ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

CAP. L.

An Act for repairing, deepening, enlarging, and preſerving, the Harbour of *Barmouth*, in the County of *Merioneth*. [3d *May* 1797.]

Preamble.

WHEREAS the Port of *Barmouth*, in the County of *Merioneth*, is a Place of very conſiderable and increaſing Reſort for Ships and Veſſels trading to and from the ſame, which are now more numerous and of larger Dimenſions than heretofore: And whereas the Harbour of the ſaid Port, by reaſon of a large Sand Bank formed therein, is become very unſafe and incommodious, to the great Detriment of the ſaid Port, and to the Danger and Inconvenience of Ships and Veſſels belonging to the ſame, the Owners of ſome of which, by reaſon of the Inſecurity of the ſaid Harbour, have been obliged to reſort to other Ports: And whereas it would be of great Benefit and Advantage to the Owners of

Veſſels, and Merchants trading to and from the ſaid Port, and of publick Utility, if the ſaid Harbour was properly enlarged, deepened, cleanſed, improved, and ſecured: But as the ſame cannot be effectually done 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 Sir *Thomas Moſtyn*, Sir *Watkin Williams Wynn*, Sir *Edward Price Lloyd*, Sir *Robert Williames Vaughan*, Baronets, *Edward Anwyl* of *Plaſbrith*, *William Anwyl* of the ſame, *John Anwyl* of *Hengae*, *David Anwyl* of *Llanyckil*, *Evan Anwyl* of *Llugwy*, *Edward Corbet* of *Tnyſymaengwyn*, *William Lloyd Doulben* of *Rhiwaedog*, *Hugh Davies* of *Plasuchaf*, *Hugh Davies* of *Cae'r-Pant*, *William Davies* of *Plaſiſaf*, *Griffith Dedwith* of *Barmouth*, *Price Edwards* of *Talgarth*, *John Edwards* of *Penrhyn*, *Henry Arthur Edwards* of *Braichcoch*, *Richard Edwards* of *Towyn*, *Rice Edwards* of the ſame, *Edward Edwards* of *Cerrigllwydion*, *Edward Lloyd Edwards* of the ſame, *John Edwards* of *Dolgelley*, *Evan Edwards* of *Penyſarn*, *Rees Edwards* of *Barmouth*, *Evan Evans* of *Dolgelley*, *David Ellis* of *Gwynfryn*, *Hugh Evans* of *Fronfelen*, *Lewis Evans* of *Eſgairgeiliog*, *John Foulks* of *Eriwied*, *John Forbes* of *Cefnbodig*, *Richard Garnons* of *Hendremawr*, *Richard Garnons* junior, of the ſame, *John Griffith* of *Taltreiddyn*, *Morris Griffith* of *Barmouth*, *John Griffith* of the ſame, Grocer, *John Griffith* of the ſame, *William Griffith* of the ſame, *Hugh Hatchett* of *Ty'n y Pwll*, *John Hughes* of *Gogarth*, *William Hughes* of the ſame, *John Herbert* of *Cwmcadian*, *John Owen Herbert* of the ſame, *Owen Humphreys* of *Llanfair*, *John Jones* of *Trefri*, *Lewis Jones* of *Dolgelley*, *Hugh Jones* of *Hengwrtuchaf*, *Hugh Jones* junior, of *Dolgelley*, *Rice Jones* of *Blaenau*, *John Jones* of *Acre*, *Lewis Jones* of *Cefnrug*, *Walter Jones* of the ſame, *John Jones* of *Ragat*, *Thomas Jones* of *Dolgelley*, *John Jones* of *Ty'n y Coed*, *William Jones* of *Barmouth*, *John Kenrick* of *Bron y Clydwr*, *Richard Kenrick* of *Ucheldref*, *John Kennedy* of *Gwanas*, *William Lloyd* of *Cwmheiſion*, *Edward Lloyd* of *Maeſmore*, *Bell Lloyd* of *Crogen*, *Richard Hughes Lloyd* of *Gwerclas*, *John Lloyd* of the ſame, *William Lloyd* of *Brynllefrith*, *Robert Lloyd* of *Cefnfaes*, *John Lloyd* of *Glanyrafon*, *William John Lenthal* of *Ucheldref*, *Evan Lloyd* of *Blaenglyn*, *William Lloyd* of *Barmouth*, *John Mytton* of *Mowddwy*, *William Alexander Madocks* of *Dolmelinllyn*, *Edward Davies Maurice* of *Towyn*, *Thomas Meredith* of *Dolgelley*, *John Meredith* of *Barmouth*, *Oliver Morris* of *Eſgairllafuryn*, *Robert Nanney* of *Maeſyneuodd*, *Lewis Nanney* of *Llwyn*, *Lewis Nanney* of *Maeſanghared*, *William Oakeley* of *Tan y Bwlch*, *William Griffith Oakeley* of the ſame, *Owen Ormſby* of *Glyn*, *Edward Owen* of *Garthanghared*, *John Owen* of *Ceſſelcwmbach*, *Henry Owen* of *Llwyndu*, *Maurice Owen* of *Tygwyn*, *Edward Owen* of *Pantphylip*, *Lewis Owen* of *Barmouth*, *Griffith Owen* of the ſame, *Richard Parry* of *Goppa*, *Jonathan Paſſingham* of *Hendwr*, *Robert Paſſingham* of the ſame, *Edward Pryce* of *Helygog*, *Lewis Pughe* of the ſame, *Richard Price* of *Rhiwlas*, *John Wynne Pugh* of *Laſynys*, *Howel Pugh* of *Brynmawr*, *William Pritchard* of *Barmouth*, *Paul Panton* of *Llwyngwern*, *Paul Panton* junior, of the ſame, *Howel Parry* of *Dolgelley*, *John Griffith Parry* of *Hendreforion*, *Griffith Pryſe* of *Braichyceunant*, *Richard Poole* of *Caeneſt*, *Owen Anthony Poole* of the ſame, *Thomas Richards* of *Coed*, *Richard Richards* of *Caerynwch*, *Edward Roberts* of *Glandwr*, *Robert Roberts* of *Dolgelley*, *Griffith*

Truſtees.

Richards of *Glanllyn*, *Ellis Rowlands* of *Dolgelley*, *Griffith Roberts* of *Barmouth*, *Robert Roberts* of *Barmouth*, *Robert Roberts* of *Rhiwgoch*, *Edward Williames Vaughan Salusbury* of *Rûg*, *Edward Scott* of *Bodtalog*, *Peter Titley* of *Llanegrin*, *James Tamberlain* of *Dolgelley*, *John Thomas* of the same, *Richard Tybbotts* of *Aberganolwyn*, *Griffydd ap Howell Vaughan* of *Hengwrt*, *John Vaughan* of *Penmaendyfi*, *Lewis Vaughan* of the same, *John Vaughan* of *Hafodtywyll*, *William Wynne* of *Peniarth*, *Robert Watkin Wynne* of *Cwmmere*, *John Wynne* of *Dolymoch*, *John Wynne* of *Meyarth*, *John Williams* of *Peniarthuchaf*, *William Williams* of *Crugennan*, *Rowland Williams* of *Ynysgwrtheirn*, *William Williams* of *Caegronw*, *William Williams* of *Islaw'rffordd*, *John Williams* of *Llanelltyd*, the Reverend *Rice Anwyl* of *Llanyckil*, *William Anwyl* of *Llandeckwyn*, *Thomas Davies* of *Llandderfel*, *Richard Hughes* of *Dolgelley*, *Evan Herbert* of *Llanfachreth*, *Evan Jones* of *Llangower*, *Owen Jones* of *Llandeckwyn*, *Simon Lloyd* of *Bala*, *Lloyd* of *Brynadda*, *William Lloyd* of *Blaenglyn*, *John Lloyd* of *Pale*, *Pryce Maurice* of *Towyn*, *Robert Morgans* of *Plascanol*, *Robert Nanney* of *Llwyn*, *Richard Nanney* of *Cefndeuddwr*, *Griffith Owen* of *Llanenddwyn*, *Lewis Owen* of *Waunfach*, *Robert Owen* of the same, *Francis Parry* of *Hendreforion*, *Robert Roberts* of *Friog*, *Robert Roberts* of *Coed Cae du*, *John Titley* of *Llanegrin*, *David Williams* of *Ty Cerrig*, *John Williams* of the same, *John Wynne* of *Gwengraig*, *William Williams* of *Ty Isaf*, Clerks, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby constituted and appointed Trustees for putting this Act in Execution.

Times and Places for holding the Meetings of Trustees.

II. And be it further enacted, That Four General Quarterly Meetings of the said Trustees shall be held at such House or Place in *Barmouth* aforesaid, as they, or any Five or more of them, shall from Time to Time appoint, upon the First *Monday* in *January*, the First *Monday* in *April*, the First *Monday* in *July*, and the First *Monday* in *October*, Yearly and every Year for ever, at each of which said Quarterly Meetings the said Trustees, or any Five or more of them, shall inspect, examine, audit, adjust, settle, and make up all the Accounts of the next preceding Quarter relating to the said Harbour; and that the First of the said Meetings shall be held at the House of *Lowry Lewis*, known by the Sign of *The Corsygedol Arms* in *Barmouth*, on the Third *Monday* next after the passing of this Act; and the said Trustees at all Meetings to be held for the Purposes of this Act, shall pay and defray their own Charges and Expences.

Trustees to pay their own Charges.

No Acts to be valid unless done at Meetings.

III. And be it further enacted, That all Acts, Matters, and Things hereby authorized or required to be done by any Five or more of the said Trustees, in Execution of any of the Powers or Authorities herein contained, shall be done at Meetings to be held in pursuance of this Act, and not otherwise; and if at any General Quarterly Meeting hereby appointed to be held, or at any Adjournment thereof, there shall not appear a sufficient Number of Trustees to act, the Trustee or Trustees then present, or the Clerk to the said Trustees, shall from Time to Time, as often as it shall so happen, adjourn the said Meeting, and appoint another to be held on that Day Fortnight, or such other Day as the Trustee or Trustees then present shall deem most expedient, at the Place where the last Meeting was appointed to have been held.

How Truſtees ſhall be elected in the Room of ſuch as ſhall die, &c.

IV. And be it further enacted, That in caſe any of the Perſons hereby conſtituted and appointed Truſtees, or who ſhall be elected or appointed in purſuance of this Act, ſhall die, reſign, or become diſqualified to act, that then and in ſuch Caſe, and as often as it ſhall ſo happen, it ſhall and may be lawful for the ſurviving Truſtees, and they, or any Five or more of them, are hereby required, within the Space of Four Calendar Months next after ſuch Death, Reſignation, or Diſqualification ſhall happen, or be known to have happened, to elect and appoint ſuch Perſon (having an Eſtate in Lands, Tenements, or Hereditaments in his own Right, or in Right of his Wife, within the ſaid County of *Merioneth*, of the clear Yearly Value of Twenty Pounds or more, or being Heir Apparent of a Perſon having an Eſtate in Lands, Tenements, or Hereditaments, within the ſaid County, of the Yearly Value of Forty Pounds or more, or having Perſonal Property to the Amount of Three hundred Pounds or upwards) as they ſhall think proper, to be a Truſtee inſtead of the Perſon ſo dying, reſigning, or being diſqualified as aforeſaid.

Perſons having Places under this Act, incapable of acting as Truſtees.

V. Provided always, and be it enacted, That in caſe any Perſon herein-before named and appointed a Truſtee, or who ſhall be elected a Truſtee in purſuance of this Act, ſhall take or accept of any Place of Profit ariſing or to ariſe out of the Rates or Duties hereby granted, or ſhall be concerned or intereſted in any Contract or Bargain made or to be made for executing all or any of the ſeveral Purpoſes of this Act, each and every ſuch Perſon, from and after the Time of accepting ſuch Place of Profit, and during the Time he ſhall hold and enjoy the ſame, or ſhall be concerned or intereſted in any Contract or Bargain as aforeſaid, ſhall be, and is hereby declared incapable of acting as a Truſtee in the Execution of this Act.

Penalties on Perſons acting as Truſtees, if not qualified.

VI. Provided alſo, and be it further enacted, That in caſe any Perſon herein-before appointed, or who ſhall be elected a Truſtee in purſuance of this Act, ſhall not at the Time of his acting as ſuch be qualified in Manner herein-before mentioned, each and every 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 in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed; and every Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty upon Proof given of his having acted as a Truſtee in the Execution of this Act.

Power to preſerve, deepen, and enlarge, the Harbour.

VII. And be it further enacted, That upon, from, and after the ſaid Third *Monday* next after the paſſing of this Act, it ſhall and may be lawful to and for the ſaid Truſtees, and they, or any Five or more of them, are hereby empowered to order and direct the ſaid Harbour of *Barmouth* to be ſcoured and cleanſed from Sand, Gravel, Shingle, Dirt, Mud, and all other Obſtructions whatſoever, and alſo to raiſe and make, or cauſe to be raiſed, and made, ſufficient Works from Time to Time for improving, enlarging, and preſerving the ſaid Harbour, and from Time to Time to repair, take down, and remove ſuch Works, or any of them,

as Occaſion ſhall require, for more effectually ſecuring, enlarging, and preſerving the ſaid Harbour, and to cleanſe, ſcour, and deepen, the Channel of the River *Mowddach*, and to erect ſuch Locks or other Works in or acroſs the ſaid River, as alſo ſuch Docks, Locks, Piers, Barriers, Jetteaus, Quays, Breaſt Works, or other Works, Buoys, Mooring Poſts, Cranes, Engines, Lamps, Lights, and Land Marks, as ſhall from Time to Time be adjudged neceſſary by the ſaid Truſtees, or any Five or more of them, as well for improving, enlarging, and preſerving the ſaid Harbour, as for the ſafe and commodious Entrance and Reception of all Ships and Veſſels reſorting thereto, and the convenient lading and unlading of the ſame.

Truſtees enabled to contract with Perſons for repairing the Harbour.

VIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to contract and agree with any Perſon or Perſons for the making or doing of all or any Part of the Work or Buſineſs neceſſary to be done for ſcouring, cleanſing, deepening, enlarging, and completing the ſaid Harbour of *Barmouth*, as alſo with any Perſon or Perſons for Timber, Stones, or other Materials to be uſed therein, and for keeping the ſame in Repair from Time to Time when finiſhed; and all Contracts ſo made ſhall be binding and concluſive to and upon all Parties and Perſons whomſoever.

Property of Piers, Quays, &c. veſted in Truſtees.

IX. And be it further enacted, That the ſeveral and reſpective Rates or Duties impoſed by this Act, and alſo the Right and Property of all and every the Piers, Barriers, Quays, Wharfs, Locks, and other Works to be erected, made, or done in purſuance of this Act, and the Ground whereon ſuch Works ſhall be erected, ſhall be, and the ſame are hereby ſeverally veſted in the ſaid Truſtees, and their Succeſſors, for ever, for the Purpoſes of this Act; and they, or any Five or more of them, are hereby authorized and empowered to bring Actions, or prefer Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, take away, break down, or ſpoil, any of ſuch Works or any Materials uſed or to be uſed in completing and maintaining the ſaid Harbour, or that ſhall do any Act, Matter, or Thing whereby any Damage may accrue to the ſame, or any Part thereof reſpectively; and the ſaid Truſtees, or any Five or more of them, are hereby authorized and empowered, from Time to Time, to leaſe or let out for the beſt Rent that can be obtained, and in ſuch Manner as they, or any Five or more of them, ſhall think proper, all or any of the Rates or Duties by this Act granted, from Year to Year, or for any Term not exceeding Three Years; and alſo all or any ſuch Wharfs, Docks, Quays, Cranes, or Engines, for any Term not exceeding Twenty-one Years; and the Perſon or Perſons to whom any of the aforeſaid Premiſes ſhall be leaſed or let, ſhall covenant and agree to pay One Quarter's Rent or Share of the Annual Payment in Advance, and ſhall continue to pay ſuch Quarterly Payment in Advance from Time to Time during the Whole of the Term for which the ſame ſhall be leaſed or rented, in Default of which the Agreement for leaſing or letting as aforeſaid ſhall be, and is hereby declared null and void; and the Rent reſpectively ariſing therefrom ſhall, from Time to Time, be applied towards completing and maintaining the ſaid Harbour, and the Works belonging to the ſame.

X. And

Providing Materials for erecting and repairing the Works.

X. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as ſhall be employed by them for that Purpoſe, ſhall be and they are hereby ſeverally empowered to dig, gather, take, and carry away any Gravel, Clay, Stones, or other Materials proper for erecting and repairing the ſaid Works, out of and from the Waſte Ground or Common adjoining to or near the ſaid Harbour, the Perſon or Perſons ſo employed filling up the Pits and levelling the Ground from whence ſuch Materials ſhall be taken; and alſo by Order of the ſaid Truſtees, or any Five or more of them, to dig, gather, take, and carry away any ſuch Materials as aforeſaid, in and upon, or out of, from, or over the Lands of any Perſon or Perſons (not being a Yard, Garden, Orchard, or any incloſed Ground ſet apart as a Nurſery for Trees) paying or tendering Payment out of the Rates and Duties hereby granted for ſuch Materials, and for the Damage done to the Owners or Occupiers of any Lands and Grounds where and from whence the ſame ſhall be digged, drawn, gathered, and carried, or over which the ſame or any other Materials gotten in any Waſte Ground, or Common or private Grounds, ſhall be conveyed, as the ſaid Truſtees, or any Five or more of them, ſhall adjudge reaſonable.

Lands adjoining the Harbour may be purchaſed.

XI. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall be, and they are hereby fully empowered to erect any new Quays, Piers, or other Works, for the Convenience and Protection of the ſaid Harbour, upon any Common or Waſte Ground contiguous thereto, without making any Satisfaction for the ſame; and alſo upon any private Grounds or Hereditaments adjoining or near to the ſaid Harbour, firſt making Satisfaction to the Owners thereof, and Perſons intereſted therein, for the Damage they may thereby ſuſtain, and for that Purpoſe the ſaid Truſtees, or any Five or more of them, ſhall contract and agree with the Owners of, and Perſons intereſted in, any ſuch Lands ſo adjoining or near to the ſaid Harbour, for the Purchaſe thereof, or for the Loſs or Damage ſuch Owners or Perſons may ſuſtain by erecting ſuch Quays, Piers, or other Works as aforeſaid, upon ſuch Lands or Hereditaments.

For preventing Exactions from any of the Leſſees.

XII. And, to prevent Exactions or unreaſonable Demands from the reſpective Tenants or Leſſees under the ſaid Truſtees, be it enacted, That the ſaid Truſtees ſhall, in every Leaſe or Agreement that they, or any Five or more of them, ſhall enter into for the leaſing or letting any of the Rates or Duties, or any of the Wharfs, Docks, Quays, Cranes, or Engines aforeſaid, expreſsly mention what Sums ſhall be demanded or taken by the reſpective Tenants or Leſſees, either as Rates or Duties, or for the Uſe of ſuch Wharfs, Docks, Quays, Cranes, or Engines, of the Maſter or Owner of any Ship or Veſſel, or other Perſon liable to pay the ſame; and if any ſuch Tenant or Leſſee ſhall demand or take more than the Sum ſtipulated by ſuch Leaſe or Agreement, ſuch Tenant or Leſſee ſhall, for every ſuch Offence, forfeit Treble the Sum demanded and paid exceeding the Sum allowed to be taken by ſuch Leaſe or Agreement, to be recovered and levied in Manner herein-after mentioned, One Moiety of which Forfeiture ſhall be applied to the completing and maintaining the ſaid Harbour and other Works, and the

other Moiety to ſuch Perſon or Perſons as ſhall proſecute, ſue for, and recover the ſame.

Ballaſt or Rubbiſh not to be emptied into the Harbour.

XIII. And be it further enacted, That, from and after the ſaid Third *Monday* next after the paſſing of this Act, no Perſon or Perſons whatſoever ſhall throw or empty any Ballaſt, Earth, Duſt, Aſhes, Rubbiſh, or Stones into the ſaid Harbour, or into the River *Mowddach*, or take away any Ballaſt, Shingle, Stones, or other Things, the Removal or taking away of which may be prejudicial thereto, or to the Works erected for the Security of the ſame, or do any Act, Matter, or Thing, whereby to prejudice or annoy the ſame; and if any ſuch Prejudice or Annoyance ſhall be done or committed, the Nature and Effect thereof ſhall be examined into by the ſaid Truſtees, or any Three or more of them, who are hereby empowered, for every ſuch Offence, to impoſe any Fine or Fines upon the Perſon or Perſons ſo offending, not exceeding the Sum of Ten Pounds, nor leſs than Twenty Shillings, which the ſaid Truſtees, or any Three or more of them, (by Warrant under their Hands and Seals directed to ſuch Perſon or Perſons as they ſhall appoint) are hereby empowered and required to levy and raiſe by Diſtreſs and Sale of the Goods and Chattels of every or any ſuch Offender or Offenders, rendering to him, her, or them, the Overplus (if any there be) and he, ſhe, or they ſhall demand the ſame; and the ſaid Fine or Fines when levied, ſhall be paid to ſuch Perſon or Perſons as the ſaid Truſtees, or any Three or more of them, ſhall direct and appoint to receive the ſame, to be applied as herein-after directed.

Ballaſt not to be left upon the Quay, &c.

XIV. Provided always, That if at any Time or Times hereafter, any Perſon or Perſons ſhall have Occaſion to throw or caſt any Ballaſt out of any Ship or other Veſſel upon any Quay or other Works made or to be made in purſuance of this Act, the ſame ſhall not be ſuffered to be or remain there for a longer Space of Time than Twenty-four Hours after Notice given for the Removal thereof, under the Penalty of any Sum not exceeding Ten Pounds nor leſs than Twenty Shillings for every Neglect or Refuſal to remove the ſame, and ſuch Ballaſt ſhall be removed and carried away to ſuch Place or Places as the ſaid Truſtees, or any Perſon or Perſons by them, or any Five or more of them appointed, ſhall order and direct.

Gunpowder, &c. to be removed after a certain Time.

XV. Provided alſo, That no Gunpowder, Pitch, Tar, Roſin, Hemp, Flax, Faggots, or Furze, Brandy, or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Greaſe, Shavings of Wood, or any other flammable or combuſtible Matter or Thing whatſoever, ſhall be ſuffered to be or remain on any Quay, Pier, Barrier, or Place, or upon the Deck of any Ship or other Veſſel within the ſaid Harbour, above the Space of Twenty-four Hours after paſſing the Cuſtom Houſe Officers; and in caſe the ſame cannot be conveniently removed or got off by Daylight, that then the Owner or Owners thereof ſhall be obliged, and he and they is and are hereby required to ſet and maintain at his or their own Expence, a ſufficient Number of careful and ſober Perſons to guard and watch over the ſame for ſuch and ſo many Hours (according to the Seaſon of the Year) as the ſaid Truſtees, or the Quay Maſter, or other Perſon or Perſons by them, or any Five or more of them appointed,

ſhall ſpecify and direct; and in caſe any ſuch Owner or Owners, or the Perſon or Perſons having the Rule or Command of any ſuch Ship or Veſſel as aforeſaid, ſhall make Default in the Premiſes, each and every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay ſuch Sum or Sums of Money not exceeding Ten Pounds, nor leſs than Forty Shillings.

Power to regulate Veſſels lying within the Harbour.

XVI. And, for the more orderly Government of the ſaid Harbour, and for the better preſerving the ſame, and the Works to be erected there from Prejudice or Damage, as well as for the Accommodation of Ships or Veſſels coming into or going out of the ſaid Harbour; be it enacted, That the ſaid Truſtees, or any Five or more of them, ſhall have full Power and Authority, and they are hereby authorized and empowered to nominate and appoint ſuch Perſon as they ſhall think proper, with ſuch Annual Allowance or Salary payable out of the Rates or Duties by this Act granted and made payable as they ſhall think fit, not exceeding Twenty Pounds, and ſuch Perſon ſo appointed ſhall from Time to Time order and require all and every Perſon having the Rule or Command of any Ship or other Veſſel entering into, lying, being, or abiding within the ſaid Harbour, to lie, anchor, moor, and ballaſt ſuch Ship or Veſſel in ſuch proper Place or Places within the ſame, as the ſaid Perſon ſo appointed ſhall order, aſſign, or direct for thoſe Purpoſes, (having due Regard that to the beſt of his Skill and Knowledge ſuch Ship or other Veſſel ſhall be ordered to lie, anchor, moor, or ballaſt in a Place of Safety); and in caſe any Perſon having the Rule or Command of any ſuch Ship or other Veſſel, ſhall refuſe or neglect to obey the Orders ſo given, every Perſon ſo offending ſhall, for every ſuch Refuſal or Neglect, forfeit and pay any Sum not exceeding Five Pounds, nor leſs than Forty Shillings.

Harbour Duties to be taken.

XVII. And be it further enacted, That for the better effecting the ſeveral Matters and Things to be done in purſuance of this Act, and for ſupporting the ſame for the future, there ſhall, from and after the Firſt *Monday* in *July* One thouſand ſeven hundred and ninety-ſeven, be paid to the ſaid Truſtees, and their Succeſſors, at ſuch Place or Places at *Barmouth* aforeſaid, as they, or any Five or more of them, ſhall limit and direct, and to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall from Time to Time appoint to collect and receive the ſame; and which they are hereby ſeverally authorized and empowered to demand, collect, receive, and take of and from the Maſters or Owners, Maſter or Owner, or other Perſon or Perſons having the Rule or Command of every Ship or other Veſſel, the ſeveral Rates or Duties following; (that is to ſay),

For all Ships or Veſſels belonging to Foreign Subjects coming from Foreign Parts, and unloading their Cargoes within the ſaid Harbour, or on either Side of the River *Mowddach* above the North or South Entrance into the ſaid Harbour (which for the Purpoſes of this Act ſhall be, and be deemed and taken to be the Limits of the ſaid Port of *Barmouth*) any Sum not exceeding Twelve-pence *per* Ton:

For all Ships or Veſſels belonging to Foreign Subjects arriving in the ſaid Port by Streſs of Weather or otherwiſe, without unloading all or

any Part of their Cargoes within the ſaid Limits, any Sum not exceeding Sixpence *per* Ton:

For all Ships or Veſſels belonging to His Majeſty's Subjects coming from Foreign Parts (*Ireland* excepted) unloading their Cargoes within the ſaid Limits, any Sum not exceeding Sixpence *per* Ton; but if only coming into the ſaid Port by Streſs of Weather, not exceeding Three-pence *per* Ton:

For all Coaſting Veſſels unloading within the ſaid Limits, any Sum not exceeding Sixpence *per* Ton; but if only unloading Part of their Cargoes, and proceeding to another Port with the Remainder, not exceeding Three-pence *per* Ton:

For all Coaſting Veſſels unloading within the ſaid Limits, having above One Half of their Cargoes of Coals, and the Remainder of any Goods, Wares, or Merchandizes, any Sum not exceeding Three-pence *per* Ton; but if with Coals only, not exceeding Two-pence *per* Ton:

For all Ships or Veſſels loading within the ſaid Limits, with Bark, Wood, Slates, Ore, Corn, or any other Merchandize, bound to any Foreign Parts, *Ireland* or Coaſtways, any Sum not exceeding Three-pence *per* Ton:

For all Coaſting Veſſels laden or Part laden with Lime Stone, Sand, Manure, or in Ballaſt, any Sum not exceeding Two-pence *per* Ton, according to the Admeaſurement of ſuch Ships or Veſſels reſpectively:

And the Merchant or other Perſon into whoſe Cuſtody or Poſſeſſion any Goods, Wares, or Merchandize ſhall be delivered or landed from on board any Ship or Veſſel coming into the ſaid Harbour, and unloading in the ſame, or above the Entrance thereof, ſhall, upon the Delivery of ſuch Goods, Wares, or Merchandize, pay or cauſe to be paid to the Perſon or Perſons appointed from Time to Time to collect and receive the ſame, the Rates or Duties following; (that is to ſay),

For every Hundred Pounds Weight of Allum, Alabaſter, Cheeſe, Flax, or Hemp, Dying Wood of every Kind, Two-pence; for every Thouſand Bricks, Sixpence; for every Hundred Weight of Butter, Four-pence; for every Ton of Coal or Culm, Three-pence; for every Ox or Cow Hide, One Penny; for every Quarter of Corn or other Grain, Malt, or Pulſe, Four-pence; for every One hundred and twenty ſolid Feet of Oak, Deal, or other Plank or Boards, Two Shillings and Sixpence; for every Crate or Load of Earthern Ware, Sixpence; for every Hundred Weight of Groceries (except Melaſſes) Three-pence; for every Barrel of Gunpowder, Sixpence; for every Barrel of Herrings, Four-pence; for every Pocket of Hops, Sixpence; for every Ton of wrought or unwrought Iron or Lead, One Shilling; for every Ton of Pig Iron, Sixpence; for every Hogſhead of Melaſſes, One Shilling; for every Ton of Oak, Elm, or other Timber, Four-pence; for every Ton of Oak Bark, One Shilling; for every Hogſhead of Oil of Fiſh, One Shilling; for every Hundred Weight of Iron Pots, One Penny; for every Gallon of Wine, Rum, Brandy, or other Spirituous Liquors, Foreign or *Britiſh*, One Halfpenny; for every Ton of White Salt, Ten-pence; for every Ton of Slates, Two-pence; for every Hogſhead or Pack of Foreign Skins, One Shilling; for every One

One hundred Weight of Tallow, Three-pence; for every Barrel of Pitch, Tar, or Roſin, Three-pence; for every One hundred Weight of Tea or Tobacco, Sixpence; for every Side of Window Glaſs, Six-pence; for every Pack of Wool, Sixpence; for every Barrel of Porter, Three-pence; for every Hogſhead of Cyder, One Shilling; for every Bundle of Paper, One Penny; for every Truſs or Box of Haberdaſhery, Millinery, or other Goods, not exceeding Fifty Pounds Weight, Sixpence; for every Ton of Fuller's Earth, Two-pence; for every Sack or Barrel of Oat or other Meal or Flour, Three-pence; for every One hundred Weight of Hardware, Two-pence; for every Hundred Weight of Lead, One Penny; for Furniture of all Sorts, One Halfpenny *per* Foot; for every Barrel of Beef, Sixpence; and for all other Goods, Wares, and Merchandize, not herein-before enumerated, the Sum of One Penny in or out of every Twenty Shillings of the Value thereof, as the ſame ſhall be valued at the Cuſtom Houſe of *Barmouth*:

And there ſhall likewiſe be paid by each and every Perſon ſhipping or cauſing to be ſhipped at the Port of *Barmouth* aforeſaid, any Goods, Wares, or Merchandize, the Rates or Duties following; *videlicet*, for every One hundred Weight of Butter, Sixpence; for every One hundred Weight of Cheeſe, Four-pence; for every Piece of *Welſh* Plain, Three-pence; for every Ton of Oak Bark, Ten-pence; for every Ton of Round Timber, One Penny; for every Ton of Square Timber Four-pence; for every Ton of Fern Aſhes, Eight-pence; for every Ton of Copper Ore, One Shilling; for every Ton of Iron, One Shilling; for every Ton of Lead Ore, Sixpence; for every Ton of Black Jack, Four-pence; for every Ton of Slates, Three-pence; for every Quarter of Corn or Grain, Malt or Pulſe, Four-pence; upon every new Ship or Veſſel built in the Port of *Barmouth*, or in any Part of the River *Mowddach*, any Sum not exceeding Four-pence *per* Ton, as the ſaid Truſtees, or any Five or more of them, ſhall order and direct to be paid; for every Barrel of Malt Liquor, and for all other Goods, Wares, and Merchandize not herein laſtly particularized, the Sum of One Penny in and out of every Twenty Shillings of the Value thereof, as the ſame ſhall be valued at the Cuſtom Houſe at *Barmouth* aforeſaid.

And that in all Caſes where any of the Goods, Wares, or Merchandize by this Act charged with the Payment of any of the aforeſaid Rates or Duties, ſhall exceed or be leſs than the ſeveral and reſpective Weights, Quantities, or Numbers whereby the ſame are herein-before particularly charged as aforeſaid, a Rate or Duty upon every ſuch greater or leſſer Weight, Quantity, or Number, ſhall be demanded and taken in Proportion to the Rates or Duties hereby laid upon ſuch Goods, Wares, or Merchandize reſpectively, ſo as ſuch Rate or Duty ſhall in no Caſe be leſs than One Penny.

Exemptions from Rates.

XVIII. Provided always, That no Ship or Veſſel of War belonging to His Majeſty, His Heirs or Succeſſors, or Poſt Office Packet, nor any Ship or Veſſel employed in Fiſhing only, ſhall be ſubject or liable to any of the Rates or Duties hereby granted.

XIX. And,

XIX. And, to the Intent the ſaid Rates or Duties may be duly anſwered and paid, be it further enacted, That no Collector or Comptroller of His Majeſty's Cuſtoms, Receiver of Entries, or Ship's Surveyor or Searcher, Waiter, or other Officer of the Cuſtoms whatſoever, belonging to the Port of *Beaumaris*, in the County of *Angleſey*, (within which the Port and Harbour of *Barmouth* is comprehended), ſhall, at any Time after the ſaid Firſt *Monday* in *July* One thouſand ſeven hundred and ninety-ſeven, give or make out any Cocket or other Diſcharge, or take any Report Outwards for any Ship or other Veſſel, or permit any Ship or other Veſſel to go out of the ſaid Harbour, or from any landing Place within the Limits thereof, until the Maſter or Owner, or other Perſons having the Rule or Command of ſuch Ship or other Veſſel, ſhall produce a Certificate from the Collector or Collectors to be appointed in purſuance of this Act, that the Rates or Duties by this Act granted are paid or ſecured to be paid, which ſaid Certificate the ſaid Collector or Collectors is and are hereby required to give without Fee or Reward; and that any Collector, Comptroller of His Majeſty's Cuſtoms, Receiver of Entries, or Ship's Surveyor, or Searcher, Waiter, or other Officer of the Cuſtoms whatſoever, making Default in any of the Premiſes enjoined by this Act, ſhall forfeit and pay a Sum not exceeding Twenty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed, nor more than One Imparlance, One Moiety of ſuch Forfeiture to be to the Uſe of the Perſon or Perſons who ſhall proſecute, ſue for, and recover the ſame, and the other Moiety thereof to be paid into the Hands of the ſaid Truſtees, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall appoint to receive the ſame, to be applied for the Purpoſes of this Act.

Veſſels not to be cleared till Duties paid.

XX. And, to the Intent the Rates or Duties impoſed by this Act may be more effectually collected and levied, be it further enacted, That in caſe any Owner or Maſter, or other Perſon having the Rule or Command of any Ship or other Veſſel, or any other Perſon to whom any Goods, Wares, or Merchandize landed or ſhipped within the ſaid Harbour, and charged or chargeable with the Rates or Duties granted by this Act, ſhall belong or be delivered unto, or by whoſe Order the ſame ſhall be landed or ſhipped, ſhall refuſe to pay the ſame, then and in ſuch Caſe it ſhall and may from Time to Time be lawful to and for the Collector or Collectors to be appointed in purſuance of this Act, to go on board ſuch Ship or Veſſel to demand, collect, and receive the ſaid Rates or Duties, and on Non-payment thereof to take and diſtrain every ſuch Ship or other Veſſel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, or all or any Part of the Goods, Wares, or Merchandize chargeable therewith, and in reſpect whereof ſuch Rates or Duties ſhall be payable, either on board ſuch Ship or other Veſſel, or on Land, and the ſame to detain until the reſpective Rates or Duties ſhall be ſatisfied and paid; and in caſe of any Neglect or Default in Payment of the ſaid Rates or Duties, for the Space of Three Days after any Diſtreſs or Diſtreſſes ſo made or taken, that then it ſhall and may be lawful to and for the ſaid Collector or Collectors to cauſe the ſame to be appraiſed by Two or more Sworn

Manner of recovering of Rates.

Appraiſers or other ſufficient Perſons, and afterwards to ſell the ſaid Diſtreſs or Diſtreſſes, and therewith to ſatisfy himſelf or themſelves, as well for and in reſpect of the Rates or Duties ſo neglected or delayed to be paid, as alſo for and in reſpect of his or their reaſonable Charges in taking, keeping, appraiſing, and ſelling the ſame, rendering the Overplus (if any ſuch there be) to the Owner upon Demand.

Perſons eluding the Payment to continue chargeable.

XXI. And be it further enacted, That if any Maſter, Owner, or other Perſon having the Rule or Command of any Ship or other Veſſel, or the Owner of any Goods, Wares, or Merchandize, ſhall by any Method whatſoever, at any Time or Times, elude or avoid the Payment of the Rates or Duties hereby made payable, or any Part thereof, each and every Perſon eluding or avoiding Payment as aforeſaid, ſhall ſtand charged with and be liable to the Payment of the ſame, and the ſame ſhall and may be recovered from ſuch Maſter or Owner reſpectively, at any Time or Times, either by the Means herein-before preſcribed concerning the levying of the Duties, or by the ſame Method and in ſuch Manner as is herein-after directed for levying and recovering the Fines, Forfeitures, and Penalties, impoſed by this Act.

How Tonnage Duties ſhall be aſcertained.

XXII. And be it further enacted, That in caſe the Maſter or other Perſon having the Rule or Command of any Ship or other Veſſel, and the Perſon appointed to collect the Rates or Duties hereby made payable, cannot otherwiſe agree about and aſcertain the Tonnage of ſuch Ship or Veſſel, that then and ſo often it ſhall and may be lawful for ſuch Collector, or other Perſon employed or appointed for that Purpoſe, to enter into ſuch Ship or Veſſel at any ſeaſonable Time, and admeaſure the ſame in Manner following; that is to ſay: By taking the Length of the Keel of every ſuch Ship or other Veſſel ſo much as ſhe treads on the Ground, and the Breadth within Board by the Midſhip Beam from Plank to Plank, Half of which Breadth ſhall be accounted for the Depth; and the Length ſo taken being multiplied by the Breadth, and the Product thereof by the ſaid accounted Depth, and the Whole divided by Ninety-four, the Quotient ſhall give and be deemed to give the true Contents of the Tonnage; according to which Rule and Method, all Ships and Veſſels ſhall be meaſured for computing, aſcertaining, and collecting the ſaid Rates or Duties of Tonnage; any Cuſtom, Practice, or Uſage to the contrary notwithſtanding.

Penalty on Perſons obſtructing the meaſuring of Ships or Veſſels.

XXIII. And be it further enacted, That in caſe the Maſter or other Perſon having the Rule or Command of any Ship or other Veſſel, or any other Perſon whatſoever, ſhall obſtruct or hinder the Perſon or Perſons appointed to collect the Rates or Duties hereby made payable, or any other Perſon employed or appointed by the ſaid Truſtees to admeaſure Ships or Veſſels in purſuance of this Act, to enter on board ſuch Ship or Veſſel, or to take the Admeaſurement thereof, ſuch Maſter or other Perſon ſhall, for every ſuch Offence, forfeit and pay a Sum not exceeding Five Pounds.

Officers appointed by the ſaid Truſtees to take an Oath.

XXIV. And be it further enacted, That the Quay Maſter, and other Officers and Servants to be appointed by virtue of this Act ſhall, when thereto required by any One of the ſaid Truſtees, ſwear that he or they

will duly perform and execute his or their reſpective Office or Offices; and all and every Perſon or Perſons who ſhall be employed or appointed to take the Tonnage of any Ship or Veſſel coming into or going out of the ſaid Harbour, ſhall, when required in like Manner, ſwear that he or they will duly and impartially take the Tonnage of ſuch Ship or Veſſel, which Oath any One or more of the ſaid Truſtees is or are hereby authorized and empowered to adminiſter.

Power to borrow Money.

XXV. And, to the End a ſufficient Sum of Money may be ſpeedily raiſed for the Purpoſes of this Act, and in order to ſecure the Repayment of the ſame, be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby empowered by an Indenture in Writing under their Hands and Seals, to mortgage or aſſign the Rates or Duties granted by this Act, as a Security for any Sum or Sums of Money by them to be borrowed (not exceeding in the Whole the Sum of Nine thouſand Pounds) for the Ends and Purpoſes of this Act, to any Perſon or Perſons, Natives or Foreigners, or Bodies Politick or Corporate, that ſhall be willing to lend or advance the ſame, for ſecuring the Repayment thereof, with Intereſt after the Rate of Five Pounds *per Centum per Annum*, (Copies of all which Mortgages or Aſſignments ſhall be entered in a Book or Books to be kept for that Purpoſe), and all and every Sum and Sums of Money ſo to be borrowed ſhall be paid into the Hands of the ſaid Truſtees, or of the Clerk or Clerks, Treaſurer or Treaſurers, to be by them appointed, the Coſts and Charges of all which Mortgages or Aſſignments ſhall be borne and paid out of the Rates and Duties hereby granted; and all and every Sum and Sums of Money advanced and paid by Way of Loan as aforeſaid, and the Intereſt payable for the ſame reſpectively, ſhall be charged and chargeable upon the Rates and Duties hereby granted; and that no Priority or Preference ſhall be had or taken by any of the Mortgagees in reſpect of the Dates of their Mortgages or Aſſignments.

That no Priority be had by Mortgages.

XXVI. And be it further enacted, That the ſeveral and reſpective Mortgages or Aſſignments, hereby directed to be made as a Security for any Sum or Sums of Money to be borrowed on the Credit of the Rates or Duties by this Act granted, ſhall be in the Words or to the Effect following:

Form of Aſſignment.

'BY virtue of an Act made in the Thirty-ſeventh Year of the Reign of His Majeſty King *George* the Third, for repairing, deepening, enlarging, and preſerving the Harbour of *Barmouth*, in the County of *Merioneth*, We whoſe Names are hereunto ſet, being of the Truſtees appointed by or in purſuance of the ſaid Act, in Conſideration of the Sum of to us in Hand paid by *A. B.* of do aſſign unto the ſaid *A. B.* his [*or*, her] Executors, Adminiſtrators, and Aſſigns, all and ſingular the Rates or Duties by the ſaid Act granted (to hold unto the ſaid *A. B.* his [*or*, her] Executors, Adminiſtrators, and Aſſigns, until the ſaid Sum of together with Intereſt for the ſame, after the Rate of *per Centum per Annum*, ſhall be fully paid and ſatisfied. Given under our Hands and Seals the Day of

And

Aſſignments to be tranſferrable.

And all and every Perſon and Perſons to whom any Mortgage or Aſſignment of the aforeſaid Rates or Duties ſhall be made, as a Security or Securities for any Sum or Sums of Money by him, her, or them lent on the Credit thereof, and his, her, or their Aſſignee or Aſſignees, may, and is and are hereby empowered, from Time to Time, to transfer or aſſign over ſuch Security or Securities, and the Principal and Intereſt due thereon, to any other Perſon or Perſons, by indorſing thereon the following Words, or Words to the like Effect:

Form of Transfer.

'I do transfer this Aſſignment, with all my Right, Title, and Intereſt in and to the ſame, unto of his [*or*, her] Executors, Adminiſtrators, and Aſſigns. Dated this Day of

'*A. B.*'

Remedy for recovering Arrears of Intereſt.

XXVII. Provided always, and be it further enacted, That in caſe the Intereſt upon any Sum or Sums of Money advanced by way of Loan as aforeſaid, ſhall be in Arrear and unpaid for the Space of Forty Days next after any of the Time or Times when the ſame is, are, or ſhall become due and payable, and be demanded, the Perſon or Perſons to whom ſuch Intereſt ſhall be ſo in Arrear, ſhall have and is hereby veſted with the like Power, Right, and Privilege of collecting, receiving, and levying of the ſaid Rates or Duties hereby made payable, as the ſaid Truſtees, or the Collectors or Receivers by them appointed, could have had in caſe the ſaid Intereſt had been regularly and fully paid and ſatisfied.

Application of the Money borrowed.

XXVIII. And be it further enacted, That the ſeveral Sums of Money which ſhall be collected, received, levied, and borrowed by virtue of this Act, ſhall be applied in the Firſt Place in paying the Charges and Expences incident to and incurred in the obtaining and paſſing this Act, and afterwards in defraying the neceſſary Expences of erecting and maintaining the ſeveral Works aforeſaid, and in executing the Purpoſes of this Act, and to no other Uſe or Purpoſe whatſoever.

Collectors and other Officers to be appointed.

XXIX. And be it further enacted, That the ſaid Truſtees at their firſt or any ſubſequent Meeting, or any Five or more of them, by Writing under their Hands and Seals, ſhall and may chuſe and appoint ſuch Perſon or Perſons as they ſhall think proper, to be Collector or Collectors of the Rates or Duties granted by this Act, and alſo One or more fit Perſon or Perſons to be Surveyor or Surveyors of the Harbour and Works to be erected for rendering the ſame ſafe and commodious for the Reception of Ships and Veſſels, and alſo a Clerk, Treaſurer, or Receiver of the ſaid Rates or Duties, and ſuch other Officer or Officers as they ſhall think neceſſary to employ in the Execution of this Act; and the ſaid Truſtees ſhall allow to ſuch Collector or Collectors, Clerk, Treaſurer, Receiver, Surveyor or Surveyors, or other Perſon or Perſons ſo appointed, ſuch Salaries or Rewards as to the ſaid Truſtees, or any Five or more of them, at a General Meeting aſſembled, ſhall appear reaſonable; and the ſaid Truſtees, or any Five or more of them, ſhall and may, and they are hereby empowered to remove and diſplace any ſuch Collector, Clerk, Receiver, Treaſurer, Surveyor, or other Perſon or Perſons whatſoever

ſoever by them appointed in purſuance of this Act, and in the Room and Stead of the Perſon or Perſons ſo removed or diſplaced, to nominate and appoint from Time to Time ſuch other Perſon or Perſons as they ſhall think proper.

Officers to give Security.

XXX. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall take of ſuch Collector or Collectors, Clerk, Receiver, or Treaſurer, and from ſuch other Perſon or Perſons as ſhall be choſen and nominated from Time to Time as aforeſaid, good and ſufficient Security, as well for anſwering and paying all and every Sum or Sums of Money, which ſhall be by him or them reſpectively received, and in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall, under their Hands and Seals, from Time to Time order, direct, and appoint, as for their giving and making true Accounts thereof in Writing when and as often, and in ſuch Manner as he and they ſhall be ordered and required to do by the ſaid Truſtees, or any Five or more of them, and of all Sums of Money by him or them reſpectively diſburſed, and the reſpective Times of ſuch Diſburſements, and to whom and by what Order.

Proceedings to be entered in Books.

XXXI. And be it further enacted, That the ſaid Truſtees ſhall take Care to have all the Receipts, Payments, Debts, Credits, and Contracts made for or concerning the completing and ſecuring the ſaid Harbour, and the maintaining or preſerving the ſame or anyways relating thereto, and alſo an Account of all Monies received and borrowed by the ſaid Truſtees by virtue of this Act, and all other their Proceedings whatſoever, fairly entered and written in One or more Book or Books to be kept for thoſe Purpoſes, to which Book or Books all Perſons concerned or intereſted ſhall at all ſeaſonable Times have free Acceſs, and ſhall have the Peruſal or Inſpection thereof *gratis*, and may have Copies or Extracts therefrom, paying for the ſame after the Rate of Two-pence for every Seventy-two Words.

Truſtees with the Conſent of Creditors may leſſen the Rates.

XXXII. Provided always, and be it further enacted, That the ſaid Truſtees, or any Five or more of them, with the Conſent of ſuch Perſon or Perſons as ſhall be entitled to Three Fourths of the Money lent on the Credit of the Rates or Duties hereby granted, ſhall and may from Time to Time (if they ſhall think fit) leſſen or reduce all or any Part of the ſaid Rates or Duties; and if at any Time after ſuch leſſening or Reduction of the ſaid Rates or Duties, the ſame ſhall be found inſufficient to anſwer the ſeveral Intents and Purpoſes of this Act, that then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to advance and raiſe the ſaid Rates or Duties, ſo as not to exceed the ſeveral and reſpective Sums herein-before ſpecified.

When the Money borrowed ſhall be paid off, One Moiety of the Rates only to be paid;

XXXIII. Provided alſo, That, from and after ſuch Time as the Principal Sum or Sums of Money borrowed or to be borrowed by virtue of this Act, and the Intereſt attending the ſame, ſhall be paid off and diſcharged, One Moiety or ſuch greater Part of the Proportion of the Rates

or

or Duties by this Act granted as the ſaid Truſtees, or any Five or more of them, ſhall think proper, ſhall, in reſpect of all *Britiſh* Ships and Veſſels, Goods, Wares, and Merchandize, ceaſe and determine; and that then and from thenceforth the other Moiety or Part as aforeſaid of the ſaid Rates or Duties ſhall continue to be collected, paid, and applied by the ſaid Truſtees, or any Five or more of them, towards repairing, maintaining, and ſecuring the ſaid Harbour, and the Works and Buildings thereto belonging, in maintaining and upholding the Buoys, Lights, and other Land Marks appurtenant to the ſaid Harbour, and in paying the Salaries, Rewards, or Allowances, to the ſeveral Officers and Servants belonging thereto, and ſuch other Purpoſes as the ſaid Truſtees, or any Five or more of them, ſhall think moſt expedient for the Benefit and Improvement of the ſaid Harbour; but in caſe any Damage or unforeſeen Accident ſhall afterwards happen to any Pier, Barrier, Lock, Quay, Breaſt Work, or other Work erected in purſuance of this Act, which cannot be repaired by or out of the Produce of the Rates or Duties reduced as aforeſaid, that then and as often as it ſhall ſo happen, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, by Notice in Writing under their Hands, affixed on the Door of the Cuſtom Houſe of *Barmouth* aforeſaid, and on the Town Hall of *Dolgelley*, in the ſaid County of *Merioneth*, to revive the Rates or Duties ſo diſcontinued, and order the ſame to be paid according to the Proportions herein-before ſet forth and aſcertained, till ſuch Damages ſhall be repaired, and the Charges and Expences attending the ſame ſhall be fully paid and ſatisfied, and no longer.

but if any Accident happens to the Piers, &c. the diſcontinued Rate to revive.

XXXIV. And be it further enacted, That all and every Perſon and Perſons whomſoever, who ſhall at any Time or Times hereafter wilfully or deſignedly demoliſh, break down, deſtroy, damage, or ſet on Fire any of the Works conſtructed or to be conſtructed in or belonging to the ſaid Harbour, or that ſhall wilfully do any Damage to any of the Shipping or Goods within the ſame, or who ſhall wilfully or deſignedly extinguiſh or put out any of the Lights uſed in or belonging to the ſaid Harbour, for the Safety and Protection of the Ships or other Veſſels reſorting to the ſame, ſhall be adjudged guilty of Felony, and the Court by and before whom ſuch Perſon or Perſons ſhall be indicted and tried, ſhall and have hereby Power and Authority to puniſh ſuch Felon or Felons in ſuch and the like Manner as Felons are directed to be puniſhed by the Laws and Statutes of this Realm, or in Mitigation of ſuch Puniſhment may (if they ſee Cauſe) adjudge the Offender or Offenders to ſuffer ſuch other Puniſhment by Fine, Impriſonment, or otherwiſe, as the ſaid Court in their Diſcretion ſhall think proper.

Perſons deſtroying the Works to be deemed guilty of Felony.

XXXV. And be it further enacted, That the Maſter, Owner, or other Perſon having the Rule or Command of every Ship or other Veſſel lying or being in the ſaid Harbour, ſhall be, and is hereby made anſwerable to the ſaid Truſtees for the Amount or Value of any Damage or Miſchief that ſhall be done by any of the Servants or Crew on board the ſame, to any of the Works to be conſtructed in purſuance of this Act, and the ſame, if not forthwith paid and ſatisfied, ſhall and may be recovered

Maſters of Veſſels to be anſwerable for Damage done by their Crew.

covered in ſuch Manner as the Penalties and Forfeitures hereby inflicted are in and by this Act directed to be recovered.

Bye Laws may be made at General Meetings.

XXXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, at any Time or Times hereafter, in General Meeting aſſembled, to make, ordain, and eſtabliſh ſuch Rules, Orders, and Bye Laws (ſo as the ſame be not repugnant to the Laws of this Realm, or to the true Intent and Meaning of this Act) for the better keeping in Repair, improving, and ſecuring the ſaid Harbour, and the Works to be erected, made, or ſet up in purſuance of this Act, as alſo for aſcertaining the Rates payable for Carts and Carriages within and belonging to the ſaid Harbour, or payable to the ſeveral Officers and Servants appointed by the ſaid Truſtees, and for other the Purpoſes of this Act; and may alſo from Time to Time, at any ſucceeding General Meeting, repeal, amend, or alter, all or any of ſuch Rules, Orders, or Bye Laws, as to them ſhall appear requiſite and neceſſary, and ſhall fix and appoint reaſonable pecuniary Penalties not exceeding Forty Shillings for the Non-obſervance of other Breach of ſuch Rules, Orders, or Bye Laws, or any of them, which ſaid Penalties ſhall be recovered and applied in ſuch Manner as the Fines and Penalties impoſed by this Act are directed to be recovered and applied; and the ſaid Truſtees ſhall cauſe the ſaid Rules, Orders, and Bye Laws to be printed, and fixed or hung up, and continued fixed or hung up, in the moſt publick and conſpicuous Places within the Town of *Barmouth* aforeſaid, for the Space of Twenty-one Days after the ſame ſhall be made, amended, altered, or repealed as aforeſaid, and to pay the Charge and Expence thereof out of the Rates or Duties hereby granted; and no Rule, Order, or Bye Law, made at any General Meeting as aforeſaid, ſhall be repealed or altered at any ſubſequent Meeting, unleſs Ten Days previous Notice of the Intention to repeal or alter the ſame, ſigned by the Clerk or Treaſurer to the ſaid Truſtees, be affixed on the Door of the Cuſtom Houſe at *Barmouth*, and on the Town Hall at *Dolgelley* aforeſaid, and unleſs Seven Truſtees ſhall be preſent and conſenting thereto.

Penalties, how to be recovered.

XXXVII. And be it further enacted, That all Fines, Penalties, and Forfeitures, by this Act inflicted or authorized to be impoſed or levied (the Manner of levying and recovering whereof is not otherwiſe hereby particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offenders Goods and Chattels, by Warrant or Warrants under the Hands and Seals of Two or more Juſtices of the Peace for the ſaid County of *Merioneth*, (which Warrant or Warrants the ſaid Juſtices are hereby empowered and required to grant, upon the Information of any One or more credible Witneſs or Witneſſes upon Oath, which Oath the ſaid Juſtices are hereby empowered and required to adminiſter without Fee or Reward), and ſuch Fines, Penalties, and Forfeitures, when recovered, after rendering the Overplus (if any) to the Party or Parties whoſe Goods and Chattels ſhall be diſtrained and ſold, (the Charges of ſuch Diſtreſs and Sale being firſt deducted), ſhall go, be applied, and diſpoſed of, if not otherwiſe directed to be applied and diſpoſed of by this Act, for and towards the Execution of the ſeveral Purpoſes hereby intended; and for Want of ſufficient Diſtreſs the ſaid Juſtices, or any Two or more of them, are

are hereby empowered and required to commit the Perſon or Perſons ſo convicted, to the Common Gaol or other publick Priſon of or within the ſaid County, there to remain for the Space of Two Calendar Months, or until Payment of the reſpective Forfeitures ſhall be made.

How Diſtreſſes ſhall be diſpoſed of.

XXXVIII. Provided always, and be it enacted, That no Part of the Goods or Chattels to be at any Time diſtrained by virtue of this Act (other than ſuch Diſtreſs or Diſtreſſes as ſhall be made for Non-payment of the Rates or Duties thereby granted) ſhall be ſold till the Expiration of Five Days from the Day upon which ſuch Goods or Chattels ſhall be diſtrained; but that it ſhall and may be lawful to and for the Perſon or Perſons convicted, at any Time before the Expiration of the ſaid Five Days, by Payment of the Money for which ſuch Goods or Chattels ſhall have been diſtrained, and the Coſts and Charges attending ſuch Diſtreſs, to redeem the ſame.

Diſtreſs not to be deemed unlawful for want of Form.

XXXIX. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on Account of any Defect in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers, *ab initio*, on Account of any Irregularity by him or them done or committed after ſuch Diſtreſs made or taken, but the Perſon or Perſons aggrieved by ſuch Irregularity, ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

Satisfaction for ſpecial Damages.

XL. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for ſuch Irregularity, or for any Treſpaſs or other wrongful Proceeding, unleſs Notice in Writing, ſigned by his, her, or their Attorney (ſpecifying the Cauſe of Action) ſhall have been given to the Defendant or Defendants at leaſt Twenty-one Days before the ſame ſhall have been brought, nor ſhall the Plaintiff or Plaintiffs recover in any ſuch Action if Tender of ſufficient Amends ſhall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before ſuch Action brought; and in caſe no ſuch Tender of Amends ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants (by Leave of the Court) at any Time before Iſſue joined, to pay into Court ſuch Sum or Sums of Money as he, ſhe, or they ſhall think fit; whereupon ſuch Proceedings, Orders, and Judgements ſhall be had, made, and given in and by ſuch Court, as in other Actions where Defendants are allowed to pay Money into Court.

Proceedings not to be quaſhed for want of Form.

XLI. And be it further enacted, That no Order, Verdict, Judgement, or other Proceeding touching or concerning any of the Matters aforeſaid, or touching or concerning the Conviction of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*;

minſter; any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

Allowing an Appeal to the Quarter Seſſion.

XLII. And be it further enacted, That in caſe any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief is hereby otherwiſe provided, it ſhall and may be lawful for ſuch Perſon to appeal to the Juſtices of the Peace at any General or Quarter Seſſion of the Peace to be holden in and for the ſaid County of *Merioneth*, next after the Expiration of One Calendar Month from the Time whereon the Cauſe of ſuch Appeal ſhall have ariſen, ſuch Appellant firſt giving or cauſing to be given Fourteen Days Notice at the leaſt, in Writing, of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Treaſurer of the ſaid Truſtees, and within Four Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Sureties conditioned to try ſuch Appeal, and to abide the Order of, and pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch General or Quarter Seſſion; and the ſaid Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice having been given as aforeſaid, and the entering into ſuch Recognizance, ſhall hear and finally determine the Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt, as the ſaid Juſtices ſhall think proper; and the Determination of ſuch Juſtices thereupon ſhall be final, binding, and concluſive to all Parties.

Truſtees may ſue and be ſued in the Name of their Treaſurer.

XLIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees appointed under the Authority of this Act, to ſue and be ſued in the Name of their Treaſurer, Receiver, or Clerk; and no Suit ſhall abate by Reaſon of the Death or Removal of any Treaſurer, Receiver, or Clerk, or by the Act of ſuch Treaſurer, Receiver, or Clerk only, without the Conſent and Direction of the ſaid Truſtees, or any Five or more of them.

Limitation of Actions.

XLIV. And be it further enacted, That in caſe any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, Twenty-one Days previous Notice thereof ſhall be given to the Clerk or Treaſurer to the ſaid Truſtees, and every ſuch Action or Suit ſhall be commenced within Six Calendar Months next after the Cauſe of Action ſhall ariſe, and not afterwards, and ſhall be laid or brought in the ſaid County of *Merioneth*, and not elſewhere; and the Defendant or Defendants in all Actions or Suits ſo brought, ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear to have been ſo done, or that ſuch Action or Suit was brought after the Time before limited, or ſhall be brought in any other County or Place, that then the Jury ſhall find a Verdict for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared; or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover

General Iſſue.

Treble Coſts. Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

Publick Act. XLV. 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 other Perſons whomſoever, without ſpecially pleading the ſame.

FINIS.