ANNO QUADRAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 56.

An Act for amending and enlarging the Powers of Two Acts, paſſed for preſerving the Harbour of *Swanſea* in the County of *Glamorgan*, and for further improving the ſame. [29th *June* 1804.]

WHEREAS an Act was paſſed in the Thirty-firſt Year of the Reign of His preſent Majeſty, intituled, *An Act for repairing, enlarging, and preſerving the Harbour of* Swanſea *in the County of* Glamorgan: And whereas an Act was paſſed in the Thirty-ſixth Year of the Reign of His preſent Majeſty, to amend and render more effectual the ſaid Act, and for making Improvements in the Lights at the *Mumbles*: And whereas the Truſtees appointed to execute the Powers veſted in them by the ſaid Acts have proceeded to put the ſame in Execution, and have greatly improved the ſaid Harbour of *Swanſea*, and have alſo erected a Lighthouſe at the *Mumbles*, by which the Navigation of the *Briſtol* Channel has been rendered more ſafe, and in the doing thereof have borrowed, or are indebted in, and have expended the greateſt Part of the Money they were authorized to borrow under the ſaid recited Acts; but the Improvement of the ſaid Harbour is not yet completed, and the ſame cannot be effected, unleſs additional Rates or Duties be granted for that Purpoſe; and for the more ſpeedy Completion of the Works, it is expedient to authorize the ſaid Truſtees, from Time to

31 G. 3.

36 G. 3.

to Time, to borrow such Sums of Money as are herein-after limited, on the Credit of the said Rates and Duties; and it is also expedient that the said Acts should be altered, amended, and enlarged; but the same cannot be done without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, so much of the said Act of the Thirty-first Year of the Reign of His present Majesty, as relates to the Appointment of Twelve of the Burgesses of the Borough of *Swansea* for the Time being, resident within the County of *Glamorgan*, to be elected and chosen annually by the Burgesses in Common Hall assembled for that Purpose, on *Michaelmas Day* in every Year, after the Election of the First Trustees from amongst the Burgesses, by virtue of the said recited Act, to be Trustees for executing the several Purposes of the said recited Act, shall be and the same is hereby repealed.

Repealing so much of said Act of 31 G. 3. as relates to the Appointment of Twelve of the Burgesses of *Swansea* to be Trustees for executing said Act.

II. And be it further enacted, That the Twelve Persons elected and chosen as Trustees by the said Burgesses, by virtue of the Power and Authority given by the said first recited Act, shall cease to be such Trustees as aforesaid, and instead thereof the several Persons hereafter named, that is to say, *Richard Aubrey*, *William Spencer*, *Amos White*, *Morgan Howell*, *John Rowland*, and *Silvanus Padley*, being Six of the Burgesses of the said Borough, together with the other Persons named by or under the Authority of the said first recited Act and this Act, shall be and are hereby appointed Trustees for executing the several Purposes and Powers of the said recited Acts and of this Act; and that the said Six Trustees, herein before named and particularly described to be Burgesses of the Borough of *Swansea* aforesaid, shall continue to be and act as such Trustees until *Michaelmas Day*, which shall be in the Year of our Lord One thousand eight hundred and seven; and that upon the said last mentioned Day, and so from Time to Time upon *Michaelmas Day* in every Third Year from that Day, Six of the Burgesses of the said Borough of *Swansea* shall be elected and chosen by the Burgesses of the said Borough in Common Hall assembled, from amongst the said Burgesses, to be Trustees for executing the several Purposes and Powers of the said recited Acts and of this Act; and that the Six Burgesses of the said Borough for the Time being, so elected and chosen from Time to Time in Manner aforesaid, shall be and are hereby appointed Trustees for executing the several Purposes and Powers of the said recited Acts and of this Act, and shall continue to be and act as such Trustees until other Persons shall be elected and chosen in Manner herein-before mentioned; and that Six Persons, that is to say, *Henry Smith*, *Rees Williams*, *Samuel Hammond*, *William Villers*, *Charles Joseph Harford*, and *Pascoe Grenfell*, be added to and joined with the Twelve Trustees appointed by or in pursuance of the said first recited Act, and therein particularly described to be Representative or Proprietary Trustees; and the said Six Persons last mentioned, together with the several Persons appointed as Representative or Proprietary Trustees under the said first recited Act, shall be and are hereby appointed Trustees for executing the several Purposes and Powers of the said recited Acts and of this Act, as Proprietary Trustees; and the said several Trustees herein-before named, and those named

For appointing new Trustees.

named or appointed by or under the Authority of the ſaid recited Act, ſhall have the like Powers and Authorities as they would reſpectively have had in caſe they had been named in the ſaid firſt recited Act or this Act.

For appointing the Firſt Meeting of the Truſtees.

III. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, to hold their Firſt Meeting at the Guildhall of the Town of *Swanſea*, on the Second *Monday* in the Month next after the paſſing of this Act, and proceed in the Execution of the Powers hereby and by the ſaid recited Acts granted; and afterwards to meet from Time to Time at the Guildhall aforeſaid, or at ſome other ſuitable and convenient Place, as the ſaid Truſtees, or the major Part of them, at the preceding Monthly Meetings, ſhall direct or appoint, on the Firſt *Monday* in every Month, and ſhall and may adjourn ſuch Meeting to a ſhorter Period than One Month, if the ſame ſhall be neceſſary; and the ſaid Truſtees and their Succeſſors, to be appointed as herein mentioned, ſhall have all the ſame Powers and Authorities for the Purpoſe of executing the ſaid recited Acts and this Act, or either of them, as by the ſaid recited Acts are given to the Truſtees appointed by or under the Authority thereof, and ſhall be entitled to do and perform every Act, Matter, and Thing relating thereto, as fully and effectually as if the ſame Powers and Authorities were herein repeated and re-enacted; and that every Clauſe, Matter, and Thing contained in the ſaid recited Acts, or either of them, relating to ſuch Truſtees reſpectively, ſhall have the ſame Force and Effect (except in ſuch Caſes as by this Act are otherwiſe provided) as if the ſame were herein repeated and re-enacted.

For filling up Vacancies in the Truſtees elected from amongſt the Burgeſſes of *Swanſea*.

IV. And be it further enacted, That in caſe any Vacancy ſhall happen by the Death, Refuſal to act, or Diſqualification of any of the Six Truſtees, herein-before named and particularly deſcribed to be Burgeſſes of the Borough of *Swanſea* aforeſaid, ſuch Vacancy ſhall and may be filled up by the Burgeſſes of the ſaid Borough for the Time being, in Common Hall aſſembled, as ſoon as conveniently may be after ſuch Vacancy ſhall happen, in the ſame Manner and Form as Six of the ſaid Burgeſſes are herein-before directed to be elected and choſen, and ſo from Time to Time upon the Death, Refuſal to act, or Diſqualification of any ſuch Truſtee who ſhall be elected and choſen in purſuance of this Act, ſo as to make up and keep complete the full Number of Six Truſtees from amongſt the Burgeſſes of the ſaid Borough in Manner aforeſaid; and all and every Perſon and Perſons ſo elected and choſen Truſtees in Manner aforeſaid, from amongſt the Burgeſſes of the ſaid Borough, to fill up and ſupply ſuch Vacancies whenever the ſame ſhall from Time to Time occur, ſhall have the ſame Power and Authority, to all Intents and Purpoſes, to act in the Execution of the ſaid recited Acts and of this Act, as they would or could have had in caſe they had been originally named and appointed Truſtees in and by this Act, or had been ſo elected and choſen on *Michaelmas Day* in every Third Year in Manner aforeſaid, provided the Perſon or Perſons ſo elected ſhall, previous to his or their acting in the Execution of the Powers and Authorities by this Act or the ſaid recited Acts granted, take and ſubſcribe the Oath following:

'I *A. B.*

Oath

'I *A. B.* do ſwear, That I will truly and faithfully execute the Truſts and Powers repoſed in me by an Act, paſſed in the Forty-fourth Year of the Reign of His Majeſty King *George* the Third intituled, [*Here inſert the Title of this Act*], and the Acts therein mentioned.

'So help me GOD.'

Which Oath any Two or more of the ſaid Truſtees are hereby empowered and required to adminiſter to all and every the Truſtees appointed by or in purſuance of the ſaid firſt recited Act or this Act (except the Proprietary Truſtees); and if any Perſon (except as aforeſaid) ſhall preſume to act as a Truſtee without having taken and ſubſcribed the ſaid Oath, every ſuch Perſon ſo offending ſhall forfeit and pay the Sum of Two hundred Pounds, to be recovered in Manner herein-after mentioned.

For repealing a Reſtriction as to Qualification of Truſtees.

V. And whereas it is by the ſaid firſt recited Act enacted, that no Perſon, who ſhall be elected in Caſes of Vacancies, ſhall be qualified to act as a Truſtee in the Execution of the Powers and Authorities of the ſaid Act, who ſhall not be reſident within the County of *Glamorgan:* And whereas ſuch Reſtriction hath been found inconvenient, be it therefore enacted, That the ſame ſhall be and is hereby declared to be repealed.

For filling up Vacancies in the Repreſentative Truſtees.

VI. And be it further enacted, That upon the Death or Refuſal to act of any of the Truſtees herein-before particularly deſcribed to be Repreſentative or Proprietary Truſtees, it ſhall be lawful for the Proprietary Truſtees for the Time being, or the Majority of them, (ſuch Majority not being leſs than Five,) in Meeting aſſembled, at any Time after ſuch Death or Refuſal ſhall happen, to appoint a proper Perſon to be a Truſtee in his Stead, provided Notice of the Time and Place of Meeting for that Purpoſe ſhall be affixed in Writing, under the Hand of the Clerk to the ſaid Truſtees, upon the Guildhall, Cuſtom Houſe, and Market Place, within the ſaid Town and Borough of *Swanſea*, and ſhall be publiſhed in ſome provincial Newſpaper, if there ſhall continue to be any, and alſo in ſome One or more of the *Briſtol* and *Glouceſter* Newſpapers, Ten Days at leaſt before the Meeting for ſuch Election, and ſo from Time to Time upon the Death, Refuſal to act, or Diſqualification of any Proprietary Truſtee, who ſhall be elected in purſuance of this Act, ſo as to make up and keep complete the full Number of Eighteen Proprietary Truſtees; and all Perſons ſo elected ſhall have the ſame Power and Authority, to all Intents and Purpoſes, as they would or could have had in caſe they had been originally named and appointed Truſtees in and by this Act, provided the Perſon or Perſons ſo elected ſhall have the ſame Qualification as is required by the ſaid firſt recited Act, (except ſo far as the ſame is hereby repealed,) and ſhall, previous to his or their acting in the Execution of the ſaid Power and Authority, certify in Writing, under his or their Hand or Hands, in what his Qualification to act as a Truſtee or Truſtees conſiſts, and ſhall alſo take and ſubſcribe the Oath following;

Oath.

'I *A. B.* do ſwear, That I am truly and *bonâ fide*, in my own Right, poſſeſſed of ſuch Qualification as entitles me to act as a Truſtee for putting in Execution an Act, paſſed in the Forty-fourth Year of the Reign of His Majeſty King *George* the Third, intituled, [*here ſet forth the Title of this Act*], and the Acts therein mentioned, and

that

'that I will truly and faithfully execute the Truſts and Powers repoſed 'in me by the ſaid Acts.

'So help me GOD.'

Which Oath any Two or more of the ſaid Truſtees are hereby empowered and required to adminiſter; and if any Perſon who ſhall be ſo elected a Truſtee ſhall preſume to act as ſuch without being qualified in Manner required by the ſaid firſt recited Act, (except ſo far as the ſame is hereby repealed,) every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Two hundred Pounds, to be recovered in Manner herein-after mentioned; and every ſuch Perſon ſo ſued or proſecuted ſhall prove that he was, at the Time of acting, qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, with full Coſts of Suit, without any other Proof or Evidence being given on the Part of the Plaintiff or Proſecutor, than that ſuch Perſon had acted as a Truſtee in the Execution of the ſaid recited Acts and this Act, or either of them.

Power to take an additional Rate on Tonnage of Ships, *etc.*

VII. And be it further enacted, That, from and after the Twenty-fourth Day of *June* One thouſand eight hundred and five, there ſhall be paid to the Truſtees appointed by or in purſuance of the ſaid firſt recited Act and of this Act, or to ſuch Perſon or Perſons as they ſhall appoint, from the Maſter or Commander, Owner or Owners, of every Ship or Veſſel entering into or going out of the ſaid Harbour of *Swanſea*, (not being a Ship of War, or in the Service of His Majeſty, His Heirs or Succeſſors, or a Fiſhing Veſſel,) the ſeveral Rates and Duties herein-after mentioned; (that is to ſay,) One Penny for every Ton of the Burthen or Tonnage, by Admeaſurement, of ſuch Ship or Veſſel, to be aſcertained by the Cuſtom Houſe Certificate of Regiſtry thereof; and from and after the Twenty-fourth Day of *June* One thouſand eight hundred and Six, there ſhall be paid, in Manner aforeſaid, an additional Penny for every Ton of the Burthen or Tonnage, by Admeaſurement, of ſuch Ship or Veſſel, to be aſcertained in like Manner; which ſaid Rates and Duties hereby granted ſhall be continued and raiſed until the Expence of the Works herein-after particularly mentioned, (over and above ſuch Part of the ſame Expence as ſhall be paid by the Rates and Duties granted by the ſaid firſt recited Act, and the Money borrowed and to be borrowed under the Authority thereof, and the Money to be raiſed for that Purpoſe, and the Intereſt thereof, with the Intereſt of the Money already borrowed, and the Coſts, Charges, and Expences attending the paſſing of this Act, ſhall be fully paid, together with the Expences which, during ſuch Time, may happen incidentally in executing the Powers and Proviſions of the ſaid recited Acts and this Act, (except ſuch Expences as may ariſe in making any Gates, Docks, or Baſons, or otherwiſe for the Purpoſe of making the ſaid Harbour a Floating Harbour, or any Floating Baſons or Docks, or in maintaining or repairing the ſame, the Whole of which are to be paid out of the Rates and Duties granted by the ſaid firſt recited Act, after the Works herein-after particularly directed ſhall be completed,) and ſhall be paid in Addition to the Rates and Duties charged by virtue of the ſaid recited Acts; and the aforeſaid Rates and Duties hereby granted ſhall be and the ſame are hereby veſted in the ſaid Truſtees, and ſhall be demanded, levied, and diſtrained for, collected and recovered, in the ſame Manner, as in and by the ſaid firſt mentioned Act is declared with reſpect to the Rate or Duty of Two-pence *per* Ton, thereby authorized to be received.

Ships not to be cleared at the Cuſtom Houſe, till Rates are paid, &c.

VIII. And be it further enacted, That no Ship or Veſſel, liable or ſubject to the Payment of the ſaid Rates and Duties granted by the ſaid Acts or this Act, or any or either of them, ſhall be permitted to clear at the Cuſtom Houſe of any of the Ports wherein the ſaid Rates and Duties are reſpectively payable, until the ſame ſhall have been paid, and a Certificate thereof, under the Hand of the Receiver of the ſaid Rates and Duties at ſuch Ports reſpectively, produced and left in the Cuſtom Houſe thereof, and which Certificates ſhall be there regularly filed; which Files ſhall be delivered to the ſaid Truſtees, or to their Clerk, as often as the ſame ſhall be required; and in Default thereof, the Officer or Officers who ſhall clear any ſuch Ship or Veſſel without the aforeſaid Proof of Payment, ſhall forfeit and pay for every ſuch Offence the Sum of Fifty Pounds.

Power to raiſe Money.

IX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees for the Time being to borrow and raiſe at Intereſt, on the Security of the Rates and Duties granted by this Act, (but without Prejudice to the Security of ſuch Perſons as have already lent Money, or ſhall hereafter lend Money under the ſaid recited Acts,) any Sum or Sums of Money, not exceeding in the Whole the Sum of Ten thouſand Pounds, in Addition to the Money which has been or may be borrowed under the ſaid recited Acts, or either of them; and that the Money ſo to be borrowed under the Authority of this Act ſhall be ſecured, and ſuch Securities ſhall and may afterwards be tranſferable in the ſame Manner and Form as is directed by the ſaid firſt recited Act, with reſpect to the Money borrowed or to be borrowed under the Authority thereof.

Application of the Rates.

X. And be it further enacted, That the Rates and Duties to be collected or received under the Authority of this Act ſhall be firſt applied in the Payment of the Coſts, Charges, and Expences, incident to or attending the obtaining and paſſing of this Act; and then in paying the Intereſt of the Money which may be borrowed under the Authority of this Act, Half-yearly, as the ſame ſhall become due; and then, together with the Rates and Duties granted by the ſaid firſt recited Act, and the Money borrowed or to be borrowed under the ſame Act, (but ſubject and without prejudice to the Rights of the Creditors of the ſaid Truſt, and the Means given by the ſaid recited Acts, or either of them, for recovering the Money due to them, and ſubject to the Expence of maintaining the Light Houſes at the *Mumbles*, and at the Pier Head, and ſubject and without Prejudice to the Powers veſted in the ſaid Truſtees, of applying the Rates and Duties granted by the ſaid firſt recited Act, and the Money borrowed and to be borrowed under the Authority thereof, in removing Paddocks and other Obſtructions in or near the ſaid Harbour of *Swanſea*,) in paying the current Expences and Repairs which may be neceſſary in executing the Powers and Authorities of the ſaid Acts and this Act; and then in building and completing a ſufficient Jetty at the South-eaſt End of the preſent Pier; and then in building and completing a ſufficient Pier from *Salt Houſe Point*, towards the preſent Weſtern Pier, with a ſufficient Jetty thereto; and then in deepening the Harbour of *Swanſea*, from the Ferrypool to the Heads of the Piers, and ſo far further as ſhall be deemed neceſſary, of a ſufficient Width and Depth, and then in removing all Paddocks or Accumulations of Sand, Mud, Gravel, Stones, and Rubbiſh, which are or may be formed in the navigable Part of

of the River *Tawe*; and then the ſaid Rates and Duties payable under the Authority of this Act ſhall be applied in diſcharging the Principal Money which ſhall be borrowed under the Authority of this Act.

Rates to be paid into the Treaſurer's Hands without Deduction.

XI. And be it further enacted, That no Expences or Charges ſhall be allowed to be deducted or retained by the Perſon or Perſons who may be authorized to collect the Rates and Duties granted by the ſaid recited Acts or this Act, but that all ſuch Rates and Duties ſhall be paid by him or them into the Treaſurer's Hands, and ſhall not be afterwards paid or allowed by the ſaid Treaſurer (except as herein-after is directed) on any Account, except under an Order in Writing of the ſaid Truſtees, or any Five or more of them, in Meeting aſſembled, ſpecifying not only the Amount of the Sum to be paid, and the Perſon to whom or to whoſe Order the ſame ſhall be paid, but alſo the Account, or Work or Works, in reſpect of which the ſame ſhall be paid.

For the better ſecuring the Payment of the Intereſt of Monies.

XII. And be it further enacted, That, in order to ſecure the regular Payment of the Intereſt of the Money due and to grow due, under the Authority of the ſaid recited Acts and of this Act, the ſaid Treaſurer ſhall, upon the Demand of any Perſon or Perſons who ſhall be entitled to the Intereſt of any Principal Sum or Sums due or to be due, and ſecured upon the Rates or Duties granted by the ſaid recited Acts or this Act, pay to him, her, or them, or to his, her, or their Order, the Amount of ſuch Intereſt Half-yearly, as the ſame ſhall become due; and in caſe ſuch Treaſurer ſhall make any Payment whatſoever, without firſt reſerving a ſufficient Sum of Money for Payment of the Intereſt then due, ſuch Treaſurer ſhall be perſonally anſwerable to the Perſon or Perſons entitled to ſuch Intereſt for the Amount thereof, and ſhall be bound to pay the ſame to ſuch Perſon or Perſons as ſhall have Intereſt due to him, her, or them, and as ſhall firſt apply to ſuch Treaſurer for the ſame.

Directing an Account of the Amount of Intereſt due to the Creditors, to be made up Half-yearly.

XIII. And be it further enacted, That an Account, ſtating the Amount of Intereſt due to each of the Creditors of the ſaid Truſt, ſhall be made up Half-yearly by the Clerk to the ſaid Truſtees, within One Week after *Lady Day* and *Michaelmas Day* in every Year, and ſuch Account ſhall be delivered within the Time aforeſaid to the ſaid Treaſurer by the ſaid Clerk; and that it ſhall not be lawful for ſuch Treaſurer to make any Payment, upon any Account or for any Purpoſe relating to the ſaid Truſt, after *Lady Day* or *Michaelmas Day* in every Year, until ſuch Account ſhall be delivered to him; and that in caſe the ſaid Clerk ſhall neglect to prepare and deliver ſuch Account to the ſaid Treaſurer within the Periods aforeſaid, or ſhall wilfully or negligently deliver a falſe Account to the ſaid Treaſurer, ſuch Clerk ſhall forfeit and pay the Sum of Fifty Pounds for every ſuch Offence, to be recovered in Manner herein-after mentioned.

Power for the Truſtees to purchaſe certain Weirs on the Beach, to the Eaſtward of *Swanſea* Harbour.

XIV. And whereas Weirs placed on the Beach to the Eaſtward of *Swanſea* Harbour have been found prejudicial to the Entrance of the ſaid Harbour, be it therefore enacted, That it ſhall be lawful for the ſaid Truſtees to agree with the Owners and Occupiers of all ſuch Weirs as are or may be prejudicial to the ſaid Harbour for the Purchaſe or Renting thereof, and to pay the Purchaſe Money for the ſame out of the Rates

Rates and Duties hereby granted, or out of any Money to be borrowed under the Authority of this Act, in preference to any Payment except Intereſt, and the Coſts and Charges of obtaining and paſſing this Act; and then to cauſe ſuch Weirs to be removed; and it ſhall not be lawful for any Perſon or Perſons in future to erect, ſet up, or place, or cauſe or procure to be erected, ſet up, or placed, any Weir which may be removed as aforeſaid, or any other Weir or other Device, Matter, or Thing, which may be prejudicial to the ſaid Harbour, below High Water Mark, to the Eaſtward of the ſaid Harbour, other than and except in or upon ſuch Place or Places only as ſhall be approved by the ſaid Truſtees, after ſuch Place or Places ſhall have been examined by ſome Perſon or Perſons competent to decide whether ſuch Weir or other Device, Matter, or Thing, may be prejudicial to the ſaid Harbour or not; and that in caſe ſuch Weir, Device, Matter, or Thing ſhall be erected, ſet up, or placed, with ſuch Approbation as aforeſaid, the ſame ſhall and may be removed by the ſaid Truſtees, provided the ſame ſhall afterwards be found to be prejudicial to the ſaid Harbour.

Truſtees to make a Culvert for conveying Water uſed in working a Mill near the Foundry at *Swanſea*.

XV. And whereas a Mill hath been erected near the Foundry in the ſaid Town of *Swanſea*, which Mill, when the Harbour of *Swanſea* ſhall be made a Floating Harbour, it is apprehended will be rendered uſeleſs; be it therefore further enacted, That the ſaid Truſtees ſhall and they are hereby required, previous to the ſaid Harbour being made a Floating Harbour, out of the Rates and Duties granted by the ſaid firſt recited Act, (but not out of the Rates granted by this Act, or the Money to be borrowed under the Authority hereof,) to make a good and ſufficient Culvert for the Purpoſe of conveying ſuch Water as ſhall be uſed in working the ſaid Mill on the Outſide of the Stop Gates authorized to be made by virtue of the ſaid firſt recited Act, and by and out of the Money ariſing by virtue of the ſaid firſt recited Act to keep and maintain the ſaid Culvert in good and ſufficient Repair.

Truſtees to take Securities from their Officers, *etc.* for the faithful Execution of their Duty.

XVI. And be it further enacted, That the ſaid Truſtees ſhall take ſufficient Security from the ſeveral Perſons to be appointed Treaſurer, Receiver, or Collector of the ſaid Rates and Duties, to be raiſed under the Authority of the ſaid recited Acts, or either of them, or this Act, for the due Execution of their reſpective Offices; and that ſuch Treaſurer and Receiver, as well as the Collector and Comptroller of the Cuſtoms at the different Ports where the Light Houſe Duty is by the ſaid Acts, or either of them, directed to be paid, or ſuch other Perſon or Perſons who now are or ſhall at any Time hereafter be appointed by the ſaid Truſtees for receiving the ſame, ſhall reſpectively, at ſuch Time and Times, and in ſuch Manner and Form, as the ſaid Truſtees ſhall order and direct, deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, true and perfect Accounts in Writing under their Hands, of all Matters and Things committed to their Charge under the Authority of the ſaid recited Acts or of this Act, and alſo of all the Monies which ſhall have been or ought to be received by ſuch Treaſurer, Receiver, Collector, Comptroller, Perſon or Perſons reſpectively, by virtue and for the Purpoſes of the ſaid recited Acts or of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſe, together with the proper Vouchers for ſuch Payments, and ſhall forthwith pay all ſuch Monies as upon the Balance of ſuch Accounts ſhall appear

appear to remain in his or their reſpective Hands, to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe; and the ſaid Treaſurer, Receiver, Collectors, Comptrollers, and Perſons ſo liable to account as aforeſaid, ſhall verify the ſaid Accounts upon Oath, if required (which Oath the ſaid Truſtees, or any Three or more of them, or any Juſtice of the Peace acting in and for the County wherein the Perſon making the ſame ſhall reſide, are hereby empowered and required to adminiſter); and if any Treaſurer, Receiver, Collector, Comptroller, or other Perſon or Perſons as aforeſaid, ſhall not, upon Demand made to him or them reſpectively, make and render ſuch Account, or ſhall refuſe or neglect to verify the ſame upon Oath, in Manner and Form aforeſaid, when required, or to produce and deliver up the Vouchers relating to the ſame, or to make Payment of the Balance appearing to be due from them reſpectively as aforeſaid, to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, or ſhall not deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, within Twenty-one Days after being thereunto required by Notice in Writing given to or left at his or their laſt or uſual Place or Places of Abode, all Books, Papers, and Writings, in his or their Cuſtody or Power, relating to the Execution of the ſaid Acts or of this Act, then and in any or either of the ſaid Caſes the ſaid Treaſurer, Receiver, Collector, Comptroller, or other Perſon or Perſons ſo refuſing or neglecting, ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds, over and above any Sum or Sums of Money which ſhall be due and owing from him or them to the ſaid Truſt.

Truſtees may bring Actions againſt their Officers, *etc.*

XVII. And be it further enacted, That the ſaid Truſtees may and they are hereby authorized and required to bring or cauſe to be brought, either in their own Names, or in the Names of any Two or more of them, any Action or Actions in any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere, againſt the Treaſurer, Receiver, Collector, Comptroller, or Perſon or Perſons ſo refuſing or neglecting as aforeſaid, for the Recovery of the Monies which ſhall or ought to be in his or their Hands reſpectively, and of ſuch Books, Papers, and other Things, as they ought to deliver up to the ſaid Truſtees or to their Order, and ſhall recover the ſame, together with full Coſts of Suit, in Manner hereinafter mentioned.

Regulation reſpecting Contracts.

XVIII. And whereas by the ſaid firſt recited Act it is enacted, that no more than Two-thirds of the Money agreed to be paid by any Contract made in purſuance of the ſaid Act ſhould be advanced before the Completion of the Work contracted for, which Reſtriction hath been found inconvenient; be it therefore further enacted, That, provided the ſaid Truſtees ſhall take effectual Security (ſuch Security not being perſonal alone) for the Completion of ſuch Contracts reſpectively as they ſhall enter into, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, from Time to Time, to pay for the Work which may be ſo contracted to be done, when and as the ſame ſhall be going forward; but no ſuch Payment ſhall be conſidered as concluſive; but if at any future Period the Work ſo paid for ſhall be found bad or inſufficient, the ſame ſhall be made good by the Perſon or Perſons who had contracted to do the ſame, or by the Perſon or Perſons who ſhall have given ſuch Security as aforeſaid, and ſuch Security ſhall remain valid until the whole

Contract ſhall be performed, and the whole Work done ſhall be finally approved of and found ſufficient.

Penalty on Perſons caſting Anchors in the River *Tawe*, when there are ſufficient Chains, *etc.* for that Purpoſe.

XIX. And whereas by the ſaid firſt recited Act it is enacted, that it ſhould and might be lawful to and for the ſaid Truſtees to erect and place Mooring Rings, Chains, and Capſterns, at proper and convenient Places near the Mouth and on the Sides of the ſaid River, not beyond the Iron Foundry and oppoſite thereto; and that after ſuch Mooring Rings, Chains, and Capſterns ſhould be ſo erected and placed, no Ship or Veſſel ſhould moor with an Anchor in the River, provided there ſhould be convenient Poſts, Rings, and Chains for mooring the ſame, (except by Streſs of Weather, and that for Twenty-four Hours only,) to be aſcertained by the Water Bailiff of the ſaid Harbour, his Officers, or Perſons acting under him: And whereas no ſpecifick Penalty is impoſed upon any Perſon offending againſt that Part of the ſaid recited Act, be it therefore enacted, That if any Maſter or Owner of any Ship or Veſſel, or other Perſon having the Care or Command thereof, ſhall at any Time, when there are ſufficient Rings, Chains, and Poſts for mooring the ſame, (except as aforeſaid,) caſt Anchor in any Part of the ſaid River *Tawe*, and ſhall be thereof lawfully convicted on the Oath of One or more credible Witneſs or Witneſſes, before One of His Majeſty's Juſtices of the Peace for the County of *Glamorgan*, or before the Portreeve of the Borough of *Swanſea* for the Time being, every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence a Sum not exceeding Thirty Pounds nor leſs than Five Pounds, at the Diſcretion of ſuch Juſtice or Portreeve, ſuch Penalty, together with reaſonable Coſts, to be levied by Diſtreſs and Sale of ſo much of the Tackle, Apparel, or Furniture of ſuch Ship or Veſſel, as ſhall be ſufficient to anſwer the ſaid Penalty and Coſts, rendering the Overplus (if any) to the Owner, Maſter, or other Perſon having the Care or Command of ſuch Ship or Veſſel as aforeſaid.

For preventing the Sides of the River from wearing away.

XX. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby required to cauſe or permit Slag or other Materials to be depoſited and laid on the Sides of the ſaid River, in order to prevent the Banks thereof from wearing away by Land Floods or otherwiſe, as far up the ſaid River as the Navigation of the ſame extends: Provided always, that in the doing thereof no Damage or Injury be done to the ſaid Navigation.

Truſtees to appoint Places for the laying of Ballaſt.

XXI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, from Time to Time, to appoint a Place or Places on the Outſide of the Weſtern Pier, and on the Outſide of the intended Eaſtern Pier, within the Harbour of *Swanſea*, for the laying or depoſiting of Ballaſt, and that it ſhall and may be lawful for any Perſon or Perſons whomſoever to diſcharge and depoſit Ballaſt upon ſuch Place or Places, provided the doing thereof ſhall not injure the ſaid Harbour and River; any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

For Recovery of Penalties.

XXII. And be it further enacted, That all Penalties, Fines, and Forfeitures, inflicted by this Act, (except for caſting Anchor in the River *Tawe* as before mentioned), ſhall be recovered by any Perſon or Perſons, who ſhall ſue for the ſame, with full Coſts of Suit, by Action of Debt,

or

or by Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster* or elsewhere, in which no Protection, Wager of Law, or more than One Imparlance shall be allowed, and on the Trial thereof any Inhabitant of the said Town of *Swansea*, not otherwise disqualified or disabled by Law, shall be admitted to give Evidence, and be deemed a competent Witness; and One Moiety of every such Penalty, Fine, and Forfeiture, shall belong to and be paid to the Person or Persons who shall inform or sue for the same, and the other Moiety thereof shall be paid to the Order of the said Trustees, and applied to the Purposes of this Act and the said recited Acts.

Extending the Powers of the former Act to this Act.

XXIII. And be it further enacted, That all the Clauses and Powers in the said former Acts contained, and all and every Part of them (except so far as the same, or any Part of them, are hereby varied or altered) shall extend and be construed to extend to this Act, as fully and effectually as if the same were repeated and re-enacted in this Act.

Application of Compensation Money when amounting to 200*l.*

XXIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used, by virtue of the Powers of the said recited Acts and of this Act, or either of them, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, or Person or Persons under any other Disability or Incapacity, as in the said first recited Act particularly mentioned, such Money shall, in case the same shall amount to 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 High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the said recited Acts and this Act, 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 a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Hereditaments in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or 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 or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would

for

for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation Money is leſs than 200*l.* and more than 20*l.*

XXV. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands or Hereditaments purchaſed, taken, or uſed, for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall (at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands) be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid (at the like Option) to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees, (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 ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20*l.*

XXVI. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid, as next before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid Acts and this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles;

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank;

XXVII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees; or in caſe ſuch Perſon or Perſons, to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, [*deſcribing them*], ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of

ſubject to the Order of the

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

Court of Chancery, on Motion or Petition.

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

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto, according to ſuch Poſſeſſion.

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

The Court may order reaſonable Expences of Purchaſers to be paid by the Truſtees.

Declaring the Act Publick.

XXX. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and all other Perſons whomſoever, without the ſame being ſpecially pleaded.

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