ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

****

CAP. LXI.

An Act for the more effectually providing for the Erection of certain Bridges in *Ireland*.

[13th *August* 1834.]

WHEREAS according to the Laws now in force in *Ireland*, where any River is the Boundary between Two Counties, the Expences of building, rebuilding, repairing, enlarging, or altering any Bridge over such River are to be defrayed by such Two Counties only, that is to say, a Moiety by each; and no Money can be paid by the Treasurer of either of such Counties on account of any Presentment for any of the aforesaid Purposes unless an equal Sum shall have been presented to be raised for the same Work upon the adjoining County: And whereas Differences have been frequently found to exist between the Grand Juries of such adjacent Counties with respect to the Expediency of the building, rebuilding, altering, or improving or repairing of Bridges so situated, by reason whereof the same have been in many Instances suffered to fall into Decay, to the great Inconvenience of the Public: And whereas the Objections to making Presentments for such Bridges have been sometimes founded upon the Supposition that the particular Counties which alone would be thereby so charged would not derive from such Bridge a Benefit commensurate with the Expence, whilst other neighbouring Counties would gain a Portion of such Benefit without contributing in any Degree to the Burthen, and it is expedient to remove any Foundation for such Objections; be it therefore enacted by

36 G. 3. c. 55. 1 & 2 W. 4. c. 33.

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,

Grand Juries may apply to Lord Lieutenant for Powers under this Act to build or repair Bridges between any Two Counties.

That where at any Time after the Commencement of this Act it shall be deemed expedient by the Grand Jury of any County or County of a City or Town in *Ireland* that any Bridge over any River forming a Boundary between such County or County of a City or Town and any other County or County of a City or Town, or any Approach to such Bridge, shall be built, rebuilt, enlarged, altered, repaired, or in anywise improved, it shall and may be lawful for such Grand Jury to present a Memorial to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, stating the Nature of the Work proposed, and the Reasons for which the same is considered to be useful or desirable, and praying that the Powers by this Act authorized to be exercised may be applied for the Purpose of prosecuting and completing such Work.

Lord Lieutenant empowered to appoint Persons to inquire into the Expediency of complying with such Application.

II. And be it enacted, That thereupon it shall be lawful for such Lord Lieutenant or other Chief Governor or Governors of *Ireland*, if he or they shall so think fit, to appoint any Number of Persons not exceeding Five to inquire into and report upon the Circumstances stated in such Memorial, and to investigate the Truth of the Matters therein contained, and the Propriety and Expediency of complying with the Prayer of such Memorial; and that the Person or Persons so to be appointed shall have full Power to examine into the Merits of such Memorial and the Grounds thereof, and for that Purpose to receive such Evidence, whether oral or documentary, to make or cause to be made such Surveys and Plans, and to collect such Information as may be offered in support of or against the Prayer of such Memorial; and in case such Person or Persons shall, upon a Consideration of all the Facts submitted or proved to them or him, be of opinion that the Provisions of this Act shall be put into operation with respect to the Subject Matter of such Inquiry, he or they shall so report to the said Lord Lieutenant or other Chief Governor or Governors; and such Report shall be accompanied by a proper Plan, Estimate, and Specification for the Execution of the intended Work, and also by a Statement of the Proportions in which the Expences thereof should be defrayed by the Two Counties between which the Bridge shall be, and by such neighbouring Counties, if any such, as ought to be contributory to such Expences.

If such Persons are satisfied they shall so report, and therewith transmit the Plan, Estimate, &c. of the Work and the Proportions of Expences to be defrayed by the Counties.

Copy of Report, &c. to be sent to the Secretary of the Grand Jury of every County named therein, to be laid before the Grand Jury for Consideration; and

III. And be it enacted, That the said Lord Lieutenant or other Chief Governor or Governors shall cause a Copy of such Report, Plan, Estimate, Specification, and Statement to be transmitted to the Secretary of the Grand Jury of each and every County named in such Statement as proper to be contributory to such Expences as aforesaid, to be by him laid before the Grand Jury at the next Assizes; and each such Grand Jury shall take the same into consideration; and if any such Grand Jury shall determine that an Appeal shall be made against such Report on account of such County being made contributory to the Expences aforesaid, or on account of its being charged in an undue Proportion for the said Expences, or on

account of any Objection to the Plan, Specification, Estimate, or Statement aforesaid, it shall be lawful for such Grand Jury to direct that such Appeal shall be made to the said Lord Lieutenant or other Chief Governor or Governors in Council, in the Name of such Grand Jury, on behalf of such County; and the Grounds of such Appeal shall be stated in Writing, and signed by the Foreman of such Grand Jury, and transmitted by him to the Clerk of the Privy Council; and Notice of every such Appeal shall be inserted by or on behalf of such Grand Jury in the *Dublin Gazette* once in Two successive Weeks next after such Appeal shall have been lodged with the Clerk of the Council as aforesaid; and it shall be lawful for such Lord Lieutenant or other Chief Governor or Governors, by and with the Advice and Consent of His Majesty's Privy Council in *Ireland*, to hear and determine such Appeal, and to make such Order, disallowing or confirming such Report, or for the varying, altering, or modifying such Report, Plan, Estimate, Specification, or Statement, as shall seem meet.

from which they may appeal.

IV. And be it enacted, That upon such Report if not appealed against, or in the Case of any such Appeal then upon such Report, if the same shall be confirmed, or, if varied, altered, or modified, then upon the same as so varied, altered, or modified upon such Appeal, it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, by Order to be signified through his or their Chief or Under Secretary, to direct that the Bridge in such Report mentioned shall be built or rebuilt, or that the same or any of the Approaches thereto shall be repaired, enlarged, widened, altered, or improved in the Manner and according to the Plan in such Report approved of, or according to such other Plan as may be approved of upon such Appeal as aforesaid, and that the Expences of any such Work, or in case any Grant shall be made in aid of such Work as herein-after mentioned, then the Residue of such Expences, shall be raised off and from the several Counties which may be specified for that Purpose in such Report or amended Report, according to the Shares and Proportions thereby recommended or determined.

Lord Lieutenant upon such Report may direct that the Bridge shall be built or repaired, and how the Expence thereof shall be raised.

V. And be it enacted, That, in order to provide for any Expences which may become necessary by the Appointment of any Person or Persons for the Purpose of examining into the Subject Matter of any Memorial to be presented under this Act, the Grand Jury presenting or authorizing any such Memorial shall be and are hereby empowered and required to present to be levied off their own County such Sum not being less than Two hundred Pounds as they may think fit, which Sum shall be deposited with the Treasurer of such County as a Fund or Security for the Discharge of such Expences as aforesaid, and be by him, or such Proportion thereof, paid over to such Person or Persons as shall be directed by the said Lord Lieutenant or other Chief Governor or Governors to receive the same, in case a Report shall be made that such Memorial ought not to be complied with, but in case a Compliance with the same shall be recommended and granted, then the Money so deposited shall remain in the Hands of such Treasurer to the Credit of the County,

Grand Jury making such Application to present off their own County a Sum for defraying Expences of Commission, to be lodged with Treasurer; but if Report be favourable, the Expences shall be defrayed out of the Monies raised for the Work.

County, and the Expences attending the Investigation of the Matter of such Memorial shall be deemed Part of the Charges for the Work recommended, and shall be borne by the several Counties liable thereto under the Provisions of this Act in the several Proportions hereby directed.

If Report be approved by Lord Lieutenant, the Order made thereon to be laid before the Grand Juries liable thereunder who shall present for the same.

VI. And be it enacted, That when any such Report as aforesaid shall have been received and approved of by the said Lord Lieutenant or other Chief Governor or Governors, or if the same shall be appealed against then upon the Determination of such Appeal, the Order made upon the same shall be transmitted to the Secretaries of the Grand Juries of the respective Counties thereby directed to be liable to the Charges of the said Work, and shall be by them at the next Assizes laid before such Grand Juries respectively, who shall thereupon present to be levied off their respective Counties the Sums appearing by such Order to be respectively chargeable thereon.

Such Presentments to be made without any previous Application to Sessions.

VII. And be it enacted, That such Presentments may and shall be made without any previous Application or Approval by any Special Sessions under the Provisions of an Act passed in the Third and Fourth Years of His present Majesty's Reign, intituled *An Act to amend the Laws relating to Grand Juries in* Ireland, or any other Act or Acts.

The building, &c. of such Bridges to be placed under the Management of the Commissioners of Public Works.

VIII. And be it enacted, That the building, rebuilding, repairing, widening, enlarging, or improving of any Bridge under the Provisions of this Act, or of any of the Approaches thereto, and the Execution of all Works relating to the same, shall be carried on, conducted, and managed by and under the Controul and Direction of the Commissioners for the Time being; and that all the Provisions of the said last-mentioned Act shall and may be applied and extended to the several Works hereby authorized to be executed, so far as the same may be necessary, and may not be repugnant to or inconsistent with this Act: And provided further, that nothing herein contained shall be construed to restrain or prevent the said last-mentioned Commissioners from making any Grant in aid of the Erection of any Bridge which may be proposed to be erected under the Provisions of this Act, in like Manner and to such Extent as they may be authorized by the said last-recited Act to make Grants on the Application of any Grand Jury; and such Commissioners are hereby authorized, upon Consideration of the Report, with the Plans, Specifications, and Estimates, to be prepared as herein-before provided, at their Discretion, subject nevertheless to the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury for the Time being, to make such Grant in aid of the Erection of Bridges in respect whereof the Provisions of this Act may be put in execution; and in the Case of any such Grant the Amount thereof shall be deducted from the gross Amount of the Expence of erecting the same, and the Residue only shall be levied off the several Counties contributory to such Expence in the Proportions and Manner prescribed by the Order of the said Lord Lieutenant or other Chief Governor or Governors as aforesaid.

Not to prevent the Commissioners making any Grants in aid of Work.

IX. And

IX. And be it enacted, That it shall be lawful for any Grand Jury hereby required to present any Sum of Money for the Purposes of this Act to direct that the Amount of such Presentment shall be levied by any Number of equal half-yearly Instalments not exceeding Twelve; and upon such Presentment being made it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to order that the whole or such Part as he or they shall deem proper of the Money so presented, or the Residue thereof in case of any Grant being made as aforesaid, shall be advanced out of the Sum of Five hundred thousand Pounds which by an Act of the First and Second Year of His present Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, may be advanced to the said Commissioners of Public Works, for the more speedy Execution of the Work to which such Presentment shall relate, which Sum so advanced shall be repaid in the Proportions prescribed by any such Order as aforesaid of the said Lord Lieutenant or other Chief Governor or Governors, by the Treasurers of the respective Counties, to the Collectors of Excise for their respective Districts, by Instalments, pursuant to the Presentments, and be by such Collectors accounted for as any other Public Money which may come to their Hands.

Grand Jury may direct Presentment to be levied by Instalments.

Lord Lieutenant may order Sums presented to be advanced out of the Consolidated Fund.

1 & 2 W. 4. c. 33.

X. And be it enacted, That if any Surplus of any Money presented under this Act shall remain after the Completion of the Work for which the same shall have been raised, such Surplus shall be refunded to the Treasurers of the respective Counties off which the said Money shall have been raised in the like Proportions as those in which such Counties were made chargeable towards the Expences of such Work; and in like Manner any additional Sum beyond the Amount of the Estimate which may be found necessary shall be presented in like Proportions, pursuant to the Order and Directions of the said Lord Lieutenant or other Chief Governor or Governors.

Any Surplus of Sums presented remaining after Completion of Work to be refunded to County Treasurer.

XI. And whereas by an Act passed in the Parliament of *Ireland* in the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for building a Bridge over the River* Shannon *at* Portumna *in the County of* Galway, certain Persons therein named were constituted Trustees for receiving Subscriptions for building a Bridge over the River *Shannon* where the Ferry of *Portumna* then was, and the Subscribers thereto were created, united, and elected into One Company, and were thenceforth to be One Body Politic and Corporate by the Name of the Commissioners for building a Bridge over the River *Shannon* at *Portumna*, with certain Powers and Duties in the said Act particularly mentioned and set forth: And whereas the said Company was by the said Act authorized to demand and receive certain Sums therein specified in the Nature of Toll for Passage over the said Bridge, and also to raise Money for the Purposes of the said Act in any Manner which they or any Eleven or more of them should judge necessary: And whereas the said Commissioners afterwards caused a Bridge to be erected and built across the said River *Shannon* pursuant to the Provisions of the said Act, and thereupon received and have since continued to collect the several Tolls thereby given, as well for the Purposes of maintaining

The Act of 35 G. 3. (I.), for building a Bridge over the Shannon at Portumna, repealed.

taining and keeping in repair the said Bridge as reimbursing the several Persons subscribing Money for the Execution thereof: And whereas the said Commissioners, in execution of the Powers by the said Act vested in them, have from Time to Time borrowed considerable Sums of Money on the Credit of the said Tolls, on account of which Loans the said Commissioners are now indebted to the Extent of Three thousand Pounds or thereabouts: And whereas, notwithstanding the Receipt of such Tolls, and of the Funds so produced on the Credit thereof, the said Bridge hath been neglected, and is now in such a State of Dilapidation and Decay as to be nearly impassable and useless, and it is therefore expedient that the Management of the said Bridge should be otherwise conducted, and the Revenue arising therefrom more judiciously and properly applied; be it therefore enacted, That from and after the Commencement of this Act the said Act of the Thirty-fifth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby repealed, save and except as to any Matters or Things heretofore done or which have heretofore taken place under the Authority thereof.

Saving for Matters done thereunder.

Right of Ferry already abolished not revived by this Act.

XII. Provided always, and be it enacted, That nothing herein contained shall have the Effect of reviving, creating, or validating any Right of Ferry or other Right or Privilege abolished or affected by the said Act.

Bridge of Portumna transferred to Commissioners of Public Works.

XIII. And be it enacted, That the said Bridge at *Portumna*, and all the Right, Title, Interest, Property, Claim, and Demand, in Law or in Equity, of the said Body Politic and Corporate thereto, and in and to all Tolls, Revenues, Profits, Emoluments, Income, and Benefits arising therefrom or thereout, shall be and the same are hereby transferred to and vested in the said Commissioners for the Execution of the said Act passed in the First and Second Years of the Reign of His present Majesty, and their Successors, in like Manner as any Public Work to which the said last-mentioned Act may now apply.

Lord Lieutenant may appoint a Commission to report upon the Proportions in which Counties deriving Benefit from Portumna Bridge shall contribute towards Reconstruction of same.

XIV. And be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint Three or more Persons for the Purpose of investigating and reporting upon the respective Proportions in which the Counties likely to derive Benefit from the said *Portumna Bridge* shall contribute to the Expences of re-constructing and repairing the same, which Persons so appointed shall be at liberty, if they should so think fit, to cause proper Plans, Maps, Estimates, and Specifications to be made, for the Purpose of guiding their Judgments upon the Matter so submitted to them, the Expences whereof, and of all things by them directed as aforesaid, shall be deemed and taken to be Part of the Charges connected with the said Bridge, and shall be defrayed in the like Manner and in the same Proportions as any other Expences attending the same.

One Half the Sum so required to be

XV. And be it enacted, That one Half of the Sum necessary for the rebuilding or otherwise completing the said Bridge and of the Approaches

Approaches thereto shall be paid and advanced out of the Sum of Five hundred thousand Pounds which by the aforesaid Act of the First and Second Year of His present Majesty may be advanced for the Purpose of making Roads, and building Bridges in *Ireland*, upon Warrants to be from Time to Time signed for that Purpose by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and the other Moiety thereof shall be raised off the respective Counties which under the Provision herein-before contained shall be reported by the Person or Persons in that Behalf appointed to be liable to the Expences of the said Bridge, and shall be apportioned among such Counties in manner recommended by such Report.

advanced out of Consolidated Fund, and the Remainder to be raised off such Counties.

XVI. And forasmuch as the rebuilding the said *Portumna Bridge* so intended to be built, and the repairing, preserving, enlightening, watching, and supporting the same, will be attended with considerable Expence; be it further enacted, That it shall be lawful to and for the said Commissioners and their Successors, and they are hereby authorized and empowered, to take and receive, or cause to be taken and received, in the Nature of a Toll, before any Passage over the said Bridge shall be permitted, any Sum which the said Commissioners or their Successors shall direct not exceeding the following Rates; (that is to say,)

Commissioners of Public Works may levy certain Tolls on the said Bridge.

Tolls.

For every Coach, Berlin, Chariot, Calash, Chaise, or Chair drawn by Six or more Horses or other Beasts of Burthen, the Sum of Four Shillings Sterling; and for every Coach, Berlin, Chariot, Calash, Chaise, or Chair drawn by any lesser Number of Horses or other Beasts of Burthen than Six, or more than Two, the Sum of Two Shillings Sterling:

For every Coach, Berlin, Chariot, Calash, Chaise, or Chair drawn with Two Horses or other Beasts of Burthen, the Sum of One Shilling Sterling:

For every Waggon, Wain, Cart, Car, or other Carriage with Four Wheels, drawn by Four or more Horses or other Beasts of Burthen, the Sum of One Shilling Sterling; by less than Four and more than One Horse or other Beast of Burthen, the Sum of Sixpence Sterling:

For every Waggon, Wain, Cart, Car, or other Carriage with Two Wheels, drawn by more than Two Horses or other Beasts of Burthen, the Sum of Nine-pence Sterling, and when empty the Sum of Six-pence Sterling:

For every Cart, Car, or other Carriage drawn by Two Horses or other Beasts of Burthen, the Sum of Sixpence Sterling:

For every Carriage commonly called a Chaise or Chair, with Two Wheels, drawn with One Horse or other Beast of Burthen, the Sum of Three-pence Sterling; if with Four Wheels, the Sum of Four-pence Sterling:

For every Cart, Car, or other Carriage drawn by One Horse or other Beast of Burthen, and not laden, the Sum of Two-pence Sterling:

For every Cart or other Carriage drawn by One Horse or other Beast of Burthen, and laden (except with Hogs), the Sum of Three-pence Sterling:

For every Horse carrying One Rider, the Sum of Two-pence Sterling:

For

For every Sledge, Slide, or other Carriage without Wheels, drawn in any Manner, the Sum of One Shilling; and for all Carriages whatsoever drawn in or by any other Manner than as aforesaid, the Sum of Sixpence:

For every Horse, Gelding, Mare, Mule, Ass, or other Beast of Burthen, laden or unladen and not drawing, the Sum of Two-pence Sterling:

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence Sterling *per* Score, and so in proportion for a greater or lesser Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence Sterling *per* Score, and so in proportion for any greater or less Number:

For every dead Hog, the Sum of One Halfpenny:

Which said respective Sum and Sums shall be demanded and taken in the Name of or as a Per-centage Toll or Duty; and the Money so to be raised as aforesaid is and shall be hereby vested in the Commissioners and their Successors for ever; and the said Commissioners and their Successors shall be and are hereby empowered, by themselves or any Person or Persons by them under their Hands and Seals thereto authorized, to levy the Tolls or Duties by this Act appointed and required to be paid, upon any Person or Persons who shall, after Demand made thereof, neglect or refuse to pay the same, by Distress of any Carriage, Horse, or other Cattle or Goods upon which any such Toll or Duty is by this Act imposed, or upon any other of the Goods or Chattels of any such Person or Persons as ought to pay the same, and may detain the same until such Toll or Duty, with the reasonable Charges of such distraining or keeping, shall be paid; and it shall and may be lawful to and for the Person or Persons so distraining, after the Space of Four Days after such Distress made and taken, to sell the Goods distrained by Public Auction, returning the Overplus (if any), upon Demand, to the Owner, after such Toll, Duty, and reasonable Charges for distraining and keeping the same shall be deducted and paid.

Exemptions from Tolls.

XVII. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages belonging to His Majesty or any of the Royal Family; or for any Horse, Beast, Cattle, or Carriage of whatever Description employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriages attending them, with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty, or for the Use of His Majesty's Forces; or for any Chief Constable, Constable, or any Person of higher or lower Rank of or belonging to any Constabulary Force or Police,

being on Duty, or for any Horse, Mare, or Gelding furnished by or for or belonging to any such Constable, Chief Constable, or other such Person as aforesaid, rode by them in going to or returning from any Place upon Duty; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted from the whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Five Pounds.

Penalty for claiming Exemption not being entitled thereto.

XVIII. And be it enacted, That it shall and may be lawful to and for the said Commissioners and their Successors to erect and place a Toll House or Toll Houses, and a Toll Gate or Toll Gates, at or near the said *Portumna Bridge;* and the said Commissioners and their Successors, and any Person or Persons by them thereto authorized, are hereby empowered to receive at such Gate or Gates the Tolls or Duties required by virtue of this Act to be paid, before the Passage of any Person, Carriage, Cattle, or Goods through the said Gate or Gates; and that any Person forcing a Passage through such Gate or Gates, for himself or herself, his or her Carriage, Cattle, or Goods, and not paying the due and regulated Tolls, or who shall wilfully and maliciously destroy, break, pull down, or damage any Gate or Gates, Toll House or Toll Houses, or Works, erected by virtue of this Act, or shall prevent or obstruct the Erection of any such Gate or Gates, Toll House or Toll Houses, or Works, or shall obstruct the Collectors appointed by the said Commissioners in collecting the said Tolls, or the Persons employed for that Purpose, may for every such Offence be summoned personally, or by a Summons left at his or her usual Place of Abode with some Person living therein of the Age of Sixteen Years and upwards, at the Instance of the said Commissioners or of the Person or Persons appointed by them to receive the same, One Day before the Day on which his or her Appearance shall be required, to appear before One or more Justice or Justices of the Peace for the *King's County* or Counties of *Galway* or *Tipperary*, who shall hear and determine the Merits of such Complaint in a summary Way, by the Oath or Oaths of One or more Witness or Witnesses, which Oath such Justice or Justices of the Peace is and are hereby required to administer, or by the Confession of the Party, and to inquire into and determine upon any Offence as aforesaid, and shall, in case of Proof of any such Offence, whether the Party complained against appear or not, if the Service of the Summons be duly proved, adjudge the Person or Persons guilty of the same to pay to the said Commissioners or their Successors, or to the Person or Persons by them or their Successors authorized, any Sum not exceeding Ten Pounds, with the necessary Costs and Charges; and in case of Nonpayment of the same the Sum to be adjudged by such Justice or Justices of the Peace shall be levied, by Warrant of Distress under the Hand and Seal of such Justice or Justices of the Peace, on the Goods and Chattels of the Person or Persons so adjudged to pay the same; and the Goods and Chattels so distrained shall and may on any Day after Four Days from the Time of distraining, and within Two Days, be publicly sold, and out of the Produce thereof the Sum so adjudged shall be paid to the Person or Persons empowered to receive the same; and the Overplus (if any be), after deducting the Costs and Charges,

Power to erect Toll Houses, &c.

Penalty for wilful Damage to Toll Houses, &c.

Charges, shall be paid to the Owner of such Goods and Chattels so distrained; and in case such Distress cannot be made, then that the said Justice or Justices of the Peace shall and may and he and they are hereby empowered to commit the said Person or Persons to the Common Gaol of the County in which he is a Justice of the Peace, there to remain without Bail or Mainprize for such Time not exceeding Three Months as to the said Justice or Justices of the Peace shall seem fit and meet.

Commissioners of Public Works may appoint Collectors of such Tolls;

XIX. And be it enacted, That it shall and may be lawful to and for the said Commissioners and their Successors to nominate and appoint such Person or Persons to be Receiver or Receivers, Collector or Collectors of the said several Tolls and Duties as they shall think fit; and all Persons by this Act liable to pay the said Tolls or Duties or any of them are hereby required to pay the same, after the Rates aforesaid, to such Receiver or Receivers, Collector or Collectors; and all such Receivers or Collectors shall respectively pay the same, at all Time and Times when thereto required, either to the Treasurer of the said Commissioners, or to such other Person or Persons as the said Commissioners or their Successors shall empower and appoint by Writing under their Hands and Seals for that Purpose; and that such Receiver or Receivers, Collector or Collectors aforesaid shall, upon Oath, if required by the said Commissioners or their Successors, which Oath the said Commissioners are hereby empowered to administer from Time to Time, give in a true, exact, and perfect Account, in Writing under their respective Hands, of all Monies which they or every of them shall to such respective Times have received, paid, and disbursed by virtue of this Act, or by reason of their respective Offices, for which Oath no Fee or Reward shall be taken, and the same may be taken without any Stamp; and in case any such Receiver or Receivers, Collector or Collectors of the said Tolls and Duties shall not make such Account and Payment as is by this Act directed, then any Justice or Justices of the Peace for the *King's County* or Counties of *Galway* or *Tipperary* shall commit such Party or Parties refusing or neglecting so to do to the Public Gaol of the County of which he is a Justice of the Peace, there to remain without Bail or Mainprize until he or they shall have made a true Account and Payment as aforesaid, or compounded for the same with the said Commissioners or their Successors, and paid the Money by every such Composition stipulated to be paid.

and may demise such Tolls.

XX. And be it enacted, That it shall and may be lawful for the said Commissioners or their Successors to demise or let the said Tolls appointed by virtue of this Act, for any Time not exceeding Twenty-one Years; and the said Commissioners or their Successors are hereby required and empowered, under their Hands and Seals, to appoint the said Tenant or Tenants thereof, his or their Servant or Servants, to receive and collect the said Tolls for such Term as aforesaid, and to erect such Toll Gate or Toll Gates as aforesaid; and the said Commissioners are hereby empowered to make and ordain such Rules and Regulations as they or their Successors, or any Two or more of them, shall judge necessary and expedient, for the better collecting the Tolls aforesaid.

XXI. And

Application of Tolls.

XXI. And be it enacted, That the several Tolls by this Act authorized to be collected and taken shall be applied in the first instance towards the Expence of maintaining and repairing the said Bridge at *Portumna;* and in the next place towards the Repayment of any Sum or Sums of Money heretofore advanced or borrowed from the said Commissioners, or any other Commissioner, under any Act or Acts for the Advance of Monies in aid of Public Works in *Ireland*, or paid out of the Consolidated Fund of the United Kingdom by virtue of any such Act or Acts; and that the Surplus arising therefrom, if any, shall be applied and disposed of in such Manner as the Commissioners for executing the Office of Lord High Treasurer shall from Time to Time direct and appoint.

If a Surplus arises, the Tolls to be reduced.

XXII. Provided always, and be it enacted, That when any such Surplus shall arise it shall be lawful to lessen and reduce all or any of the Tolls by this Act authorized to be taken in such Manner as the Commissioners for executing the Office of Lord High Treasurer shall from Time to Time direct and appoint, so that at any Time thereafter the Amount of such Tolls shall not be less or greater than may be requisite to supply the Fund requisite for maintaining and repairing the said Bridge at *Portumna*.

No Ferry Boats shall ply within a certain Distance of the Bridge without Licence.

XXIII. And be it enacted, That no Person or Persons shall keep or maintain any Boat or Boats to ply for Hire over or across the said River at any Place between the Distance of One Mile above and One Mile below the Bridge intended to be built as aforesaid, or to carry or convey for Hire any Passenger or Passengers, Cattle, Carriages, or Goods which is or are subject or chargeable with Toll or Duty by this Act, over or across the said River *Shannon*, except such Person or Persons as shall be licensed or appointed by the said Commissioners or their Successors.

Powers for raising Materials, &c.

XXIV. And be it enacted, That the Architects, Managers, or Persons employed to build the said Bridge, or such other Person or Persons as the said Commissioners or their Successors shall appoint, shall have all and singular the same Powers of raising and carrying away Gravel, Stones, Earth, or other Materials for the Purpose of erecting the said Bridge as are given by the Laws now in force to any Person employed or acting in or for the repairing of Public Roads, and subject to the same Regulations and Restrictions.

Construction of the Word "County."

XXV. And be it enacted, That wherever the Word "County" occurs in this Act the same shall be construed to extend to and comprehend a County of a City or a County of a Town as well as a County at large.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1834.