaid; and in case more than One such joint Proprietor, Lessee, or Tenant shall claim to vote in respect of any single Iron Work, the Proprietor, Lessee, or Tenant having or being authorized by the Persons having the greatest Interest therein shall be entitled and admitted to vote in respect thereof: Provided nevertheless, that no One Person shall be entitled or admitted to give more than Five Votes, either in respect of the Interest of himself and his joint Proprietors, Lessees, or Tenants, or of his own individual Interest.

Time of Election of Commissioners by Miners and Workers of Coal.

VII. And be it further enacted, That the Eight Persons to be elected Commissioners by the Persons engaged in the mining and working of Coals shipped at the said Port of *Newport* shall be chosen on the Sixth *Monday* after the passing of this Act, and that on the First *Monday* in the Month of *June* in the Year One thousand eight hundred

hundred and thirty-nine, and in every Third succeeding Year, Eight Persons shall be elected by the said Miners and Workers of Coal to supply the Places of the Persons by them chosen at the Election then next preceding, and upon every such Election the Persons chosen Commissioners by the said Miners and Workers of Coal at the Election then next preceding shall go out of Office; provided that any Commissioners so going out of Office may be then or afterwards re-elected.

Qualification to vote of Coal Miners.

VIII. And be it further enacted, That at every such Election by the Persons engaged in the mining and working of Coals shipped at the said Port of *Newport*, every Person who during the Year ending on the Thirty-first Day of *December* then next preceding shall have shipped or sold to be shipped at the said Port Seven thousand five hundred Tons of Coals, the Produce of any Colliery whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give One Vote for each of the said Eight Commissioners to be elected by the said Miners and Workers of Coals; every Person who during the Year ending as aforesaid shall have shipped or sold to be shipped at the said Port Fifteen thousand Tons of Coals, the Produce of any Colliery whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give Two Votes for each of the said Eight Commissioners; every Person who during the Year ending as aforesaid shall have shipped or sold to be shipped at the said Port Thirty thousand Tons of Coals, the Produce of any Colliery whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give Three Votes for each of the said Eight Commissioners; every Person who during the Year ending as aforesaid shall have shipped or sold to be shipped at the said Port Forty-five thousand Tons of Coals, the Produce of any Colliery whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give Four Votes for each of the said Eight Commissioners; every Person who during the Year ending as aforesaid shall have shipped or sold to be shipped at the said Port Seventy-five thousand Tons of Coal, the Produce of any Colliery whereof he shall during such Year have been and shall then be the Proprietor, Lessee, or Tenant, shall be entitled and admitted to give Five Votes for each of the said Eight Commissioners; and in Cases where Two or more Persons shall be joint Proprietors, Lessees, or Tenants of any such Colliery, One only of such joint Proprietors, Lessees, or Tenants shall be allowed to vote, and such One joint Proprietor, Lessee, or Tenant shall vote in respect of the whole Quantity of Coal produced at such Colliery, and so shippedor sold to be shipped as aforesaid; and in case more than One such joint Proprietor, Lessee, or Tenant shall claim to vote in respect of any single Colliery, the Proprietor, Lessee, or Tenant having or being authorized by the Persons having the greatest Interest therein shall be entitled and admitted to vote in respect thereof: Provided nevertheless, that no One Person shall be entitled or admitted to give more than Five Votes, either in respect of the Interest of himself and

and his joint Proprietors, Lessees, or Tenants, or of his own individual Interest.

Qualification of Commissioners to be elected by ShipOwners, Iron Smelters, and Coal Miners.

IX. And be it enacted, That no Person shall be qualified to be elected a Commissioner by the registered Ship Owners of the said Port who at the Time of the Election shall not be entitled to vote in the Election of Commissioners as a registered Ship Owner; and no Person shall be qualified to be elected a Commissioner by the Smelters of Iron shipped at the said Port who at the Time of the Election shall not be entitled to vote in the Election of Commissioners as a Smelter of Iron; and no Person shall be qualified to be elected a Commissioner by the Miners and Workers of Coal shipped at the said Port who at the Time of the Election shall not be entitled to vote in the Election of Commissioners as a Miner and Worker of Coal.

Notice to be inserted in some Newspaper of the County of Monmouth, requiring Persons claiming to vote in the Election of Commissioners to enrol their Names in a Book to be kept for that Purpose.

X. And in order that the Persons who shall from Time to Time be concerned in the said Election of Commissioners by the said Ship Owners, the said Persons engaged in the smelting of Iron, and the said Persons engaged in the mining and working of Coals respectively, may be apprised of the Names of the different Persons qualified to vote in such Elections; be it further enacted, That One Month at least previous to any such Election an Advertisement shall be inserted in some Newspaper usually circulated in the said County of *Monmouth*, requiring all Owners of Shipping registered at the said Port, Members of a Shipping Company established thereat, Smelters of Iron, and Miners and Workers of Coal, who may claim a Right to vote at such Election, to enter and enrol in a Book to be opened for the Purpose his Name and Place of Abode, and the Number of Votes to which he claims to be entitled, and the Name and Register Burthen of the Ship or Vessel of which he is Owner or Part Owner, or the Name of the Shipping Company of which he is a Member, or of the Iron Work or Colliery of which he may be Proprietor, Lessee, or Tenant, and in respect whereof he may claim such Right to vote; and no Person shall be entitled to vote at any such Election who shall not enrol his Name, together with the other Particulars hereinbefore required, Ten Days at the least before the Day appointed for such Election; and such Advertisement, previous to the First Meeting to be held under this Act, shall be inserted by the then Mayor of the said Borough, and previous to every subsequent Election shall be inserted by the Clerk for the Time being of the said Commissioners; and the said Book shall previous to the First Election be provided by and deposited with the said Mayor, and previous to every subsequent Election shall be provided by and deposited with the said Clerk.

Persons making false Claim to vote to be guilty of a Misdemeanor.

XI. And be it further enacted, That if any Person, not being entitled to vote at any Election of a Commissioner under this Act, shall wilfully make a false Claim to vote thereat, by entering and enrolling such Claim in such Book as aforesaid, or if any Person entitled to vote at any such Election shall wilfully and falsely enter and enrol in such Book as aforesaid, a Claim to give a greaterNumber of Votes at any such Election than he shall be entitled to give, he shall be deemed

deemed guilty of an indictable Misdemeanor, and shall be punished accordingly.

Method of ascertaining the Quantity of Iron and Coals shipped at the said Port.

XII. And be it further enacted, That for the Purposes of the said Elections the Quantity of Iron shipped or sent to be shipped at the said Port, and of Coals shipped or sold to be shipped at the said Port, shall, when and in case the same shall be conveyed to the said Port by means of any Canal or Railway of the Company of Proprietors of the *Monmouthshire* Canal Navigation, be ascertained by and taken from the Books of Account of the said Company, and when and in case the same shall not be conveyed to the said Port by means of any Canal or Railway of the said Company, shall be ascertained by and taken from the Books of Account of such other Corporation or Person as may be entitled to any Canal or Railway along which such Iron and Coal may be conveyed to the said Port; and such of the Books of Account of the said Company of Proprietors and such other Corporation or Person wherein may be entered the Quantities of Iron and Coal conveyed along any such Canal or Railway, to be shipped at the said Port, shall be open to the Inspection of the Clerk for the Time being to the said Commissioners, without Fee or Reward, for the Space of One Calendar Month immediately preceding any Election to be holden under this Act; provided that the Right or Title to vote of any Smelter of Iron, or Miner and Worker of Coal, shall not be defeated or prejudiced by reason or on account of any Mistake or Omission in the Books of Account of the said Company of Proprietors, or such other Corporation or Person as aforesaid, or by reason of its not appearing by such Books of what Iron Work or Colliery the Iron shipped or sent to be shipped, or the Coals shipped or sold to be shipped at the said Port, shall be the Produce.

Place to be appointed for holding the Election of Commissioners.

XIII. And be it further enacted, That the Mayor of the said Borough for the Time being shall appoint a Place for holding the First Election of the Commissioners to be elected by the said Ship Owners, Smelters of Iron, and Owners and Workers of Coal; and that the acting Commissioners for the Time being at some General Meeting to be by them holden previous to every subsequent Election of the said Commissioners shall appoint a Place for holding all such subsequent Elections; and public Notice of the Place so appointed shall, Seven Days before the Day of Election, be hung up in the Custom House of the said Port; and in case of a Poll all such Elections shall commence at Nine o'Clock in the Morning, and the Poll shall not be kept open beyond Four o'Clock in the Afternoon of the Day appointed for holding the Election, and shall be conducted in manner following; that is to say, every Person entitled to vote in the Election as Ship Owner may vote for any Number of Persons not exceeding the Number of Commissioners then to be chosen by the Ship Owners, every Person entitled to vote in the Election as Smelter of Iron may vote for any Number of Persons not exceeding the Number of Commissioners then to be chosen by the Smelters of Iron, and every Person entitled to vote in the Election as Miner and Worker of Coal may vote for any Number of Persons not exceeding the Number of Commissioners then to be chosen by the Miners and Workers of Coal; and any Person entitled so to do may vote in respect of all or any of

of the said Interests; and such voting shall take place by the Delivery by or on behalf of the Voter to the presiding Officer of a Voting Paper, containing the Christian Names, Surnames, Places of Abode, and Description of the Persons for whom he votes, such Paper being previously signed by the Voter, who shall state therein the Number of Votes by him given, and the Interest in respect whereof he claims to vote; and the said Mayor shall preside and take the Votes at the First Election, and the Clerk for the Time being of the said Commissioners, or such other Person as the acting Commissioners for the Time being may appoint in his Stead, shall preside and take the Votes at every subsequent Election; and the Person so presiding and taking the Votes shall on the next Day after every such Election declare the Names of the Persons elected, by hanging up such Names in the Custom House of the said Port; and in case of any Equality in the Number of Votes for any Two or more Persons proposed to be elected in respect of the same Trade or Interest, the Officer presiding at the Election shall name from amongst those Persons for whom the Number of Votes shall be equal so many as shall be necessary to complete the requisite Number of Persons to be chosen by or in respect of such Trade or Interest.

Extraordinary Vacancies in the Office of Commissioners elected by Ship Owners, Iron Smelters, or Coal Miners to be filled up by the respective Electors.

XIV. And be it further enacted, That if any extraordinary Vacancy shall be occasioned in the Office of Commissioner, such Vacancy, if occasioned by the Death, Disqualification, Refusal to act, or Resignation of any Commissioner chosen by the Ship Owners, shall be filled up by the Ship Owners; and if occasioned by the Death, Disqualification, Refusal to act, or Resignation of any Commissioner chosen by the Smelters of Iron, shall be filled up by the Smelters of Iron; and if occasioned by the Death, Disqualification, Refusal to act, or Resignation of any Commissioner chosen by the Miners or Workers of Coal, shall be filled up by the Miners or Workers of Coal; and that at any Election to be held to supply such Vacancy those Persons, and none other, who were entitled to vote for the Person through whose Death, Disqualification, Refusal to act, or Resignation the Vacancy may take place, shall be entitled to vote in the Election of his Successor; and such Election shall be held and the voting and other Proceedings shall be conducted in the same Manner and subject to the same Provisions as are herein-before enacted with respect to the Election of Commissioners at a general Election thereof; and every Person so elected shall hold such Office until the Time at which the Person in the Room of whom he was chosen would regularly have gone out of Office, and he shall then go out of Office, but be capable of immediate Re-election: Provided always, that after the full Number of Commissioners to be elected by the Ship Owners, Smelters of Iron, and Miners and Workers of Coal, shall have accepted Office, no new Election of Commissioners shall be made by reason of any extraordinary Vacancy unless the Number of Commissioners elected by the said Ship Owners, Smelters of Iron, and Miners and Workers of Coal shall be reduced below Three Fourths of the whole Number they are hereby authorized to elect: Provided also, that the Time and Place for proceeding to the Election of a Commissioner to supply an extraordinary Vacancy shall be fixed by the remaining or surviving Commissioners at some Meeting to be held by them, and

that Twenty-eight Days Notice at the least of the Time and Place so appointed shall be given by the Clerk to the said Commissioners, in some Newspaper usually circulated in the said County.

In Cases of disputed Claims to vote in Election of Commissioners, presiding Officer to investigate such Claims.

XV. And be it further enacted, That in case more than One Person shall claim a Right to vote in the Election of a Commissioner under this Act in respect of the same Part or Share of any Vessel, or the same Capital Sum in the Stock of any Shipping Company, or the same Iron Works or the same Colliery, the Officer presiding at any such Election shall openly and publicly examine into the Title to vote of such respective Claimants, and the said Officer shall have Power to administer an Oath or Affirmation, as well to any Person claiming a Right to vote, as to any Witness who may be tendered; and any such Claimant or Witness who shall wilfully swear or affirm falsely shall be deemed guilty of Perjury, and shall be punished accordingly; and the Officer presiding at any Election of Commissioners to be holden under this Act may and he is hereby authorized to reject the Vote of any Person who shall not be entitled to vote at such Election in respect of any Qualification for which such Person may have entered and enrolled a Claim to vote.

Presiding Officer at Election of Commissioners wilfully rejecting Votes, &c. guilty of a Misdemeanor.

XVI. And be it further enacted, That if any Person who shall preside at any Election of a Commissioner to be holden under this Act shall wilfully reject the Vote of any Person entitled to vote at such Election, or shall wilfully admit the Vote of any Person not entitled to vote at such Election, or shall wilfully declare any Person to have been duly elected a Commissioner who shall not have been so elected, he shall be deemed guilty of an indictable Misdemeanor, and shall be punished accordingly.

Times for nominating Commissioners by the Corporation of Newport.

XVII. And be it further enacted, That the Three Persons to be nominated Commissioners by the Mayor, Aldermen, and Burgesses of the said Borough shall be elected and chosen by the Council of the said Borough on the Sixth *Monday* after the passing of this Act; and that on the First *Monday* in the Month of *June* in the Year One thousand eight hundred and thirty-nine, and in every Third succeeding Year, Three Persons shall be elected and chosen by the said Council to supply the Places of the Persons by them chosen at the Election then next preceding; and upon every such Election the Persons chosen Commissioners by the said Council at the Election then next preceding shall go out of Office, provided that any Commissioner so going out of Office may be then or afterwards re-elected.

Extraordinary Vacancies in the Office of Commissioners nominated by the Corporation of Newport to be filled up by them.

XVIII. And be it further enacted, That if any extraordinary Vacancy shall be occasioned in the Office of Commissioner by the Death, Disqualification, Refusal to act, or Resignation of any Commissioner nominated by the said Mayor, Aldermen, and Burgesses, the Council of the said Borough shall and may, at any Meeting to be by them holden for the Purpose on a Day to be fixed by the Mayor, nominate another Person to supply such Vacancy; and every Person so elected a Commissioner shall hold such Office until the Time at which the Person in the Room of whom he was chosen would regularly have gone

gone out of Office, and he shall then go out of Office, but be capable of immediate Re-election: Provided always, that Ten clear Days Notice of any such Meeting of the Council to be holden for the Purpose of supplying an extraordinary Vacancy in the Office of Commissioner shall be given by affixing on or near the Door of the Town Hall or other Place where the Council may meet a Notice of such Meeting, specifying the Purpose thereof, signed by the Mayor, and by leaving at the usual Place of Abode of every Member of the Council, or upon the Premises in respect whereof he is enrolled a Burgess, a Summons to attend such Meeting, specifying the Purpose thereof, signed by the Town Clerk.

In case of any Person being elected a Commissioner by more than One Interest or Body.

XIX. And be it further enacted, That if any Person shall be elected or nominated a Commissioner under this Act by more than One Interest or Body, Corporation or Company, such Person shall, within Ten Days next after receiving Notice of such several Elections or Nominations, declare in Writing to the Clerk of the said Commissioners in respect of which Election or Nomination he will act as a Commissioner; and in default thereof the acting Commissioners for the Time being shall determine, by a Resolution to be entered on the Minutes of their Proceedings, in respect of which Election or Nomination such Person shall act as a Commissioner; and upon such Declaration or Determination being made such Person shall be held to have been elected or nominated a Commissioner by such Interest, Body, Corporation, or Company only as shall be so declared by the said Person or so determined by the said Commissioners.

Persons elected Commissioner becoming bankrupt, &c. disqualified.

XX. And be it further enacted, That any Commissioner elected or nominated under this Act who shall be declared bankrupt, or shall apply to take the Benefit of any Act for the Relief of Insolvent Debtors, or shall be in Custody for Debt for the Space of Two Calendar Months, or shall compound with or make any Conveyance of his Effects for the Benefit of his Creditors, shall thereupon be disqualified to act as such Commissioner.

In case of Vacancies the remaining Commissioners may act.

XXI. And be it further enacted, That in case any Commissioner for carrying this Act into execution shall die, become disqualified, or by Writing under his Hand refuse to act in the Execution of this Act, or resign his Office, or in case any Person appointed or elected a Commissioner shall not be duly appointed or elected, the other Commissioners for the Time being shall and may and they are hereby authorized to execute the several Powers by this Act given until another Person shall be duly appointed or elected a Commissioner in lieu of the Person dying or becoming disqualified, refusing to act, resigning his Office, or being unduly appointed or elected.

Qualification of Commissioners.

XXII. And be it further enacted, That no Person shall be qualified to act as a Commissioner in the Execution of the Act, except the Receiver for the Time being of His Majesty's Land Revenue for the County of *Monmouth*, or such Person as shall from Time to Time be nominated in his Stead by the Commissioners for the Time being of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, who shall not be seised or possessed of Real or Personal

sonal Property, or both, to the Value of Five hundred Pounds, over and above what will satisfy all his Debts; and that no Person appointed a Commissioner for the Purposes of this Act shall act as such (except in administering the Declaration herein-after set forth) until he shall have made and subscribed, before One or more of the said Commissioners, a Declaration in the Words or to the Effect following; (that is to say,)

Declaration to be made by Commissioners.

'I *A. B.*, having been appointed [*or* elected, *as the Case may be*,] 'Commissioner of the Port or Harbour of *Newport* in the County 'of *Monmouth*, do hereby declare, That I take the Office upon myself, and will duly and faithfully fulfil the Duties thereof according 'to the best of my Judgment and Ability; and I do hereby declare 'that I am seised or possessed of Real *or* Personal Estate, *or both*, '[*as the Case may be*,] to the Value of Five hundred Pounds, over 'and above what will satisfy all my Debts.'

And if any Declaration so made shall be false in any material Particular, the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor.

Commissioners not to act when personally interested.

XXIII. And be it further enacted, That no Commissioner of the said Port or Harbour shall enjoy any Office or Place of Profit under this Act, or have any Share or Interest in, or be in any Manner directly or indirectly concerned in, the Execution or Performance of any Contract or Bargain entered into by the said Commissioners, or act in any Case where he shall be personally interested; and if any Commissioner of the said Port or Harbour shall hold any such Office or Place of Profit, or be concerned in the Execution or Performance of any such Contract or Bargain, or shall act in any Case where he shall be personally interested, or in case any Person not having made and subscribed the Declaration aforesaid, or being disqualified from acting as a Commissioner by any of the Causes herein-before mentioned, shall nevertheless act as a Commissioner, every Commissioner or Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, wherein no Essoign, Wager of Law, or more than One Imparlance shall be allowed; and every Commissioner sued by reason of not being qualified in respect of Estate shall prove that he was at the Time of acting qualified, or otherwise shall pay the said Penalty, without any further Evidence being given on the Part of the Plaintiff than that he acted as Commissioner; and every Commissioner, from and after his Conviction of any such Offence, shall be incapable to act as Commissioner of the said Port or Harbour, although he may have been previously qualified; and every such Contract and Bargain in which any Commissioner shall be directly or indirectly concerned shall be and the same is hereby declared to be void, and shall not be enforced against or carried into effect by the other Commissioners entering into the same: Provided always, that all Acts, Matters, and Things made or done by any Commissioner previously to his being convicted of some one of the Offences before mentioned shall be good, valid, and effectual; and that nothing herein-before contained

As to Acts done previous to Conviction.

contained shall extend, or be deemed or construed to extend, to any Commissioner who shall receive any Sum or Sums of Money by way of Purchase Money, Damages, Rent, Recompence, or Satisfaction for any Lands, Tenements, or Hereditaments purchased, taken, or damaged by virtue or in execution of any of the Powers herein contained, or to any Contract or Bargain in relation thereto, nor to any Mortgagee or Assignee of any Mortgage or other Security granted under this Act, none of which respective Persons shall on any of the Accounts aforesaid be disqualified to act as a Commissioner.

Regulations as to Meetings of Commissioners.

XXIV. And be it further enacted, That the Commissioners of the said Port or Harbour shall and may from Time to Time meet at such Time and Place in or near to the said Borough as to them shall seem convenient, and may adjourn themselves to meet at such Time or Times as the said Commissioners or the major Part of them present at any Meeting shall appoint; and the First Meeting of the said Commissioners shall be held at the *King's Head* Inn, or at some other convenient House within the Borough of *Newport*, on the *Tuesday* next after the Sixth *Monday* after the passing of this Act, at Twelve of the Clock at Noon; and at all their several Meetings the said Commissioners shall pay and defray their own Expences, except any Sum not exceeding Ten Shillings *per Diem* for the Use of the Room wherein they shall meet; and that all Orders and Determinations of the Commissioners in the Execution of this Act shall be made at Meetings to be held in pursuance thereof (except in the Cases otherwise particularly provided), and no Order or Determination shall be made unless the major Part of the Commissioners present shall concur therein; and all Acts, Orders, and Proceedings directed to be had, made, done, or exercised by or before the said Commissioners, and all the Powers and Authorities vested in them generally, shall and may be had, made, done, and exercised by the major Part of the said Commissioners who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number present not being less than Eight (except in such Cases where any other Number is named for any particular or special Purpose); and all Acts, Orders, and Proceedings had, made, or done by or before such Eight Commissioners shall be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said Commissioners; and a Chairman shall in the first place be appointed at every Meeting to be held by virtue of this Act, who in case of an equal Number of Votes (including the Chairman's Vote) shall have the casting or decisive Vote; and no Order or Determination at any Meeting of the said Commissioners, once made, agreed upon, or entered into, shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to make such Revocation or Alteration, signed by Eight or more Commissioners, shall be entered in the Book of Proceedings of the Meeting immediately preceding, and unless Copies of such Notice shall be transmitted to all the Commissioners by their Clerk Twenty-one Days at least before the Meeting at which such Revocation or Alteration shall be proposed to be made, nor unless such Revocation or Alteration shall be agreed to be made by an

equal or greater Number of Commissioners then concurred in the making of any such original Order or Determination.

General Half-yearly Meetings to be held.

XXV. And be it further enacted, That the said Commissioners shall and they are hereby required to hold a General Yearly Meeting on such Day in the Month of *May* in each Year as they or any Eight of them shall from Time to Time appoint, of which Meeting Twenty-one Days Notice shall be given in some Newspaper published within the County of *Monmouth*, and to adjourn such Meeting from Time to Time as may be expedient; and at such Annual Meeting the Commissioners assembled shall audit the Accounts for the previous Year, such Accounts to be made up to the Thirty-first Day of *March* preceding, and shall report the State of the said Port or Harbour.

Statement to be annually transmitted to the Commissioners of his Majesty's Woods, &c. of the Number of Wharfs, &c., erected within the Port.

XXVI. And be it further enacted, That the Clerk for the Time being of the said Commissioners shall and he is hereby required, yearly within Thirty Days after each Annual Meeting to be held by them as aforesaid, to transmit to the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, a Report or Statement duly certified by him of all Wharfs, Piers, Jetties, Buildings, Erections, or Encroachments which shall have been erected or made during the Year then next preceding, or which shall be then erecting or making within the Limits of the said Port or Harbour, and adjoining to the said River *Usk*; and if any Clerk to the said Commissioners shall wilfully neglect to transmit such Report or Statement within the Time herein-before mentioned, every Clerk so offending shall for every such Offence forfeit and pay to His Majesty's Use the Sum of Fifty Pounds, to be recovered by Information or Suit in the Name of such Person as shall be authorized and directed to sue for the same by the said Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

Special Meetings may be convened.

XXVII. And be it further enacted, That if at any Time it shall be thought necessary for the better Execution of this Act that a Special Meeting of the said Commissioners should be holden, it shall be lawful for any Eight or more of such Commissioners (or for the Clerk to the said Commissioners, being authorized thereto by an Order in Writing signed by any Eight or more of them,) to convene a Special Meeting by Notice to be transmitted by the Clerk to each of such Commissioners, in which Notice shall be expressed the Time, Place, and Purpose of such Special Meeting (such Time not being less than Fourteen Days after the Transmission of the said Notice); and the Orders and Determinations of the Commissioners at all such Meetings shall be valid and effectual: Provided always, that no other Business than shall be specified in such Notice shall be transacted at any such Special Meeting.

Power to adjourn in case a sufficient Number of Commissioners shall not attend.

XXVIII. And be it further enacted, That when a sufficient Number of the Commissioners shall not meet on the Day appointed for their First or any other Meeting it shall be lawful for so many of the said Commissioners as shall meet, or the major Part of them, or in case no Commissioner shall be present for their Clerk, to adjourn the

the said Meeting to such Time and Place as shall be thought fit; and the said Clerk shall cause Notice in Writing of such adjourned Meeting, and of the Time and Place of holding the same, to be transmitted to each of the said Commissioners at least Fourteen Days before the intended Meeting; and the Orders and Determinations of the Commissioners at all such adjourned Meetings shall be as valid and effectual as if done at the Meeting of which the same shall be an Adjournment.

Minutes of Proceedings to be entered in a Book, which may be made Evidence.

XXIX. And be it further enacted, That Minutes of the Proceedings of the said Commissioners, together with the Names of the Commissioners present at every Meeting, shall be drawn up and fairly entered in a Book to be kept by the Clerk for that Purpose, and be signed by the Chairman of the Meeting at which such Proceedings shall be from Time to Time had, and such Book shall be open at all seasonable Times to the Inspection of any of the Commissioners, and of the Master of any Vessel trading to the said Port, and liable to the Payment of the Dues herein-after imposed, without Fee or Reward; and the said Book, as well as the Book in which the Declaration directed to be made and subscribed by the said Commissioners shall be entered, and also the Book directed to be kept for registering Mortgages and Assignments, and the Book in which shall be entered the Statement of the Annual Accounts of the Commissioners, and all Entries in such Books respectively, shall and may be read in Evidence in all Courts whatsoever.

Commissioners may make Bye Laws.

XXX. And be it further enacted, That it shall and may be lawful for the said Commisioners from Time to Time to make and ordain such reasonable Rules, Bye Laws, and Regulations for cleansing and maintaining the said Port and Harbour, and for regulating within the said Harbour the Conduct of the Masters and Crews of Ships, Vessels, and Boats resorting to, employed in, or using the same, in loading and unloading Ballast or Merchandize, and in stationing and mooring Ships and Vessels, and for regulating within the said Harbour the Conduct of the Masters, Managers, and Crews of Lighters, Boats, and other Vessels, and of Persons employed in furnishing Ballast to or taking Ballast from Ships and Vessels, or in carrying or conveying in the said Harbour Goods or Merchandize to or from Ships and Vessels, and for securing Ships and Vessels lying or being within the said Harbour, and for regulating and conducting the Business of the Ballast Office, and for regulating the Conduct of the several Water Bailiffs or Harbour Masters and other Officers and Persons appointed under or employed by virtue of the Provisions herein contained, and for regulating the Time, Place, and Manner in which any Pitch, Tar, Rosin, Turpentine, or other combustible Matter shall be boiled or heated, or any Fire, Candle, or Lamp shall be kept lighted on board any Vessel within the said Port, and also to revoke and alter all or any of such Rules, Bye Laws, and Regulations, and by such Bye Laws or any of them to appoint such Fine or Fines to be paid for any Breach or Breaches thereof respectively as they shall think fit, to be levied by such Ways and Means as the said Commissioners shall by such Bye Laws direct; all of which Rules, Orders, Bye Laws, and Regulations shall be binding and conclusive

to

to all Intents and Purposes; provided such Rules, Orders, Bye Laws, and Regulations shall not be contrary to this Act, or to any of the Laws and Statutes of this Realm; and that no Fine to be imposed for any Breach thereof shall exceed the Sum of Five Pounds; provided also, that Eight at least of the said Commissioners shall concur in making, altering, or revoking any such Rule, Bye Law, or Regulation, and that such Rules, Bye Laws, and Regulations shall be subject to Appeal in manner herein-after mentioned; provided also, that such Bye Laws shall be painted on Boards in legible Characters, and shall be affixed in some conspicuous Places on or near the Quays and Custom House of the said Port, and shall be renewed as often as the same shall become obliterated or defaced.

Power to appoint Officers.

XXXI. And be it further enacted, That the said Commissioners may and they are hereby empowered by Writing under their Hands to appoint such Water Bailiffs or Harbour Masters of the said Port, Collectors of the Rates or Duties hereby authorized to be taken, Clerks, Treasurers, and other Officers as the said Commissioners shall think necessary, and such Water Bailiffs or Harbour Masters, Collectors, Clerks, Treasurers, and other Officers, or any of them, from Time to Time to remove, and on Removal, Death, or Resignation of any such Water Bailiffs or Harbour Masters, Collectors, Clerks, Treasurers, or other Officers, to appoint others in their Stead, and shall and may, out of any of the Monies arising by virtue of this Act, allow and pay to the several Water Bailiffs or Harbour Masters, Collectors, Clerks, Treasurers, and other Officers, and to such other Persons as shall be assisting them or any of them in or about the Execution of this Act, such Salaries, Rewards, and Allowances, for their Attendance, Labour, Care, and Services, as such Commissioners shall deem reasonable.

Clerk and Treasurer not to be the same Person.

XXXII. And be it further enacted, That it shall not be lawful for the said Commissioners to appoint any Person who may be appointed Clerk in the Execution of this Act, or the Partner of such Clerk, or any Person in the Service or Employ of such Clerk or of his Partner, to be a Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk for the Purposes of this Act; 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 such Clerk, or in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Commissioners 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 who shall sue for the same, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

XXXIII. And

Commissioners may sue and be sued in the Name of their Clerk.

XXXIII. And be it further enacted, That the said Commissioners may sue and be sued in the Name of any One of such Commissioners, or of their Clerk for the Time being; and no Action or Suit to be brought or commenced by or against any such Commissioner, by virtue of this Act, in the Name or Names of any One of such Commissioners or their Clerk, shall abate or be discontinued by the Death, Removal, or Act of such Commissioner or Clerk, but any One of such Commissioners, or their Clerk for the Time being, shall always be deemed to be the Plaintiff or Defendant (as the Case may be) in every such Action or Suit: Provided always, that every such Commissioner or Clerk shall be reimbursed and paid out of the Monies to arise by virtue of this Act all such Costs, Charges, and Expences as he or they shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant.

Books of Account to be kept.

XXXIV. And be it further enacted, That the said Commissioners shall ~~and they are hereby required from Time to Time to order and~~ direct a Book to be provided and kept by their Clerk for the Time being, in which Book such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Port or Harbour, by virtue of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; and such Book shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors on the Dues hereby authorized to be taken, or the Master of any Vessel trading to the said Port, and liable to the Payment of the Dues herein-after imposed, without Fee or Reward; and the said Commissioners, Creditors, and Masters, or any of them, shall or may take Copies of or Extracts from the said Book or any Part thereof without paying any thing for the same; and the said Book shall be produced by the Clerk at all Meetings of the said Commissioners; and in case any Clerk shall refuse to permit or shall not permit any of the said Commissioners, or any such Creditors, or Master of any such Vessel, to inspect any such Book, or to take such Copies or Extracts as aforesaid, or in case such Clerk shall refuse or wilfully neglect to produce such Book at any Meeting of the said Commissioners, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and applied in the same Manner as the other Penalties hereby imposed are herein-after directed to be levied and applied.

Officers to account when required.

XXXV. And be it further enacted, That all such Officers as shall be appointed by the said Commissioners shall from Time to Time, when thereunto required, deliver to the said Commissioners, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts in Writing under their respective Hands of all Monies which they and every of them respectively shall have received by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said Com-

Commissioners, or to such Person as they shall appoint to receive the same, within such Time as such Commissioners shall limit; and if any such Officer or Person shall refuse or neglect to produce or deliver up such Accounts, and the Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Account within the Time or in Manner aforesaid, or if any such Person or Officer shall refuse or neglect to deliver up to the said Commissioners, or to such Person as they shall appoint, within Ten Days after being thereunto required by the said Commissioners, all the Books, Papers, or Writings in his Custody or Power relating to the Execution of this Act, then and in every or any of the said Cases it shall be lawful for any One Justice of the Peace authorized to hear and determine Offences committed against this Act, and he is hereby required, upon Complaint made to him by or on behalf of the said Commissioners, to summon such Officer or Person to appear before any Two Justices, who may hear and determine the Matter of such Complaint in a summary Way; and if it shall appear to such Justices that any of the Money which shall have been collected or received shall be in the Hands of such Officer or Person, such Justices may and they are hereby authorized and required, on Nonpayment thereof, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if such Officer or Person shall not appear before the said Justices at the Time and Place by him appointed for that Purpose, unless for some sufficient Reason, or if appearing shall refuse or neglect to give and deliver to such Justices an Account of all his or their Receipts and Payments as aforesaid, or to produce and deliver up to the said Justices the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power relating to the Execution of this Act, then and in either of the Cases aforesaid such Justices may and they are hereby authorized and required to commit such Officer or Person to the Common Gaol or House of Correction of the County of *Monmouth*, there to remain without Bail or Mainprize, and to be kept to hard Labour in case he shall be committed for Nonpayment of any Money received by him or in his Hands, for the Space of Six Calendar Months, unless he shall sooner account for and pay such Money, or compound with the said Commissioners, and pay such Composition (which Composition the said Commissioners are hereby empowered to accept); and in case he shall be committed for not appearing or not delivering any Account, Books, Papers, or Writings as aforesaid, until he shall submit to appear and deliver up such Books, Papers, or Writings as aforesaid, or make Satisfaction in respect thereof to the said Commissioners.

Treasurer and Collector to give Security.

XXXVI. And be it further enacted, That the Commissioners shall take sufficient Security from every Treasurer and Collector to be appointed by them for the Purposes of this Act, for the due and faithful Execution of his Office, before such Treasurer or Collector shall

shall enter upon his Office, and, if they shall so think proper, shall also take such Security from any other Officer to be appointed under this Act.

Accounts to be audited and published.

XXXVII. And be it further enacted, That the said Commissioners shall, at their General Annual Meeting in each Year, examine, audit, and settle the Accounts of the respective Treasurers, Clerks, and Collectors appointed by them; and the Chairman of such Meeting shall upon such Allowance sign the said Accounts; and when and as soon as the said Accounts of the said respective Treasurers, Clerks, and Collectors shall be audited, allowed, and signed, the Clerk to the said Commissioners shall forthwith make out a Statement of the Receipts and Payments of the said Commissioners for the previous Year, and of the Debts then owing from them, which Statement shall be thereupon submitted to the said Commissioners, and when approved of by them shall be signed by the Chairman of the said Meeting, and within Thirty Days thereafter shall be inserted in some Newspaper published in the said County; and if any Clerk to the said Commissioners shall wilfully neglect to publish in such Newspaper the said Statement within the Time herein-before mentioned, every Clerk so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, to be recovered as herein-after directed.

Commissioners may enter into Contracts.

XXXVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners, or for their Clerk or any other Officer by their Order, to contract and agree in Writing with any Person or Persons for improving, cleansing, scouring, amending, and maintaining the Navigation of the said Port or Harbour, and for making, erecting, fixing, and maintaining the Landing Places, Watering Places, Ways, Slips, Buoys, Moorings, Landmarks, and other Buildings and Works to be constructed under the Powers herein contained; and all Contracts or Agreements in Writing entered into by the said Commissioners, or pursuant to any Order by them made by their Clerk or other Officer, relating to any Matter or Thing to be done by virtue of this Act, shall be binding on the said Commissioners and their Successors, and upon all other Parties who shall sign the same, and the Heirs, Executors, and Administrators of such other Parties.

Property in Works vested in Commissioners.

XXXIX. And be it further enacted, That the Right, Interest, and Property of and in all Erections and Buildings, and of and in all Lands and Tenements, Piers, Buoys, Moorings, Lamps, Landmarks, Slips, and other Works and Things which shall be erected, made, and provided in pursuance of this Act, with the several Conveniences and Appurtenances thereunto respectively belonging, and the Materials of which the same shall consist, and all Materials, Tools, and Implements which shall be provided for the Purposes of this Act, shall be vested in the said Commissioners for the Time being, and they are hereby authorized and empowered to apply and dispose of the same as they shall think fit, and to bring or cause to be brought any Action, and to prefer and prosecute, or order and direct the preferring and prosecuting of any Information or Indictment against

against any Person who shall dig up, break, or pull down, steal, take, or carry away, spoil, destroy, injure, or damage, any of the Property, Articles, and Things hereby vested in the said Commissioners, or shall interrupt them or any of their Officers in the Possession thereof, in all which Proceedings it shall be sufficient to state such Articles to be the Property of "The Commissioners of the Port or Harbour of *Newport* in the County of *Monmouth*" (or of their Clerk for the Time being).

Commissioners may borrow Money.

XL. And be it further enacted, That it shall be lawful for the said Commissioners to borrow and take up at Interest on the Credit of the Rates hereby authorized to be taken such Sum of Money, not exceeding the Sum of Five thousand Pounds, as they shall from Time to Time think proper, and to demise and mortgage the said Rates or any Part thereof as a Security to any Person who shall advance such Sum of Money; which Mortgages shall be by Deed, in which the Consideration for the same shall be truly stated, and shall be signed by Five or more of the said Commissioners, and may be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

'WE the undersigned, being of the Commissioners for 'preserving and improving the Port or Harbour of *Newport* 'in the County of *Monmouth*, by virtue of an Act passed in the 'Year of the Reign of King *William* the Fourth, intituled '*An Act* [*here insert the Title of this Act*], in consideration of the Sum 'of advanced 'and lent by of 'upon the Credit and for the Purposes of the said Act, do hereby 'grant and assign to the said *or to* '*his Trustees* [*as the Case may be*], his Executors, Administrators, 'and Assigns, such Proportion of the Rates and Duties payable to 'us by virtue of the said Act as the said Sum of 'doth or shall bear to the whole Sum which 'may at any Time become due or owing upon the Credit of the 'said Act, to be holden from this Day of 'until the said Sum of 'with Interest at the Rate of *per Centum per* '*Annum* for the same, shall be repaid and satisfied. In witness 'whereof we the said Commissioners have hereunto set our Hands 'and Seals the Day of in the Year 'One thousand eight hundred and .'

Mortgages to be registered, and may be assigned.

And Copies of all such Mortgages shall be entered in a Book to be kept for that Purpose by the Clerk or Treasurer to the said Commissioners, for which Entry such Clerk shall be paid the Sum of Five Shillings, and no more; and it shall be lawful for all Persons respectively to whom any Mortgage shall be made as aforesaid, or who shall be from Time to Time entitled to the Money thereby secured, to assign or transfer his or her Right, Title, and Interest in and to such Mortgage, and the Principal Money and Interest thereby secured, to any other Person whomsoever; which Assignment or Transfer shall be by Deed, in which the Consideration for the same shall be truly stated, and may be made in the following Words, or Words to the like Effect; (that is to say,)

'I

'I being entitled to the Sum of Form of Assignment.
, secured to
'his Executors, Administrators, and Assigns, by virtue of an
'Assignment or Grant bearing Date the Day
'of from the Commissioners for preserving
'and improving the Port or Harbour of *Newport* in the County of
'*Monmouth*, in consideration of the Sum
'of paid to me by
'do hereby transfer all my Right, Title, and Benefit in and to the
'said Sum, and all Interest and other Money now due and owing
'thereon, unto his Executors, Admin-
'istrators, and Assigns. Dated this Day of
'in the Year One thousand eight hundred and .'

Which Transfer shall be produced and notified to the Clerk or Treasurer of the said Commissioners within Two Calendar Months from the Day of the Date thereof, who shall enter the same in the said Book, for which Entry the said Clerk or Treasurer shall be paid the Sum of Five Shillings, and no more, and such Transfer shall then entitle such Assignee, his Executors, Administrators, and Assigns, to the full Benefit of such Mortgage Security; and every such Assignee may in like Manner assign or transfer the same, and so *toties quoties*; and it shall not be in the Power of any Person or Persons, except the Person to whom the same shall be last transferred, his or her respective Executors or Administrators, to release, discharge, or make void the original Mortgage Security, or the Monies due thereon, or any Part thereof; and all Persons to whom any such Mortgage or Transfer shall be made as aforesaid shall, in proportion to the Sum or Sums of Money thereby secured, be Creditors on the Rates or Duties by this Act granted in equal Degree one with another, or in such Order as shall be agreed upon and stipulated by the said Commissioners at the Time of the Advance of such respective Monies. Assignment to be registered.

XLI. Provided always, and be it enacted, That before any Money shall be borrowed under the Powers of this Act a Resolution shall be entered into by the Commissioners for the Time being of the Necessity of such Loan, and after such Resolution public Notice of the Intention to borrow and take up Money at Interest, and of the Amount intended to be borrowed, shall be given by the Commissioners in some Newspaper published or circulated in the said County, at least Two Calendar Months before some General Annual Meeting of the said Commissioners; and no Money shall be borrowed or taken up at Interest in pursuance of such Notice unless Twelve Commissioners shall be present at such General Annual Meeting, nor unless Two Thirds of all the Commissioners present at such Meeting shall, by a Resolution entered into by them, consent thereto. Money not to be borrowed, except after public Notice.

XLII. And be it further enacted, That in case the said Commissioners shall raise the Whole or Part of the Money hereby authorized to be raised by Mortgage, and shall afterwards pay off all or any Part of the Money so raised by them, then and in any such Case it shall be lawful for the said Commissioners, at any Time thereafter, In case any Mortgages are paid off, Commissioners may raise the Amount again.

after, again to raise by way of Mortgage, in lieu of the Money so paid off, so much Money as they shall so pay, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Commissioners shall not owe at any One Time upon Mortgage more than the said Sum of Five thousand Pounds.

Commissioners may purchase or rent Lands for carrying Act into execution.

XLIII. And be it further enacted, That it shall be lawful for the said Commissioners, with the Consent of the Owner thereof, to purchase or acquire any Estate, Right, or Interest in any Lands, Tenements, Hereditaments, and Premises, with their Appurtenances, which it shall be necessary to obtain for the Purpose of carrying into complete Execution the Powers of this Act, and to contract or agree for the Loss or Damage the Owners thereof or other Persons interested therein may sustain in consequence of the Exercise of such Powers; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregage or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, under any Disability whatsoever, not only for or on behalf of themselves, their Heirs or Successors, but also for and on behalf of the Person entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Infants, or Issue unborn, Lunatics, Idiots, or other Person whomsoever, and to and for all Femes Covert who are or shall be seised of or interested in their own Right, and to and for all and every Person whomsoever who is or shall be possessed of or interested in any such Lands, Tenements, Hereditaments, or Premises, or who shall sustain any Damage as aforesaid, to contract with the said Commissioners for the Sale thereof, or for the Satisfaction to be made for the same, or for such Damages as aforesaid, and to sell, demise, and convey unto the said Commissioners all or any such Lands, Tenements, Hereditaments, or Premises, or any Part thereof, for the Purposes aforesaid; and all such Conveyances shall be made by Deed, to be executed as herein-after is mentioned, and shall be good, valid, and effectual to all Intents and Purposes, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever; any Law, Statute, Usage, Custom, or other Matter to the contrary notwithstanding.

Restraining Commissioners from purchasing more than 100 Acres of Land from incapacitated Persons.

XLIV. And whereas it is expedient to restrain the said Commissioners from selling Lands purchased from Corporations or from Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or from any other Corporations or Persons being under legal Disability or Incapacity, in lieu of the Lands so sold; be it therefore enacted, That it shall not be lawful for the said Commissioners to purchase from any Corporation, Trustee, or Feoffee in Trust for charitable or any other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or 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

more than One hundred Statute Acres of Land; and in case the said Commissioners shall purchase such One hundred Statute Acres from any Corporations or other Persons under such legal Disability or Incapacity as aforesaid, and shall afterwards sell the Whole or any Part of such One hundred Statute Acres so purchased, it shall not be lawful for the said Commissioners to purchase of or from the same or of or from any other Corporation or Person being under legal Disability or Incapacity, nor for the same nor for any other Corporation or Person being under legal Disability or Incapacity to sell to the said Commissioners, any other Lands in lieu of such One hundred Statute Acres of Land or any Part thereof so sold or disposed of by the said Commissioners.

Application of Compensation Money amounting to or exceeding 200*l.*

XLV. And be it further enacted, That if any Money shall be agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Tenant for Life or in Fee Tail, General or Special, or Person under any Disability or Incapacity, 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 the Court of Exchequer, to be placed to his Account *ex parte* the said Commissioners; 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 made upon Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments settled therewith to the same or to the like Uses, Trusts, 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 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 or capable of taking effect; and in the meantime, 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 until such Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid the Dividends and annual Profits of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so hereby directed to be purchased in case such Purchase was made.

XLVI. Pro-

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

XLVI. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation, or to any Person under 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 for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, or of his Guardian or Committee in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the said Bank in the Name and with the Privity of the said Accountant General of the Court of Exchequer, to be placed to his Account as aforesaid, in order to be applied in manner herein-after directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person having such Option, and approved by Eight or more of the said Commissioners, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends and Interest arising thereon, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer; and upon Payment of such Monies to such Trustees the said Commissioners shall be discharged therefrom, and shall not be concerned to see to the Application thereof.

Application of Compensation Money when not amounting to 20*l.*

XLVII. Provided always, and be it further enacted, That where such Money so agreed to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid or applied to the Use of the Person 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, in such Manner as the said Commissioners or any Eight or more of them shall think fit, or in case of Lunacy or Infancy, then to his Guardian or Committee, to and for the Use and Benefit of such Person so entitled.

Persons in Possession to be deemed lawfully entitled until the contrary is shewn to the Satisfaction of the Court.

XLVIII. Provided always, 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 said Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, 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 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 under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the

Capital

Capital of such Annuities, shall be applied and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

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

Conveyances of Land to be at the Expence of Commissioners.

L. And be it further enacted, That all Sales and Conveyances of any Lands, Tenements, and Hereditaments, or any Easement or Right therein to be purchased or acquired by the said Commissioners, shall be made at the Expence of the said Commissioners, and all such Conveyances shall be by Deed, and shall be expressed in the following or some similar Form of Words, as the Circumstances of the Case may require; *videlicet*,

Form of Conveyance.

'KNOW all Men by these Presents, That I *A. B.* of in consideration of the Sum of to me paid, do hereby, in pursuance of the Powers and Provisions contained in an Act passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled [*here insert the Title of this Act*], grant, bargain, sell, and convey unto the Commissioners of the Port or Harbour of *Newport* in the County of *Monmouth* [*here insert the Description of the purchased Premises*], and all my Estate and Interest therein [*or otherwise* the Right or Easement to], upon [*here insert the*

'*Description of Premises,*] to hold the same unto and to the Use 'of the said Commissioners and their Successors, according to the 'true Intent and Meaning of the said Act. In witness whereof I 'have hereunto set my Hand and Seal the 'Day of in the Year .'

On Payment or Tender of Purchase Money the Lands to vest in the Commissioners.

LI. And be it 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, for any Estate, Right, or Interest in any Lands, Tenements, or other Hereditaments, or as a Compensation for Damages as herein-before mentioned, to the Person or Persons entitled to receive such Money, or his, her, or their Agents, within Thirty Days after the same shall have been so agreed for, or on the same being deposited in the Bank of *England* in manner by this Act directed, (as the Case may be,) it shall be lawful for the said Commissioners, and their Agents, Workmen, and Servants, thereupon, and not before, to enter upon, take, and use such Lands, Tenements, or Hereditaments respectively, and then and thereupon the Estate, Right, or Interest so purchased or acquired in the same Lands, Tenements, or Hereditaments shall from thenceforth be absolutely vested in the said Commissioners for the Purposes of this Act, whether such Conveyance as aforesaid shall or shall not be made; and such Payment, Tender, or Deposit shall, as to such Estate, Right, or Interest as shall be purchased or acquired by the said Commissioners, not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates, Rights, Titles, and Interests of all other Persons whomsoever therein.

Enabling the Commissioners to sell Lands not wanted.

LII. And whereas by means of the Purchases which the said Commissioners are empowered 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 Commissioners to contract for and to sell, and by any Deed duly executed by any Five or more of them, and for such Considerations as they may deem reasonable, to convey to the Purchaser 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; and such Conveyances from the said Commissioners 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 for the Time being of the said Commissioners to sign and give Receipts for the same, which Receipts shall be sufficient Discharges to any Person 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 shall not afterwards be answerable or accountable for any Loss, Mis-

Misapplication, or Nonapplication of such Purchase Money or any Part thereof.

Commissioners to offer such Lands to Owners of adjoining Lands.

LIII. Provided always, and be it enacted, That, subject as aforesaid, the said Commissioners, before they shall dispose of any such superfluous Lands, shall first offer to sell the same to the Person or 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 Commissioners within Ninety 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 Ninety 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 a Declaration made in the Manner and Form directed in and by an Act passed in the last Session of Parliament, for the more effectual Abolition of Oaths, and to substitute Declarations in lieu thereof, before a 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 Commissioners, and that such Offer was refused or was not accepted by the Person to whom the same was made within the Space of Ninety 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 the Money produced by the Sale which shall be made by the said Commissioners of such Lands as aforesaid shall be applied to the Purposes of this Act.

Provision for Deficiencies of Land Tax.

LIV. 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 Commissioners shall, when and so soon as 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 Commissioners shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax,) be subject and liable from Time to Time to pay and make good to or in aid of the said several Parishes or Townships, 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 or means

of

of taking 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 of the said Commissioners, or the Collector or Receiver of the several Rates, Tolls, or Sums by this Act granted, as hereinafter mentioned, is hereby required to pay all such Deficiencies, on Demand thereof, to the Collector or Collectors of the said Assessments.

Vessels to be moored under the Orders of the Water Bailiffs.

LV. And be it further enacted, That the Master of every Vessel within the said Port or Harbour shall, after Notice or Directions given to him for that Purpose, either verbally or in Writing, by the Water Bailiff or Harbour Master of the said Port for the Time being, moor, anchor, unmoor, place, move, or remove his Vessel, or load, ship, or discharge the Goods, Wares, or Merchandize on board the same, or load, take, heave out, or deliver Ballast into or from any Vessel, in such Manner as the said Water Bailiff or Harbour Master shall direct; and in default thereof it shall and may be lawful for the said Water Bailiff or Harbour Master to cause such Vessel to be moored, anchored, unmoored, placed, moved, or removed to or at such Place in the said Port or Harbour as may be deemed most convenient for any of the said Purposes; and every such Master of any such Vessel so refusing or neglecting to moor, anchor, unmoor, place, move, or remove such Vessel, when directed so to do as aforesaid, or obstructing or hindering the said Water Bailiff or Harbour Master in the mooring, anchoring, unmooring, placing, moving, or removing any such Vessel as aforesaid, shall in every such Case forfeit a Sum not exceeding Ten Pounds, together with the Costs and Charges which may be incurred by such Water Bailiff or Harbour Master in the mooring, anchoring, unmooring, placing, moving, or removing such Vessel as aforesaid; and the Charges and Expences, when received, to be paid to the Water Bailiff or Harbour Master at whose Expence such Vessel shall have been moored or removed.

Water Bailiffs to remove Obstructions.

LVI. And be it further enacted, That every such Water Bailiff or Harbour Master shall cause to be removed all Wrecks of Vessels, Timber, or any other Article or Thing whatsoever obstructing or tending to obstruct the free Navigation or Use of the said Port or Harbour, and the Mouth or Entrance thereof, and shall in all respects obey the Orders and Directions of the said Commissioners; and in case any Water Bailiff or Harbour Master shall neglect or wilfully omit to execute the Duties by this Act imposed on him, or show any undue Preference in the Execution of his Office, he shall forfeit any Sum not exceeding Twenty Pounds, and shall be forthwith discharged from his said Office: Provided always, that it shall not be lawful for any Water Bailiff or Harbour Master, under or by virtue of the present Provision, to interfere with or obstruct the Erection of any Jetty or Shipping Stage or the Construction of any Quay Wall on the Banks or Sides of the said River *Usk;* but such Jetties, Shipping Stages, and Quay Walls may be erected and constructed in like Manner as, but not further or otherwise, than they might have been if this Act had not been passed.

LVII. And

Vessels abandoned not to remain at the Quays.

LVII. And be it enacted, That no Vessel which shall be neglected by the Owner thereof shall be permitted to be and remain at any of the Piers, Quays, Wharfs, or other Works erected or to be erected within the said Port or Harbour, so as to encumber the same, or to obstruct the Use thereof, or the Navigation of the said River; but in every such Case it shall and may be lawful to and for the said Water Bailiff or Harbour Master, or any Person whom he shall authorize for that Purpose, immediately to cause such Vessel, and any other Vessel abandoned by the Owners thereof, within the said Port or Harbour, to be, at the Charges and Expences of the Owners of the same, removed from the said Piers, Quays, Wharfs, or other Works, or any of them, and to lay the said Vessels on any Part of the Strand or Seashore within High-water Mark, or any other Place of Safety within the said Port and Harbour, and there to moor such Vessels; and before Demand of Payment is made by the said Water Bailiff or Harbour Master, or the Person authorized by him as aforesaid, of such Charges and Expences, the same shall be first examined and allowed by Five or more of the said Commissioners; and in case of Refusal or Neglect of Payment, by the Person liable to pay the same, of such Charges and Expences, when allowed as aforesaid, for the Space of Three Days after Demand thereof made, it shall and may be lawful to and for the said Water Bailiff or Harbour Master to levy such Charges and Expences by Distress and Sale of such Vessel, or any of the Tackle, Apparel, or Furniture of the same, or any Part thereof, in manner herein provided in Cases of Distress for the Rates or Duties hereby granted, rendering the Overplus (if any, after deducting the Charge of taking and selling such Distress) to the Owner of such Vessel, whenever the same shall be demanded.

Harbour Masters may cut Mooring Ropes in case of Necessity.

LVIII. And be it further enacted, That in case any Owner or Master of any Vessel which shall be moored or fastened within the said Port or Harbour shall at any Time refuse or neglect, upon Demand of the said Water Bailiff or Harbour Master, to unloose or slacken the Rope or Chain by which such Vessel shall be so moored or fastened, or in case there shall be no Person on board of any such Vessel so moored or fastened, or who shall answer to the Call of the said Water Bailiff or Harbour Master, for the Purposes aforesaid, then and in every such Case it shall and may be lawful for the said Water Bailiff or Harbour Master to cut or unloose the Rope, or slacken or unloose the Chain, by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Water Bailiff or Harbour Master shall cut or unloose any Rope, or slacken or unloose any Chain, by which any Vessel having no Person on board shall be moored or fastened, the said Water Bailiff or Harbour Master shall and he is hereby authorized to put on board such Vessel such Person as he may think proper, for the Protection and Security from Injury of such Vessel; and all reasonable Charges and Expences which shall be thereby incurred, to be ascertained by any Five or more of the said Commissioners, shall be paid, on Demand, by the Master or Owner of such Vessel, and in default of Payment of such Charges and Expences shall and may be levied, together with the Costs of levying the same, by Distress and Sale of the Goods and Chattels of such

such Master or Owner, or by Distress and Sale of the Tackle, Apparel, and Furniture of such Vessel, in manner herein provided in Cases of Distress for the Rates hereby granted.

Water Bailiffs not to interfere except in certain Cases.

LIX. Provided always, and be it further enacted, That notwithstanding any thing herein-before contained, or any Rule, Bye Law, or Regulation to be hereafter made or ordained by the said Commissioners, no Water Bailiff or Harbour Master of the said Port or Harbour shall be empowered or authorized to interfere with the loading or unloading of any Vessel, or to direct at what Wharfs or in what Situation any Vessel shall unload her Cargo, or in any other Manner whatever to interfere with the Berth or Situation any Vessel may go into for the Purpose of loading or unloading, except as far as may be necessary to prevent Vessels from improperly incommoding each other, or obstructing the Navigation of the said Port or Harbour, or the Entrance to or Exit from some Berth, Shipping Place, or Landing Place within the same, or except when, upon Complaint made to any Water Bailiff or Harbour Master by the Occupier of any Wharf or Wharfs, it shall appear that any Vessel has gone into or remained in any Berth, Shipping Place, or Landing Place belonging to such Wharf or Wharfs, without the Consent of the Occupier of such Wharf, in any of which Cases it shall be lawful for the said Water Bailiff or Harbour Master to moor, unmoor, move, unloose, or remove such Vessel, under the Powers herein-before given to him.

Vessels to be moored to the usual Moorings, and not to obstruct the Navigation.

LX. And be it further enacted, That if any Vessel shall be moored or fastened to any other Place than the Posts and Chains from Time to Time set up and erected within the said Port or Harbour for mooring Vessels, or shall be in any Manner moored, anchored, placed, or continued in the fair Way or Channel or across the Stream of any of the public Rivers or Waters within the Limits of the said Port, so as to obstruct, impede, or hinder the Navigation of the same, the Master of such Vessel, if then on board, or the Owner thereof, if no Person shall then be on board having Charge of the same, shall forfeit and pay any Sum not exceeding Five Pounds for each and every Tide which such Vessel shall stay and remain so moored, anchored, or placed.

Commissioners may erect Moorings or Lamps.

LXI. And be it further enacted, That if the said Commissioners shall deem it necessary that any Moorings or Lamps should be made, erected, fixed, or maintained within the Limits of the said Port, upon any Land or Ground adjoining or near to the said River *Usk*, it shall be lawful for them to give Notice thereof to the Owner of such Land or Ground, specifying the Place where such Moorings or Lamps ought in their Opinion to be made, erected, fixed, and maintained; and in case the Owner of such Land or Ground shall for the Space of Three Calendar Months after such Notice shall be left at his usual Place of Abode, if resident in *England*, or if resident Abroad, then at the usual Place of Abode of his known Agent, refuse or decline to make, erect, fix, or maintain such Mooring Posts or Lamps, it shall be lawful for the said Commissioners to make, erect, fix, and maintain all such Mooring Posts and Lamps in the Place or

Places

Places specified in such Notice, and for the Purposes aforesaid to enter upon the Land or Ground of any Person whatsoever, doing no unnecessary Damage thereby, and erecting such Mooring Posts and Lamps so and in such Manner that the same shall not occasion Injury or Damage to any Building, Quay, Wall, or Jetty, and shall not inconvenience the Occupier of any Wharf, and making reasonable Compensation for any Damage or Injury by them committed to any Lands or Grounds.

Gunpowder may be discharged in certain Cases without a Sufferance.

LXII. And be it further enacted, That in case any Vessel in which any Gunpowder shall happen to be shall arrive in the said Port or Harbour on a *Sunday* or any Custom House Holiday, it shall be lawful for the Master of any such Vessel, or for the Owner or Owners of such Gunpowder, to land and convey the same to some Place of Security without a Sufferance or other Licence from the Officers of His Majesty's Customs for so doing.

Penalty for destroying Ropes of Vessels.

LXIII. And be it further enacted, That in case any Person shall wilfully or maliciously cut, break, loose, or in any Manner damage or destroy any Cable, Hawser, Rope, or other Thing by which any Vessel lying in the said Port or Harbour shall be moored or fastened, such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, besides paying to the Master or Owner of such Vessel the Damages thereby occasioned; such Damages to be ascertained, in case of Dispute, by the Justices before whom any such Offence shall be heard and determined, and to be recovered in like Manner as the Penalties by this Act imposed are herein-after directed to be recovered.

Compensation to be made for Damages done to the Wharfs or Shipping.

LXIV. And whereas Damage is frequently done to the Wharfs, Quays, and Jetty Heads of the said Port or Harbour, and to Vessels navigating and being in the said Port, through the wilful Misconduct or Negligence of the Master or other Person having the Charge or Command of Vessels resorting to or using the said Port or Harbour, or otherwise, and although it is reasonable that such Damage should be compensated such Compensation is frequently refused to be made; be it therefore enacted, That if any Master of any Vessel, or any other Person or Persons whomsoever, shall wilfully or negligently damage, spoil, or injure any of the present or future Wharfs, Quays, Jetty Heads, or Shipping Places of the said Port or Harbour, or any of the Machinery or Materials thereof, or any Vessel navigating or being therein, or the Tackle, Apparel, or Furniture of any such Vessel, or any of the Works or Things to be constructed or provided by the said Commissioners, such Master or other Person shall pay for and make good all such Damage and Injury; and in case the Master of any Vessel, or any other Person whomsoever, doing such wilful or negligent Damage as aforesaid, shall refuse to make Compensation for the same, it shall and may be lawful for any Two or more Justices of the Peace, having Authority to hear and determine Offences committed against the Provisions of this Act, on the Complaint of the Owner or Occupier of the Wharf, Quay, Jetty Head, or Shipping Place, or his or their Agent, or the Master of the Vessel, to which any such Damage or Injury shall have been done, or of the said Commissioners, their

their Water Bailiff, or Harbour Master, or any of them, to summon the Master or other Person charged with having negligently or wilfully done or occasioned to be done such Damage or Injury to appear before them the said Justices to answer to such Complaint; and on the Appearance of the Person so summoned, or in default of his Appearance, on Proof of the due Service of such Summons on him or them, it shall and may be lawful for such Justices to examine upon Oath any Witness that may be produced before them the said Justices, as well on behalf of the Person making Complaint as of the Person complained of, and to make such Order for Payment to the Person complaining, by the Person complained against, of such Sum of Money for Satisfaction and Compensation for the Injury or Damage sustained, as to such Justices shall seem just and reasonable, with the reasonable Costs and Charges attending such Complaint, and if such Damage shall have been wilfully committed then to pay such further Sum by way of Penalty, not exceeding Ten Pounds, as to the said Justices shall seem meet, such Penalty to be applied in like Manner as the other Penalties hereby imposed are herein-after directed to be appropriated; and in case of Nonpayment, on Demand, of any Sum of Money so ordered to be paid, the said Justices shall and may issue forth their Warrant to levy the same by Distress and Sale of the Vessel doing such Damage as aforesaid, and the Apparel, Tackle, and Furniture to the same belonging, or such Part or Parts thereof as shall be sufficient to pay the said Sum, or by Distress and Sale of the Goods and Chattels of the Offender, rendering the Overplus (if any), after deducting the Charges of taking, keeping, and selling the said Distress, to the Master or other Person entitled to the same, on Demand; provided that this Act or any thing herein contained shall not extend to enable the Recovery in a summary Way of any such wilful or negligent Damage in any Case where such Damage shall amount to more than the Sum of Twenty-five Pounds.

Masters or Owners liable for Damage done by their Vessels or Crews.

LXV. And be it further enacted, That the Master of any Vessel resorting to or using the said Harbour shall be and is hereby made answerable and accountable for any Damage, Spoil, or Injury done by any such Vessel, or by any of the Mariners, Boatmen, Bargemen, Watermen, or Servants, or other Persons on board of or belonging to the same, to any of the present or future Wharfs, Quays, Jetty Heads, or Shipping Places of the said Port or Harbour, or to any of the Machinery or Materials thereof, or to any Vessel navigating or being therein, or the Tackle, Apparel, or Furniture of any Vessel, or any of the Works or Things to be provided or constructed by the said Commissioners, and for any Penalty herein-before imposed in respect thereof, and in case of Nonpayment by such Master of any such Vessel of a reasonable Compensation for such Damage, Spoil, or Injury, and of the Penalty, if any, payable in respect thereof, the same shall or may be recovered in manner herein-before appointed for that Purpose.

Masters may recover from their Crews.

LXVI. And be it further enacted, That in case the Master of any Vessel shall be compelled to pay any Penalty or to make Compensation for any wilful Damage, Spoil, or Injury done or committed by any Mariner, Boatman, Bargeman, Waterman, Servant,

vant, or other Person on board of or belonging to such Vessel, such Mariner, Boatman, Bargeman, Servant, or other Person shall be liable to repay to such Master or other Person such Penalty, Compensation, and Costs as the said Master or other Person shall have been compelled to pay on account of such Damages, Spoil, and Injury; and in case of Nonpayment thereof upon Demand the same shall and may be recovered in like Manner as the Penalties by this Act imposed are herein-after directed to be recovered, before any Two or more Justices of the Peace acting for the Place where such Penalty, Compensation, and Costs shall have been incurred or paid, or where such Mariner, Boatman, Bargeman, Waterman, Servant, or other Person can be found, who are hereby authorized and empowered to act within their Jurisdiction for enforcing the Payment of such Penalty, Compensation, and Costs.

Commissioners to have the Superintendence of the Ballast.

LXVII. And be it further enacted, That the said Commissioners shall have the immediate Superintendence, Direction, and Management of the loading into and discharging from all Vessels within the said Port of *Newport*, save and except such Vessels as shall enter into the *Newport Dock*, the Ballast required by such Vessels or contained therein, and they are hereby authorized and empowered to make and construct all such Landing Places and other Conveniences as may be reasonably required for that Purpose, and to appoint and fix Rates to be paid for loading and discharging Ballast, and to make and establish Rules and Regulations for the Government of the Persons therein employed, and otherwise respecting the same, as they may from Time to Time deem expedient: Provided always, that it shall not be lawful for the said Commissioners to compel any Person to discharge Ballast from or load Ballast into any Vessel at any Wharf or Land of the said Commissioners, unless such Person shall desire to discharge or load Ballast thereat.

Mastage Dues heretofore received henceforth abolished.

LXVIII. And whereas the Mayor of the said Borough for the Time being has heretofore claimed and received certain Mastage or Harbour Dues from the Masters of Vessels frequenting the Port or Harbour of *Newport*, and it is expedient to abolish the said Dues; be it therefore enacted, That the Mastage or Harbour Dues heretofore received within the said Port or Harbour shall be henceforth abolished and be no longer collected.

Grant of Rates or Dues.

LXIX. And whereas in order to carry into execution the Provisions herein contained, and to provide a Fund for the several Purposes of this Act, it is expedient that the said Commissioners should be authorized to collect and receive the several Rates or Duties herein-after mentioned; be it therefore enacted, That for ever hereafter there shall be payable and paid to the said Commissioners, for every Vessel which shall go into, enter, or use the said Port or Harbour, by the Master thereof, the several Rates or Duties herein-after mentioned; (that is to say,)

For every Vessel trading from and to some Port or Place situate within some Part of the United Kingdom of *Great Britain* and *Ireland*, the Sum of One Farthing *per* Ton upon each and every Ton such Vessel shall measure:

And for every Vessel trading from or to any Port or Place not being within any Part of the United Kingdom of *Great Britain* and *Ireland*, the Sum of One Halfpenny *per* Ton upon each and every Ton such Vessel shall measure.

Double Duties to be paid on Foreign Vessels.

LXX. And be it further enacted, That Double the Duties which from Time to Time shall be imposed by virtue of this Act in respect of *British* Vessels shall be payable in respect of Foreign Vessels; and every Vessel shall be deemed a Foreign Vessel within the Meaning of this Act which shall not be entitled to the Privileges of a *British*-built Ship or Vessel by virtue of an Act passed in the Third and Fourth Years of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for the Encouragement of* British *Shipping and Navigation*.

3 & 4 W. 4. c. 54.

His Majesty, or the Lords of the Treasury may reduce Duties on Foreign Vessels.

LXXI. Provided always, and be it further enacted, That it shall be lawful for His Majesty in and by an Order of Council, or for the Lords Commissioners of His Majesty's Treasury, or any Three or more of such Lords Commissioners, by any Order in Writing, from Time to Time to reduce the Duties which shall be imposed on Foreign Vessels under the Powers of this Act, as His Majesty or as the Lords Commissioners as aforesaid shall deem expedient, to the same or the like Duties as shall by virtue of the Powers of this Act be payable in respect of *British* Vessels.

Appropriation of Duties.

LXXII. And be it further enacted, That out of the Monies which may be from Time to Time received for the said Rates or Duties, or otherwise by virtue of this Act, the said Commissioners in the first place shall and do pay and defray the Costs and Charges of preparing and obtaining this Act; in the second place do and shall pay the Interest which may accrue due upon or by virtue of any Mortgage to be made and granted by virtue of the Powers herein contained; in the third place do and shall pay the necessary Expences of regulating, preserving, maintaining, and improving the said Port or Harbour, and all other necessary current Expences incidental to the Execution of this Act; in the fourth place shall and do pay off and discharge the several Monies which may be borrowed by the said Commissioners under the Provisions of this Act; and, from and after Payment of all such Monies as aforesaid, do and shall apply any surplus Monies which may be in their Hands on the Audit of any annual Account in aid of the Rates or Duties that may be received during the Year then next ensuing.

Nothing herein to extend to Vessels in His Majesty's Service, nor to subject to Rates any Vessels driven in by Stress of Weather.

LXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to any of His Majesty's Ships of War, or any other Ship, Transport, or Packet of His Majesty, His Heirs and Successors, or any Vessel employed in His Majesty's Service in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging, or of any Ordnance, Barrack, or Commissariat Stores, or to any Vessel in the Service or Employ of His Majesty's Revenues of Customs, Excise, or Post Office, or in the Service or Employ of the

the Board of Ordnance, or any Vessel employed in or upon His Majesty's Service, nor to subject to the Payment of the said Rates or Duties any Vessel which shall be driven into the said Port or Harbour by Stress of Weather and shall not unload or take in any Goods or Merchandize.

Rates to be paid once only during each Voyage, except in certain Cases.

LXXIV. And be it further enacted, That every Vessel which shall once have paid the Tonnage Duties hereby authorized to be imposed shall not be liable or obliged to pay the same again upon and during the same Voyage for which the Tonnage Duties aforesaid had been paid, notwithstanding such Vessel may put back and return into the said Port: Provided nevertheless, that every Vessel having an Inward and Outward Cargo shall pay such Rates or Duties both in respect of entering and of leaving the said Port; but that no Limestone or other Stone taken on board any Vessel as Ballast shall be deemed to be a Cargo for the Purpose of subjecting such Vessel to the Payment of the said Rates.

Vessels having paid Rates during any Year in respect of 30 Voyages to be exempt during the Residue of the Year.

LXXV. And be it further enacted, That in case between the Thirty-first Day of *December* in any one Year and the Thirty-first Day of *December* in the Year next following the said Rates or Duties shall have been paid upon or for any Vessel in respect of Thirty Voyages, such Vessel shall from and after such Payment be wholly exempt from any further Payment of such Rates or Duties during the then Residue of such Year ending on the Thirty-first Day of *December* as aforesaid.

Penalty on fraudulently claiming Exemption.

LXXVI. And be it further enacted, That if any Person shall claim and take the Benefit of any of the Exemptions from the Rates or Duties herein contained, without being entitled thereto, such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Power of Distress for Rates or Dues.

LXXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or for any Collector or Collectors by them appointed, or any other of their Officers, to go on board any Vessel that shall come into the said Port or Harbour, to demand, collect, and receive the said Rates or Duties which by this Act are granted, and upon Nonpayment thereof to take and distrain every such Vessel, her Tackle, Apparel, and Furniture, or any Part thereof, and also all or any Part of the Goods, Wares, and Merchandize then being therein, and the same to retain and keep until he or they shall be satisfied and paid the said Duties, Sum and Sums of Money, and every of them; and in case of any Neglect or Delay in Payment of the said Duties by the Space of Four Days next after any Distress or Distresses so to be taken as aforesaid, together with the reasonable Costs and Charges of taking such Distress or Distresses, it shall and may be lawful to and for the said Commissioners, or for the said Collector or Collectors, or any other Officer or Officers of the said Commissioners, to sell the Distress or Distresses so to be taken, and therewith to satisfy, as well the Duties so neglected or refused or delayed to be paid, as also the reasonable Charges

Charges of taking, keeping, and selling such Distress, rendering, on Demand, to the Master of such Vessel the Overplus, if any there shall be, of the Money to arise by such Sale, and such Part, if any, of the Goods taken as shall remain unsold.

Rates may be lessened and again advanced.

LXXVIII. And be it enacted, That the said Commissioners in General Meetings assembled may and they are hereby empowered to lessen, reduce, or discontinue the aforesaid Rates and Duties granted by this Act as they shall judge reasonable and expedient, and as the State of the said Rates and Duties and other Revenues will permit, and also to advance or revive the same again in such Manner as to them shall from Time to Time seem meet and expedient, so as the Rates or Duties, when so advanced or revived again, do not exceed the Rates or Duties herein-before granted: Provided nevertheless, that when the whole Money borrowed on the Credit thereof shall not have been paid, no such Reduction or Discontinuance shall be made without the Consent in Writing of the Persons who shall then be entitled to Five Sixths of the Monies remaining due thereon: Provided also, that no Reduction or Discontinuance of the said Rates or Duties shall be made, except at a General Annual Meeting, nor except Two Calendar Months Notice shall have been given of the Intention to propose at such Meeting such Reduction or Discontinuance in some Newspaper published in the said County, nor unless Twelve Commissioners shall be present at such Meeting, and Two Thirds of the Persons then present shall consent to such Reduction or Discontinuance.

Table of the Rates taken to be put up.

LXXIX. And be it further enacted, That the said Commissioners shall and they are hereby required to put up or cause to be put up, and afterwards to continue, in the Custom House of the said Port, a Table, signed by the said Commissioners or Five of them, containing a Schedule of the Rates or Duties from Time to Time collected under this Act.

Tonnage of British Ships to be ascertained by Certificate of Registry.

LXXX. And be it further enacted, That in all Cases where it shall be necessary to ascertain, for the Purposes of this Act, the Tonnage of any *British*-built Vessel having a Certificate of Registry, the Production of such Certificate shall be deemed sufficient for that Purpose, without an actual Admeasurement of such Vessel; and in case the Master of such Vessel shall, on Demand thereof made by the Collector for the Time being of the said Rates or Duties, or any other Officer of the said Commissioners, refuse to produce and show such Certificate to him or them, such Master shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Foreign Vessels to be measured.

LXXXI. And be it further enacted, That the said Commissioners shall be and they are hereby authorized to appoint a proper Person for the Purpose of ascertaining the Tonnage of any Foreign Vessel, and of all other Vessels having no Certificate of Registry, which shall enter the said Port or Harbour, in order to a due Collection of the Duties payable by such Vessels; and such Person is hereby empowered

powered and required to admeasure the same accordingly, pursuant to the Directions of such Act or Acts as may at that Time be in force for the registering of *British* Vessels.

Penalty on Persons obstructing the Admeasurement of Vessels.

LXXXII. And be it further enacted, That in case the Master of any Vessel liable to any of the Duties imposed by this Act, or any other Person whatsoever, shall obstruct or hinder the said Commissioners, or the Person appointed to collect the Rates or Duties, or employed or appointed to admeasure Vessels in pursuance of this Act, from going on board such Vessel or taking the Admeasurement thereof, such Master or other Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Officers of Customs may refuse to clear out Vessels until the Duties hereby imposed are paid.

LXXXIII. And be it further enacted, That it shall and may be lawful for the Collector or other proper Officer of His Majesty's Customs within the said Port or Harbour, and he is hereby authorized, with the Permission of the principal Officers of His Majesty's Customs, to refuse to receive any Entry, or give or make any Cocquet or other Discharge or Clearance, or to take any Report, Inwards or Outwards, for any Vessel whatever subject and liable to the Payment of the Duties imposed by this Act, until the said Duties shall be paid to the Collector appointed to receive the same, and until a Receipt under the Hand of the said Collector of the said Duties shall be produced to the said Collector or other proper Officer of His Majesty's Customs.

Penalty on Persons eluding the Payment of Duties.

LXXIV. And be it further enacted, That if any Master of any Vessel shall depart from the said Harbour without having first paid the Duties hereby imposed, or shall elude or avoid the Payment thereof in any Manner whatsoever, every such Master shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, over and above the Duties imposed by this Act, to which he shall still continue liable.

Commissioners may direct Prosecutions for Nuisances.

LXXXV. And be it further enacted, That the said Commissioners at a public Meeting may and they are hereby empowered, if they think fit, to direct Prosecutions, by Indictment or otherwise, against the Offender or Offenders, for any Nuisance or other Offence done, committed, or continued in or upon the public Rivers, Waters, or Streams within the Limits of the said Port or Harbour, or the Quays, Wharfs, or Piers adjoining thereto, or for any Injury or Damage occasioned to the Navigation of the said public Rivers, Waters, or Streams, and that whether such Injury shall be attributable to any Act done within the Limits of the said Port or Harbour or not, and to recover any Penalty or Forfeiture incurred under the Provisions of this Act, and to defray the Costs of any such Proceedings out of the Revenues belonging to the said Commissioners.

Commissioners may appoint Watchmen.

LXXXVI. And be it further enacted, That the said Commissioners, if they should deem it expedient, but not otherwise, may and they are hereby authorized from Time to Time to appoint such Number of fit and proper Men as they shall judge proper as Watchmen, for the Protection of the Shipping and other Property within the said

Harbour, or on the Quays, Wharfs, and Landing Places adjoining thereto, under such Regulations and subject to such Orders as the said Commissioners shall from Time to Time make in that Behalf, and also to provide proper Boats, with the necessary Appurtenances, for the Use of such Watchmen, and also Watchboxes or other Places for their Reception during the Hours of watching, and for the safe Custody of such Persons as may be apprehended by such Watchmen, and to pay such Watchmen such Wages or Allowances as the said Commissioners shall think proper, and also to impose any Fine not exceeding Twenty Shillings on any Watchman for any Neglect or Misbehaviour, and from Time to Time to make such Orders and Regulations as they the said Commissioners shall judge expedient for the better Government of the Watchmen to be so appointed; and it shall be lawful for the said Watchmen to apprehend, and secure in some Place of Safety to be for that Purpose appointed within or near the said Borough, all Persons found committing any Theft, or doing any Damage, Injury, or Spoil to any Property within the said Harbour, or on the Quays, Wharfs, or Landing Places adjoining thereto, and all Malefactors, Rogues, Vagabonds, and Disturbers of the Public Peace, and all suspected Persons who shall be found wandering or misbehaving themselves during the Hours of keeping Watch, and to conduct such Persons, as soon as conveniently may be, before some Justice of the Peace authorized to act in that Behalf, in order to their being dealt with according to Law.

Watchmen so appointed to be sworn in as Constables.

LXXXVII. And be it further enacted, That all Watchmen appointed by the said Commissioners shall be sworn in as Constables before some Justice of the Peace for the said Borough of *Newport* or for the said County of *Monmouth*, and shall afterwards act as such while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers, Privileges, and Immunities as Constables are invested with by Law, and shall be subject to the like Responsibilities and Penalties as Constables are subjected to by Law.

Penalty on Witnesses not attending when summoned, upon Tender of Expences.

LXXXVIII. And be it further enacted, That if any Person who shall be paid or tendered a reasonable Sum for his or her Costs, Charges, and Expences shall be summoned as a Witness to give Evidence before any Justice of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, on the Part of the Prosecutor or of the Person accused, shall refuse or neglect to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath and give Evidence before such Justice of the Peace, then and in either of such Cases such Person shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Penalty for resisting Execution of this Act.

LXXXIX. And be it further enacted, That in case any Person shall resist or make forcible Opposition to the due Execution of this Act in any respect whatsoever, or shall assault any Officer acting in the Execution of his Office, or shall hinder the Distress, or make any Rescue of Goods distrained by virtue of this Act, every such Person offending

offending therein shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Transient Offenders may be secured.

XC. And whereas Offences may be committed against this Act by Persons unknown to the Officers of the said Commissioners; be it therefore further enacted, That it shall be lawful for any of the said Commissioners, or their Clerk, or their Water Bailiffs, Collectors, or other Officers respectively, and such other Person as they shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any unknown Person who shall commit any such Offence, and take him or her before any Justices of the Peace authorized to hear and determine the same; and such Justices shall and they are hereby required to proceed and act with respect to such Offender according to the Provisions of this Act.

Recovery and Application of Penalties.

XCI. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying and recovering and applying whereof is not herein otherwise directed) shall, upon Conviction of the Offenders respectively before Two or more Justices of the Peace having Authority to hear and determine Offences committed against the Provisions of this Act, either by the Confession of the Party offending, or by the Oath of any credible Witness, be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hands and Seals of such Justices; and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner of such Goods and Chattels; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices to order the Offender so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender shall give sufficient Security to the Satisfaction of such Justices for his Appearance before such Justices on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Seven Days from the Time of taking any such Security, and which Security the said 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 Penalties, Forfeitures, and Fines, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Fines, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justices shall not be required to issue such Warrant of Distress, but they are hereby required, by Warrant under their Hands and Seals, to commit such Offender to the Common Gaol or House of Correction of the County of *Monmouth*, there to be kept to hard Labour for any Time not exceeding Three Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges

Charges attending the Recovery thereof, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer to the Commissioners, and be applied and disposed of for the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners to cause such Reward as they shall think fit, not exceeding One Moiety of any such Penalty so recovered, after deducting all Charges and Expences incurred in recovering the same, to be paid thereout to or amongst any Person who shall appear to them to be entitled thereto, as Informer in respect of any such Penalty.

Justices may proceed by Summons in the Recovery of Penalties.

XCII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act, or against any Bye Law, Order, or Rule made in pursuance hereof, to summon the Party complained against before him and some other Justice authorized to hear and determine Offences committed against this Act, and on such Summons such Justices are authorized to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before any such Justice; and all such Proceedings by Summons, without Information in Writing or in Print, shall be as valid and effectual, to all Intents and Purposes, as if an Information in Writing or in Print had been exhibited.

Form of Conviction.

XCIII. And be it further enacted, That all Convictions under this Act may be drawn up in the following Form or to the like Effect; (that is to say,)

'BE it remembered, That on [*Time of Conviction*] at [*Place of Conviction*] *A. B.* [*Name of Offender*] of [*Place of Abode and Addition of Offender*] was duly convicted before us [*Names and Titles of convicting Justices*], for that the said *A. B.* on the [*Time of committing Offence*] did [*here state the Offence according to the Fact*], contrary to the Form of the Statute passed in the Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*]; and we do therefore declare and adjudge that the said *A. B.* has forfeited for the said Offence the Sum of [*or* do adjudge that the said *A. B.* shall pay to the said [*the Complainant*] the Sum of for the Injury or Damage sustained by him as aforesaid, *or* do adjudge him to pay the Damages and Fine, [*as the Case may be*], together with the Sum of for the Costs attending the Information and Conviction. Given under our Hands and Seals the Day and Year first above written.'

XCIV. And

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

XCIV. And be it further enacted, That in all Cases wherein Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by some Two or more Justices of the Peace for the County or Place wherein such Damages or Charges shall be incurred or be directed to be paid; and where by this Act any Damages or Charges are directed to be paid, in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justices by or before whom any Offender shall be convicted of such Offence; and such Justices respectively are hereby authorized and required, on Nonpayment of the Damages or Charges in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

For settling Disputes as to Damages to a small Amount.

XCV. And be it further enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of Property which may be injured in the Execution of this Act, as to the Amount or Value of the Damages done by the said Commissioners, their Agents or Workmen, to such Property, and such Difference cannot be adjusted and settled between the said Parties, the same shall, in case the Amount of Damages claimed does not exceed Twenty Pounds, be ascertained and determined by Two or more Justices of the Peace for the County of *Monmouth*; who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and determine and settle the Amount of Compensation which shall be payable by the said Commissioners; and such Determination, whether made on the Application of both or either of the said Parties, shall be final and conclusive upon both in all respects whatsoever; and if the said Justices upon the hearing of the said Complaint shall find that no Compensation ought to be paid, they shall make out a Certificate of such their Determination, and deliver the same to the said Commissioners, and upon the Delivery to them of such Certificate as aforesaid, or the Payment by them of such Damages as shall have been awarded by the said Justices, the said Commissioners shall be released and discharged from all further or other Proceedings, Civil or Criminal, for the same Cause.

The Party aggrieved may recover Satisfaction for special Damages.

XCVI. And be it further enacted, That where any Distress shall be made for any Sum to be levied by virtue of this Act, or of any Conviction for any Offence against the Provisions thereof, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards done in making the Distress; but the Person aggrieved by such Irregularity may recover Satisfaction for the special Damage in an Action on the Case: Provided always, that no

Plaintiff shall recover in any Action for such Irregularity or wrongful Proceeding if Tender of sufficient Amends shall be made by or on behalf of the Party who shall have committed or caused to have committed any such Irregularity or wrongful Proceeding, before such Action brought; and in case no such Tender shall have been made it shall and may be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Orders and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Appeal to Quarter Sessions.

XCVII. Provided always, and be it further enacted, That all Persons and Corporations who shall think themselves aggrieved by any Rule, Bye Law, or Regulation of the said Commissioners, or by any thing done by any Justices of the Peace in pursuance of this Act, or of any such Rule, Bye Law, or Regulation, may appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace to be held for the County of *Monmouth*, such Appellant first giving or causing to be given, within Twenty-one Days after such Grievance shall have arisen, to the Person by whose Act or Acts such Persons or Corporation shall think themselves aggrieved, Ten Days Notice in Writing of their Intention to bring such Appeal, and of the Grounds thereof, and, unless such Appeal shall be on behalf of the said Commissioners, within Four Days after the Service of such Notice entering into a Recognizance before some Justice of the Peace of the said County of *Monmouth*, with Two sufficient Sureties, conditioned to try such Appeal at, and abide by the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions, and also to pay the Penalty or Forfeiture in case the Conviction shall be affirmed; and every Justice of the Peace having received Notice of such Appeal as aforesaid shall return all Proceedings whatsoever had before him touching the Matter of such Appeal to the said Justices at their General Quarter Sessions aforesaid, on pain of forfeiting Fifty Pounds for every wilful Neglect; and the said Justices at such Sessions, upon due Proof of such Notice having been given as aforesaid, and of such Recognizance having been entered into in manner before directed, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper, and shall and may, if they see Cause, mitigate any Penalty or Forfeiture; and the Determination of such Quarter Sessions shall be final and conclusive to all Intents and Purposes; and no Proceeding to be had or taken in pursuance of this Act, or any Bye Law made by Authority thereof, shall be quashed or vacated for Want of Form, or be removed by Certiorari or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding: Provided always, that in case there shall not be Time to give such Notice and enter into Recognizance as aforesaid before the next Sessions to be holden after the Conviction of the Appellant, then and in every such Case such Appeal may be made

to

to the next following Sessions, and shall then be heard and determined.

Power to administer Oath.

XCVIII. And be it further enacted, That where any Oath or Affirmation is by this Act required and directed to be made or taken, the Justices of the Peace of any County or Place, according to the several Jurisdictions herein given to them as aforesaid, shall and they are hereby empowered to administer the same; and that if any Person who shall be examined upon Oath or Affirmation, by virtue of this Act, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, such Person shall be subjected to the Punishment by Law awarded for Perjury.

Limitations of Actions.

XCIX. And be it further enacted, That if any Action or Suit shall be commenced against any Commissioner or other Person for any thing done in pursuance of or under colour of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within Three Months after the Fact committed, and not afterwards; and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant in every such Action or Suit shall and may plead the General Issue, and at the Trial thereof give this Act and the special Matter in Evidence, and shall and may, within Fourteen Days after he shall have been served with Process in any such Action, require the Plaintiff to give Security for Costs, and in such Case all further Proceedings shall be stayed until the Plaintiff shall give Security for the Costs of the Action to the Satisfaction of the proper Officer of the Court; and if the Matter or Thing complained of shall appear to have been done under the Authority and in Execution of this Act, or any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought or laid in any other County or Place than as afore-mentioned, then the Jury shall find for the Defendant; and if the Plaintiff shall become Nonsuit, or discontinue his or her Action after the Defendant shall have appeared, or have a Verdict against him or her, or if upon Demurrer Judgment shall be given against the Plaintiff, the Defendant shall and may recover his Costs, to be taxed as between Attorney and Client, and have the like Remedy for Recovery thereof as any Defendant hath or have in any Case by Law.

Corporation of Trinity House to appoint Sub Commissioners to examine Pilots and grant Licences.

C. And whereas it is expedient that the Corporation of *Trinity House* of *Deptford Strond* should be empowered to license Pilots for the said Port; be it therefore enacted, That it shall and may be lawful for the said Corporation of *Trinity House* of *Deptford Strond* and they are hereby required to appoint from Time to Time, as often and for such Periods as they in their Discretion shall think fit, proper and competent Persons, not to exceed Five nor to be less than Three Persons, resident at *Newport* aforesaid, to act as Sub-Commissioners for the said Port, who shall be called Sub-Commissioners of Pilotage for the Port of *Newport*, and shall take the Oath prescribed by the Act of Parliament passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Amendment of the Law respecting Pilots and Pilotage, and also for the* 6 G.4. c.125.

better

better Preservation of Floating Lights, Buoys, and Beacons, and set forth in the Schedule marked (C.) to the said Act annexed, for the faithful Discharge of their Duty; and such Persons so to be appointed shall examine, and they are hereby authorized, so long as their Deputation or Appointment shall not be revoked or superseded by the Appointment of other Persons in their Places, to examine into the Qualifications of Persons to act as Pilots for the said Port; and it shall be lawful for the said Corporation, upon their receiving a satisfactory Certificate under the Hands of any Three of the Persons so to be appointed Sub-Commissioners as aforesaid if the whole Number shall consist of Four or Five, and of any Two if the whole Number shall consist of Three, that any such Person so examined as aforesaid is duly qualified to act for such Port, to give a Licence to such Person to act as a Pilot for the said Port; and when and so soon as the said Corporation shall have licensed any Pilot or Pilots for the said Port they shall cause such Notice thereof to be given, and in such Manner and Form, and so to be published as the Notice directed to be given by the said Act of Parliament passed in the Sixth Year of His late Majesty's Reign in the Case of Licences granted by the said Corporation under the Authority of that Act to Pilots for any particular Port or Ports, and the Coast near the same, and from and after the Time or Times to be limited in the said Notice (which shall not in any Case or in relation to any Vessels whatever be less than Six Weeks from the Publication thereof as aforesaid, and shall be proportionably more, at the Discretion of the said Corporation, in relation to Vessels engaged in Foreign Voyages at the Time of such Publication,) all Vessels sailing, navigating, or passing into, out of, or within the said Port (save and except under such Circumstances as are saved and excepted in and by the said Act) shall be conducted and piloted by such Pilots only as shall be so licensed as aforesaid by the said Corporation, and by no other Pilots or Persons whomsoever.

The Corporation to establish Rates for Pilotage.

CI. And be it further enacted, That the said Corporation shall be and they are hereby invested with the same Power and Authority to establish, vary, and alter from Time to Time Rates of Pilotage in relation to all Pilotage performed in the said Port by any Pilot to be licensed by the said Corporation as aforesaid as the said Corporation is now invested with in regard to Pilotage performed by any Pilot licensed by the said Corporation for any particular Port or Place under the Authority of the said Act, subject to the same Right of Appeal as is given by the said Act, and subject also to the like Right of Appeal on the Part of the said Commissioners as is by the said recited Act given to Pilots and Ship Owners; of which Establishment or Alteration of Rates of Pilotage such Notice shall be given and in such Manner and Form as is directed by the said Act; and no greater or less Rates or other Reward or Emolument for such Pilotage shall under any Pretence whatever be demanded, solicited, received, paid, or offered, on pain of forfeiting Ten Pounds for every such Offence, as well by the Person demanding, soliciting, or receiving, as by the Person paying or offering such greater or less Rates, Reward, or Emolument.

CII. And

Licences to be granted as in 6 G. 4. c. 125.

CII. And be it further enacted, That the Licences to be granted by the said Corporation under the Authority of this Act shall be granted in such Form, and for such Period, and subject to such Power of Removal and Suspension, Amendment or Revocation, as the Licences granted under the said Act passed in the Sixth Year of the Reign of His late Majesty; and such Pilots, when so licensed as aforesaid under the Authority of this Act, shall, for all Purposes and to all Intents whatsoever, be deemed and taken to be Pilots licensed under the said Act so passed as aforesaid; and all and every the Enactments, Protections, Provisions, Forfeitures, Penalties, Matters, and Things contained in that Act, or conferred or imposed thereby, and all Bye Laws made by the said Corporation in pursuance thereof, shall be deemed and taken to apply to Pilots so to be licensed as aforesaid under the Authority of this Act, and to all Masters and Owners of Vessels and other Persons whatever, in the same Manner and to the same Extent, and the said Forfeitures and Penalties shall be recovered and applied in the same Way, as if the said last-mentioned Pilots had been duly licensed under the said Act so passed as aforesaid in the Sixth Year of the Reign of His said late Majesty.

Save as herein provided, nothing in this Act contained to extend to alter 47 G. 3. c. 33.

CIII. Provided always, and be it further enacted, That, save and except as is herein provided, nothing in this Act contained shall extend to alter, amend, or in any Manner interfere with the Powers and Provisions of an Act passed in the Forty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for ascertaining and establishing the Rates of Wharfage, Cannage, Plankage, Anchorage, and Moorage to be received at the lawful Quays in the Port of* Bristol, *for the Regulation of the Crane-keepers in the said Port, and for the better Regulation of Pilots and Pilotage of Vessels navigating the* Bristol Channel.

Lights or Beacons not to be exhibited or altered, nor Buoys placed, without the Sanction of the Trinity House of Deptford Strond.

CIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Commissioners to exhibit or alter any Light, Beacon, or other Seamark, or place or lay down any Buoy, for the Guidance of Ships and Vessels resorting to or using the said Port or Harbour, without having from Time to Time first obtained the Sanction in Writing of the Corporation of *Trinity House* of *Deptford Strond* as to the Description and Power of any such Light, and the Character of any such Beacon, and the Mode of exhibiting the same respectively, and the Description and Situation of any such Buoy.

Saving the Rights of the Trinity House.

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

Saving Rights of Monmouthshire Canal and Newport Dock Company,

CVI. And be it further enacted, That nothing herein contained shall take away, abridge, or alter any of the Rights, Privileges, Powers, or Authorities of the Company of Proprietors of the *Monmouthshire* Canal Navigation or of the *Newport Dock* Company, or shall

shall authorize or empower the said Commissioners, their Water Bailiff, Harbour Master, or any other Person by them employed, to interfere with any Vessel whilst in the Dock of the said last-mentioned Company or the Entrance thereto, or to regulate the Conduct of the Owner, Master, or Crew of such Vessel whilst in the said Dock or Entrance; or shall repeal or alter any of the Clauses or Provisions of the Acts of Parliament by which the said Companies respectively were incorporated, or which have been from Time to Time passed for extending the Powers of the said Company of Proprietors of the *Monmouthshire* Canal Navigation, any or either of them, but that all such Rights, Privileges, Powers, Authorities, Clauses, and Provisions shall remain in as full Force and Effect as if this Act had not passed.

Not to affect the Rights of the Crown to Land lying between High and Low Water Mark;

CVII. Provided always, and be it further enacted, That nothing in this Act contained shall in anywise affect any Claim, Right, Title, or Interest of His Majesty, His Heirs and Successors, in, to, or relating to any of the Mud Land or other Land or Ground lying between High and Low Water Mark within the Limits of the said Port or Harbour, but that the same shall be and remain as if this Act had not passed.

nor the Rights of any other Person to such Land.

CVIII. Provided also, and be it further enacted, That nothing in this Act contained shall in anywise affect any Claim, Right, Title, or Interest of any other Person in or to or relating to any of the Mud Land or other Land or Ground lying between High and Low Water Mark within the Limits of the said Port or Harbour, but that the same shall be and remain as if this Act had not passed, save and except as to such Right, Title, or Interest as the said Commissioners may acquire therein, by Purchase or otherwise, under the Powers herein contained.

Interpretation of Words.

CIX. And be it further enacted, That where in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, the same shall be understood to include several Matters as well as One Matter, several Persons as well as One Person, and Females as well as Males; and where the Word "Lands" shall be used, the same shall be understood to mean Tenements and Hereditaments; and where the Word "Corporation" shall be used, the same shall be understood to mean any Body Politic, Corporate or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the Word "Vessel" shall be used, the same shall be understood to mean any Ship, Lighter, Keel, Barge, Boat, or Craft, and any other Kind of Vessel whatsoever; and where the Word "Master" (in relation to any Vessel) shall be used, the same shall be understood to mean any Person, whether the Owner or Master or other Person lawfully or wrongfully having or taking the Command, Charge, or Management of the Vessel at the Time; and where the Word "Owner" (in relation to any Goods or Articles on board of any Vessel) shall be used, the same shall be understood to include any Consignee or Shipper of such Goods or Articles as well as the Owner thereof; and where the Word "Month" shall be used, the same shall be understood to mean a Calendar Month; unless in any of the Cases aforesaid it be otherwise specially

specially provided, or there be something in the Subject or Context repugnant to such Construction.

Public Act

CX. 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.

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