ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. XCIII.

An Act to amend and render more effectual an Act, made in the Thirty-firſt Year of His preſent Majeſty, *for repairing, enlarging, and preſerving, the Harbour of* Swanſea, *in the County of* Glamorgan; and for making Improvements in the Lights at *The Mumbles*. [14th *May* 1796.]

Preamble. 31 *Geo.* III, Cap. 83.

WHEREAS an Act, paſſed in the Thirty-firſt Year of the Reign of His preſent Majeſty, *for repairing, enlarging, and preſerving, the Harbour of* Swanſea, *in the County of* Glamorgan, empowering the Truſtees therein named (among other Works thereby directed to be done) to erect a ſufficient Building for keeping a Coal or other Light at *The Mumbles*, and granted certain Duties therein mentioned towards ſupporting the ſame: And whereas the ſaid Truſtees have, at a great Expence, complied with the Directions of the ſaid Act, and the Light has been found exceedingly beneficial, not only to the Safety of Ships and Veſſels mooring in, or reſorting to the Places and Diſtricts in the ſaid Act mentioned, but to others alſo navigating the *Briſtol Channel* or *Severn Sea*, not ſubject to the ſaid Duties; which it is juſt and reaſonable ſhould

be made ſubject and liable thereto: And whereas the Expence of erecting and maintaining the ſaid Lighthouſe and Lights hath far exceeded the Sum eſtimated for that Purpoſe; and the ſaid Truſtees find their Truſt ſo burthened in conſequence thereof, that they muſt be under the Neceſſity of diſcontinuing the Lights, unleſs ſome further Aid is given towards the Maintenance and Support of the ſame, by ſubjecting the Ships and Veſſels navigating the *Briſtol Channel* or *Severn Sea* (within preſcribed Limits) to the Payment of the Duties before mentioned: And whereas the ſaid Truſtees conceive that (if they were enabled to defray the Expence) ſuch great Improvements may be made in the ſaid Lights as to render them of more general and publick Utility; but as the ſame cannot be effected without the Aid and Authority of Parliament: May it 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 Twenty-fourth Day of *June* One thouſand ſeven hundred and ninety-ſix, it ſhall and may be lawful to and for the Truſtees appointed by or in purſuance of the ſaid former Act, either to continue the preſent Building for the keeping a Light or Lights at the ſaid Place called *The Mumbles*, or to erect, in Manner therein mentioned, and not otherwiſe, any ſuch additional or other ſufficient Building there for the keeping a Light or Lights with Oil and Argand Lamps and Reflectors, on the beſt and moſt improved Principle, or any other Light or Lights on more improved and effectual Principles that may hereafter be thought of and brought into uſe, and to cauſe ſuch Light or Lights to be kept conſtantly burning, during the Time and for the Purpoſe by the ſaid Act directed.

Power to improve the Lights at *The Mumbles*.

Extending the Limits charged with Rates towards the Lights.

II. And, in order to carry into effectual Execution the Purpoſes of the ſaid former and this preſent Act, by raiſing a Fund to defray the ſame, be it enacted, That, from and after the Completion of the Improvements aforeſaid, and Notice thereof having been publiſhed Three Times in the *London Gazette*, and in the *Briſtol* and other Newſpapers, (and not before), all Ships or Veſſels mooring in (inſtead of the Limits preſcribed by the ſaid former Act) *The Mumbles*, or in *The Mumbles Road*, or in any Part of *Swanſea Bay*, or any Bay within the Port of *Swanſea*, or reſorting to any Port, Creek, Harbour, or Road, between the *Naſs Point* and *Wormſhead*, or any other Bay, Road, Sound, Port, Creek, or Harbour, between a Line to be drawn acroſs from the *Naſs Point*, in the County of *Glamorgan*, to or near *Horeſtone* otherwiſe *Horſedown Point*, in the County of *Somerſet*, on the Eaſt, and in a Line to be drawn acroſs from *Hartland Point*, in the County of *Devon*, to the oppoſite Shore and Main Land at or near *Leadſtep Point*, near *Manerbere*, in the County of *Pembroke*, on the Weſt, and navigating the *Briſtol Channel* or *Severn Sea* within the Limits above ſet forth and delineated, (except Veſſels carrying Limeſtones of the Burden of Ten Tons by Admeaſurement, in Manner as in the ſaid recited Act is mentioned, or Fiſhing Boats and Veſſels, or thoſe under the Burden of Ten Tons reſpectively), ſhall be aſſeſſable and pay to ſuch Light or Lights after the Rate of One Farthing *per* Ton for each and every ſuch mooring or reſorting to, or for each and every Voyage to or from ſuch reſpective Places, or for paſſing by, or for any Occaſion of croſſing and re-croſſing, and uſing the ſaid Light or Lights.

Exempting certain Veſſels.

III. Provided

Other Exemptions.

III. Provided always, That nothing herein contained ſhall extend to charge with any Rate as aforeſaid any Ship or Veſſel (having once paid the ſame) which ſhall, by Tempeſt or Streſs of Weather, be unavoidably forced back to repaſs and make uſe of the ſaid Light or Lights without having completed the deſtined Voyage, or otherwiſe diſcharged her Lading or Cargo; any Reſtriction with regard to Place, Situation, or Limits, in the ſaid former Act contained, to the contrary in anywiſe notwithſtanding.

Foreign Ships to pay Rates.

IV. Provided alſo, That all Ships and Veſſels of Aliens or Foreigners mooring within the Limits before mentioned, or reſorting thereto, or for paſſing by, or for any Occaſion of croſſing and recroſſing, and uſing the ſaid Light or Lights as aforeſaid, ſhall be ſubject and liable to pay One Halfpenny *per* Ton.

Rate to be collected and paid as the former Rates.

V. And be it further enacted, That the aforeſaid Rate or Duty ſhall be collected and paid at the ſeveral Places in the ſaid recited Act mentioned for collecting the Duty thereby impoſed, and at all other Ports and Places within the Limits aforeſaid, as alſo at any Port or Place in *Great Britain* where Ships or Veſſels having received the Uſe, Benefit, and Advantage of the ſaid Light or Lights within the Diſtances and Limits aforeſaid, and not producing a Receipt or Clearance as having paid the ſaid Rate for the ſame, may arrive, touch, or depart from, to the Collector or Comptroller of the Cuſtoms at either of thoſe Ports or Places, or to the Order of the ſaid Truſtees, for the Purpoſes and in Manner directed by the ſaid recited Act, and ſhall and may be leſſened, and again reſtored, with the like Allowance for the Trouble of receiving and paying the ſame into the Hands of the Treaſurer at *Swanſea*, and Remedies for recovering thereof, as are by the ſaid recited Act with reſpect to the Rate thereby made payable for any Light or Lights ſet down and preſcribed.

Veſſels above Two hundred Tons not to be charged with the Duty but in certain Caſes.

VI. Provided always, and be it further enacted, That nothing herein contained ſhall extend to charge with the ſaid Rate and Duty any Ships or Veſſels, *Britiſh* or Foreign, of Two hundred Tons and upwards by the Admeaſurement thereof, to be aſcertained by the Cuſtom Houſe Regiſter of the ſame, for or with reſpect to any Voyages to or from the Port of the City of *Briſtol*, unleſs it be on Voyages to or from any Port or Place between the *Wormſhead* and the *Naſs Point* aforeſaid, in which Caſe they are to pay as others do, by virtue of the ſaid Acts reſpectively; and alſo, that nothing herein contained ſhall extend to charge any Ships or Veſſels as aforeſaid, under that Burden, for or with reſpect to any Voyage to or from the Port of the ſaid City of *Briſtol*, (except as to Voyages to or from any Port or Place between the *Wormſhead* and *Naſs Point* as aforeſaid, in which Caſe they are liable and aſſeſſable alſo to the full Rate and Duty as all others are by this and the ſaid recited Act), with more than One Half of the ſaid Rate or Duty, that is to ſay, with the Payment of Half a Farthing *per* Ton on *Britiſh*, and of One Farthing *per* Ton on Foreign Ships and Veſſels reſpectively; any Thing in this or the ſaid former Act contained to the contrary notwithſtanding.

Power to raiſe a further Sum of Money.

VII. And, in order that a ſufficient Sum of Money may be raiſed for more immediately effecting the Purpoſes of this Act, be it further enacted, That

That it shall and may be lawful to and for the said Trustees, from Time to Time, upon the Credit of the several and respective Duties by the said recited and this present Act authorized to be collected and levied, to borrow any Sum or Sums of Money, not exceeding in the Whole Three thousand Pounds (in Addition to the Sum authorized to be raised by the said former Act), and by Writing under their Hands and Seals to assign such respective Duties as a Security for Repayment of the Money borrowed, all which Assignments shall be in the Words, or to the Effect following:

Form of Assignment.

'BY virtue of an Act, passed in the Thirty-first Year of the Reign of His Majesty King *George* the Third, *for repairing, enlarging, and improving, the Harbour of* Swansea, *in the County of* Glamorgan; and of an Act, passed in the Thirty-sixth Year of His said Majesty's Reign, *to amend and render more effectual the said Act, and for making Improvements in the Lights at* The Mumbles; We, Trustees, appointed by or in pursuance of the first-mentioned Act, in Consideration of the Sum of of lawful Money to our Treasurer in Hand paid by *A. B.* of do assign unto the said *A. B.* Executors, Administrators, and Assigns, all and singular the Rates and Duties arising by virtue of the said several Acts, to hold until the said Sum of together with Interest for the same, after the Rate of *per Centum per Annum*, shall be fully paid. Given under our Hands and Seals this Day of

Copies of all which Assignments or Securities, or Abstracts thereof, shall be entered in a Book or Books to be kept for that Purpose; and all and every Sum and Sums of Money to be so borrowed, shall be applied in such Manner as the several and respective Duties by the said former and this present Act granted are directed to be applied, and to no other Use or Purpose whatsoever; and all and every Person to whom any Assignment shall be made as aforesaid, or who shall be entitled to the Money thereby secured, shall and may transfer such Assignment by Indorsement, in Manner directed by the said former Act.

Application of the Rates.

VIII. And be it further enacted, That all the Tolls and Duties under and by virtue of this present Act authorized to be collected and levied, and the Money to be borrowed on the Credit thereof, shall be applied in and towards the Expence of passing this present Act, and in and towards the Support, Improvement, and Maintenance of the said Lighthouse, and the Light there, and in reimbursing the Costs, Charges, and Expences, already incurred by the said Trustees, acting under and by virtue of the said recited Act, and in and about the erecting and Support thereof, after deducting and allowing the Net Tolls and Duties received as the Lighthouse Duties under the said recited Act; an Account of which last-mentioned Costs, Charges, and Expences, Tolls and Duties, shall be rendered in the First yearly Account to be delivered, as is hereinafter directed and required.

Tolls not to be applied towards making a floating Harbour.

IX. And be it further enacted, That the same Tolls and Duties hereby authorized to be collected and levied, shall not be applied to the making of the River of *Swansea* a floating Harbour, nor to the embanking, deepening, or cleansing the same, nor to the building or making of Walls, Piers, Slips, or Docks therein, nor to any other of the Pur-

poses

poſes of the ſaid recited Act, nor in any other Manner whatſoever, ſave as is before directed touching the ſame Tolls and Duties.

For keeping Accounts of the Receipts and Application of the Duties.

X. And be it further enacted, That the Truſtees for the Time being, acting in the Execution of this and the ſaid recited Act, or their proper Officers, ſhall, and they are directed and required to take, keep, ſtate, and make plain, full, particular, ſeparate and diſtinct Accounts of the Receipts, and of the Application and Expenditure of the Tolls and Duties under this preſent Act, and that a Copy of ſuch Account, ſubſcribed by Seven or more of the ſaid Truſtees, up to the Twenty-fourth Day of *June* in any Year after the Completion of the intended Improvements, and the attaching of the extended Duties; and Copies of all future Annual Accounts, ſubſcribed in like Manner, up to the Twenty-fourth Day of *June* yearly and every Year for ever thereafter, during the Continuance of ſuch Tolls, ſhall, within Three Calendar Months next enſuing each and every of the ſame Days reſpectively, be delivered to all and every the Receiver and Collector of the ſaid Tolls and Duties appointed and to be appointed by the ſaid Truſtees, at the City of *Briſtol*, and alſo to the Mayor of the ſaid City of *Briſtol*, and to the Maſter of the incorporated Society of Merchants Venturers, within the ſame City, for the Time being; and that if Default ſhall be made in the Delivery of ſuch Accounts, the ſaid Tolls and Duties ſhall from Time to Time ceaſe, and not be collected, from the Expiration of Three ſuch Calendar Months until the Delivery of the ſaid Accounts.

Such Accounts to be inſpected by Perſons having paid the Rates or Duties.

XI. And be it further enacted, That the Receiver or Collector appointed or to be appointed as aforeſaid ſhall, if required by any Perſon or Perſons paying or having paid the ſaid Rates or Duties, or by the Owner or Part Owner of any Ship or Veſſel liable or ſubject thereto, or paying or having paid the ſame, produce and ſhew, at all reaſonable Times, and without any Fee to be taken for the ſame, the ſaid Copies of the ſaid Accounts ſo to be delivered as aforeſaid, or ſuch of them as may be required as aforeſaid, and ſhall permit Extracts or Copies to be made or taken therefrom.

Ships entering inwards and clearing outwards not to be exempt from Duty.

XII. Provided alſo, and be it further enacted, That nothing herein contained is to extend, or be meant or conſtrued to extend, to exempt any Ships, *Britiſh* or Foreign whatſoever, or of any Burthen or Tonnage whatſoever, except as before excepted in regard to Fiſhing and Limeſtone Boats and Veſſels uſed altogether for thoſe Purpoſes, and thoſe under Ten Tons, mooring in and reſorting to, frequenting and uſing any Harbour, Road, Bay, Sound, Port, Creek, or Place, within the Limits and Diſtricts in this and the ſaid recited Act mentioned, and entering inwards and clearing outwards there reſpectively, and paſſing by, and croſſing and recroſſing, and uſing the ſaid Lights in Manner herein and therein mentioned, and by Means thereof liable and aſſeſſable thereto from the Payment of the Whole of the ſaid Rate and Duty of One Farthing on *Britiſh*, and One Halfpenny on Foreign Ships, *per* Ton, by the ſaid Acts reſpectively impoſed, and to be collected and gathered, other than what relates to the leſſening of the ſaid Rate and Duty in regard to the Port of the City of *Briſtol* as aforeſaid, and the Regulations concerning it there, but that this and the former Act ſtand and remain totally unaltered in that reſpect; any Thing in this or the ſaid former Act contained to the contrary notwithſtanding.

Further Power respecting the making of Bye Laws.

XIII. And whereas Doubts have arisen whether, under the Construction of a Clause contained in the said recited Act, for enabling the Trustees to make Bye Laws for regulating the Pilotage, Pilots, and Hoblers or Helpers of Ships within the River, Harbour, Port, and Bay of *Swansea*, the said Trustees are authorized to extend their Bye Laws to the Regulation of the Porterage, and Labour of Porters and Labourers employed within the same; be it therefore enacted, That it shall and may be lawful to and for the said Trustees to make such Bye Laws, Rules, Orders, and Regulations, as they shall think necessary and proper touching the Porterage and Labour of Porters and Labourers employed in the River, Harbour, Port, and Bay of *Swansea*, (conformable to the Provisions, Reservations, Notifications, and Regulations, contained in the said recited Act), and may from Time to Time rescind, vary, or alter, the same, as they shall think proper, and impose such Fines, Penalties, and Forfeitures, for the Breach or Non-observance of such Bye Laws, as are by the said recited Act imposed for the Non-observance of Bye Laws made in pursuance thereof.

Provisions of the recited Act extended to this Act.

XIV. And be it further enacted, That all the Clauses and Powers in the said former Act contained, and all and every Part of them, (except so far as the same, or any 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 present Act.

Publick Act.

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

FINIS.