ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

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C A P. LV.

An Act to amend an Act of the Parliament of *Ireland*, in the Fortieth Year of His present Majesty's Reign, for granting the Sum of Five hundred thousand Pounds, for promoting Inland Navigation, and for other Purposes therein mentioned; and to enlarge the Powers vested in the Directors of all Works relating to Inland Navigation in *Ireland*.

[20th *June* 1816.]

WHEREAS by an Act made in the Parliament of *Ireland*, in the Fortieth Year of the Reign of His present Majesty, intituled *An Act for granting to His Majesty the Sum of Five* 40 G. 3. c. 51. *hundred thousand Pounds, for promoting Inland Navigation in* Ireland, *and for the other Purposes therein mentioned, and for authorizing the raising of the said Sum by Loan*, it is amongst other Things enacted, that it should and might be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, for the Time being, from Time to Time to nominate and appoint Five Persons to be Directors of all Works relating to Inland Navigation in *Ireland*, and for the Improvement of the Port and Harbour of *Dublin*, who should have full Power and Authority to order, direct, regulate, and appoint all Matters and Things whatsoever, in any Manner relating to the making, furthering, and completing any Canal and Works relating to Inland Navigation, towards the defraying of the Expences of which any public Money should be applied; and it was by the said recited Act also enacted, that all

ſuch Inland Navigations, as had been, before the paſſing of ſaid Act, carried on and executed by Means of public Grants alone, or by Tolls ariſing therefrom, without the Aſſiſtance of the private Property of any Individual, and ſuch as ſhould thereafter be ſo carried on, together with all Lands, Tenements, Banks, Backways, and every Matter and Thing appertaining thereto, and all the Funds and Tolls belonging to the ſame ſhould be, and the ſame were thereby veſted in the ſaid Directors, and in ſuch Perſon and Perſons as ſhould ſucceſſively be appointed Directors in purſuance of the ſaid Act: And whereas ſeveral Inland Navigations have, by virtue of the ſaid recited Act, and otherwiſe, become veſted in the Directors appointed under and by virtue of the ſaid recited Act: And whereas it is expedient to amend the ſaid recited Act, and to enlarge the Powers veſted in the ſaid Directors, under and by virtue of the ſaid Act, and the ſeveral other Acts of Parliament in *Ireland* relating to Inland Navigation; be it therefore 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 it ſhall and may be lawful for the ſaid Directors, and they are hereby authorized and empowered from Time to Time, and at any Place, to make ſuch Rules, Orders, Regulations, and Bye Laws, as to them ſhall ſeem meet and proper, for regulating the Conduct of all Officers, Workmen, and Servants to be employed by them, and for the well and orderly uſing and preſerving the ſeveral Canals and Navigations and Off-branches thereof, which now are or at any Time hereafter ſhall be veſted in them, and the Banks, Baſons, Reſervoirs, Tunnels, Locks, Sluices, Aqueducts, and all other Works thereto belonging, and for regulating the paſſing and repaſſing of all Ships, Boats, Barges, Lighters, and other Veſſels, and the conveying of all Goods, Wares, Merchandizes, and Commodities which ſhall be navigated or conveyed thereon, and for the orderly Behaviour of all Seamen, Boatmen, Watermen, Bargemen, and others, who ſhall navigate ſuch Ships, Boats, Barges, Lighters, and other Veſſels, upon any of the ſaid Canals or Navigations, or any Off-branch thereof, or who ſhall be employed in carrying or conveying any Goods, Wares, Merchandizes, or Commodities thereon, and for the Superintendance and Management of the ſaid Canals and Navigations, and the Off-branches thereof reſpectively, in all other Reſpects whatſoever; and from Time to Time, and at any Place, to alter or repeal all or any of the Rules, Orders, Regulations, and Bye Laws now in force, or to be hereafter made reſpecting the ſame, or any of them, and to make others; and to impoſe and inflict ſuch reaſonable Fines and Forfeitures upon all Perſons offending againſt ſuch Rules, Orders, Regulations, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the ſaid Directors ſhall ſeem meet and expedient; and all Rules, Orders, Regulations, and Bye Laws, ſo to be made as aforeſaid, ſhall be reduced into Writing, and ſhall be ſubmitted for the Approbation of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being; and when ſuch Approbation ſhall be ſignified, all ſuch Rules, Orders, Regulations, and Bye Laws ſhall be entered in the Books or Minutes of the ſaid Directors, and ſhall be binding upon, and be obſerved by all Perſons uſing or in anywiſe concerned or employed in or about the ſaid Canals or Navigations, or any of them, or any Off-branch of any of them; and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame:

Directors empowered to make Bye Laws for regulating Navigation and the Paſſage of Veſſels thereon, &c.

Power to alter or repeal Bye Laws;

and to inflict Fines not exceeding 5l.

Bye Laws, being approved by the Lord Lieutenant, ſhall be a ſufficient Juſtification to all Perſons acting thereunder.

Provided

Provided always, that such Rules, Orders, Regulations, and Bye Laws be not contrary to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*; and provided also, that such Rules, Orders, Regulations, and Bye Laws shall be published at least Three Times in the *Dublin Gazette*, and also in some Country Newspaper respectively, if any such Country Newspaper shall be published in any County or Town through which such Canals or Navigations, or any Off-branch or Part thereof, shall have been made or carried; and if no Newspaper be published in any County through which the said Canals or Navigations, or any Off-branch or Part thereof, shall have been made or carried, then the same shall be published in the *Dublin Gazette* alone as aforesaid.

Bye Laws not to be contrary to the Laws of the Land.

To be published in Dublin Gazette and Country Newspaper.

II. And be it further enacted, That if any Nuisance or Impediment to any Navigation, or any other Offence against or Breach of any Rule, Order, Regulation, or Bye Law, made or to be made as aforesaid, shall be continued, or shall not be abated, removed, or discontinued after Notice in Writing signed by the said Directors, or by any of their Officers, shall have been served on or left at the usual Place or Places of Abode of the Person or Persons so continuing such Nuisance, Impediment, Offence, or Breach, requiring him, her, or them to discontinue the same, every such Continuation shall be deemed and taken to be a separate and distinct Offence within the Meaning of this Act; and it shall and may be lawful to and for the said Directors to impose and inflict a Fine, Penalty, or Forfeiture for each and every such Continuation.

A Continuance of any Offence against Bye Laws constitutes a Second Offence.

III. And be it further enacted, That when and as often as any Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, shall be incurred by reason of any Offence or Breach of any Rule, Order, or Regulation of the said Directors, or by reason of any Bye Law to be made by the said Directors, under and by virtue of the Powers by this Act vested in them for that Purpose, it shall and may be lawful to and for the said Directors, their Officers and Servants, or any of them, to seize, detain, and withhold, by way of Distress, any Ship, Boat, Lighter, Barge, or Vessel, and any Goods, Wares, Merchandize, or Commodities in the Possession or under the Care or Management of the Person or Persons incurring such Penalty, Fine, or Forfeiture; and if such Distress shall not be redeemed, by paying every such Penalty, Fine, and Forfeiture, together with the reasonable and necessary Charges for such distraining, within Sixteen Days after the taking thereof, it shall and may be lawful to and for any Two or more of His Majesty's Justices of the Peace of the County in which such Distress shall be made, and they are hereby required, on Information on Oath being made before them of the Detention of such Ship, Boat, Lighter, Barge, or Vessel, Goods, Wares, Merchandizes, or Commodities, and of the Imposition of such Fine, Penalty, or Forfeiture as aforesaid, and that the same had not been redeemed as aforesaid, to issue their Warrant under their Hands and Seals, directed to some High or Petty Constable of the said County, to levy the Amount of every such Penalty, Fine, and Forfeiture, by Sale of the said Distress; and thereupon it shall and may be lawful to and for the said Constable to sell the said Distress, or a sufficient Part thereof, for Satisfaction and Payment of every such Penalty, Fine, and Forfeiture, and of the Charges of such Distress and Sale, paying the Overplus (if any) to the Owner or Owners, or Person or Persons having the Care or Management of the Ship, Boat, Lighter, Barge, or Vessel, or

Power to seize and detain Vessels for the Payment of Fines and Expences of Distress.

If Distress not redeemed within 16 Days, Two Justices of the Peace may issue Warrant for Sale thereof;

or a sufficient Part, to satisfy the Penalty and Charges.

Overplus (if any) to Owner.

of the Goods, Wares, Merchandize, or Commodities ſo diſtrained, and reſtoring to the ſaid Owner or Owners, Perſon or Perſons aforeſaid, ſuch Parts of the Property diſtrained as ſhall remain unſold (if any); and that no Replevin ſhall lie, or be granted or executed againſt ſuch Diſtreſs; and the abſolute Property of every Thing ſo ſold ſhall be and remain in the Purchaſer thereof.

No Replevin to lie againſt Diſtreſs.

All Floats, Rafts, or Timber put on Navigations without Permiſſion of Directors, or not being on board Boat, Lighter, &c. forfeited to Uſe of Directors.

IV. And be it further enacted, That from and after the paſſing of this Act no Perſon or Perſons ſhall, on any Pretence whatſoever, float, navigate, or put any Raft of Timber, Planks, Board or Boards, or any Log or Logs of Timber, or Beam or Beams, Plank or Planks, or Board or Boards, not being on board a Ship, Boat, Lighter, Barge, or Veſſel, in or upon any Canal or Navigation, now veſted or which ſhall hereafter be veſted in the ſaid Directors, or any Off-branch thereof, without the Permiſſion of the ſaid Directors for that Purpoſe firſt had and obtained in Writing; and that every Raft, Log, or Piece of Timber, Plank, Beam, and Board, which ſhall at any Time hereafter be floated, navigated, or put in or upon any ſuch Canal or Navigation, or any Off-branch thereof, not being on board a Ship, Boat, Lighter, Barge, or Veſſel, without ſuch Permiſſion as aforeſaid, ſhall be forfeited and become the Property of the ſaid Directors General, to be by them applied or diſpoſed of for the Uſe of ſuch Navigation; and that it ſhall and may be lawful to and for the ſaid Directors and their Servants, to ſeize and take the ſame to and for the Uſe of the ſaid Directors, to be applied or diſpoſed of as aforeſaid.

Ships, Boats, or Veſſels found ſunk or damaging the Work of Navigations may be detained,

until Expences of raiſing, &c. and repairing Damages paid;

and in caſe of Diſpute, until the Sum awarded by Juſtice ſhall be paid.

V. And be it further enacted, That if any Ship, Boat, Lighter, Barge, or Veſſel, ſhall in any Manner damage, injure, or deſtroy any Part of any Canal or Navigation, or Off-branch thereof, or be found ſunk in any Canal or Navigation now veſted, or which at any Time hereafter ſhall be veſted, in the ſaid Directors, or in any Off-branch or Supply-cut of the ſame, it ſhall and may be lawful to and for the ſaid Directors, and their Officers and Servants, to detain every ſuch Ship, Boat, Lighter, Barge, and Veſſel; and to keep and detain the ſame, and all Goods, Wares, Merchandizes, and Commodities found on board the ſame, until the reaſonable Coſts and Expences of weighing and raiſing the ſame reſpectively, and of repairing the Damage which the ſaid Canal or Navigation, or Off-branch or Supply-cut, may have ſuſtained thereby, ſhall be paid and ſatisfied to the Collector of Tolls to the ſaid Directors; and in caſe any Diſpute or Difference ſhall ariſe touching the Amount of the ſaid Coſts and Expences, then until ſuch Sum of Money as any One of His Majeſty's Juſtices of the Peace for the County in which the ſaid Ship, Boat, Lighter, Barge, or Veſſel ſhall be detained, ſhall, under his Hand and Seal, award and adjudge to be paid for ſuch Coſts and Expences, ſhall be paid and ſatisfied to the ſaid Collector.

Veſſels may be ſold, under Warrant of a Juſtice, by a Conſtable, though not a licenſed Auctioneer.

VI. And be it further enacted, That in caſe any Ship, Boat, Lighter, Barge, or Veſſel, Goods, Wares, Merchandizes, or Commodities ſo detained as aforeſaid, ſhall not be claimed by or on behalf of the Owner or Owners thereof, or in caſe the Coſts and Expences aforeſaid ſhall not be paid as aforeſaid, within Twenty-one Days after the ſaid Ship, Boat, Lighter, Barge, or Veſſel ſhall be detained as aforeſaid, it ſhall and may be lawful to and for any One of His Majeſty's Juſtices of the Peace within his Juriſdiction, and he is hereby required, on Information on Oath made before

before him, that ſuch Ship, Boat, Lighter, Barge, or Veſſel, Goods, Wares, Merchandizes, and Commodities, have been ſeized and detained, as aforeſaid, and not claimed within the Time aforeſaid, by Warrant under his Hand and Seal, directed to ſome High or Petty Conſtable of the ſaid County, to order and require the ſaid Conſtable to ſell the ſaid Ship, Boat, Lighter, Barge, or Veſſel, Goods, Wares, Merchandizes, and Commodities, by public Cant or Auction, to the higheſt and beſt Bidder for the ſame (which ſaid Sale the ſaid Conſtable is hereby licenſed, authorized, required, and empowered to make, without obtaining any Licence as an Auctioneer); and the ſaid Conſtable ſhall, out of the Produce of ſuch Sale, pay the aforeſaid Coſts and Expences to the ſaid Collector of Tolls of the ſaid Directors; and ſhall pay over the Reſidue of the ſaid Produce, after deducting the Expences of ſuch Notices and Sale, to the Owner and Owners of the ſaid Ship, Boat, Lighter, Barge, or Veſſel, Goods, Wares, Merchandizes, or Commodities; or in caſe ſuch Owner or Owners ſhall not be known to the ſaid Conſtable, then to pay over the ſaid Reſidue to the ſaid Juſtice of the Peace for the Uſe of ſuch Owner or Owners.

Expences as aforeſaid to be paid out of Produce of Sale.

Reſidue to Owner.

VII. And whereas in many Places the Boundaries and Mearings between the Banks of ſeveral Canals and Navigations, or the Off-branches thereof, and the adjoining Lands, have, through Lapſe of Time and the Neglect of the Perſons in whom the ſaid Canals and Navigations and Off-branches thereof have been veſted, been effaced and deſtroyed, ſo as that the ſame cannot now be traced and aſcertained; and it is neceſſary for the Preſervation of the ſaid Canals and Navigations and Off-branches thereof, that the Banks be fenced in and incloſed from the adjoining Lands; be it therefore declared and enacted, That in all Caſes where there is no Boundary or Mearing between any Part of the Bank of any Canal or Navigation and Off-branches thereof, and the adjoining Land, it ſhall and may be lawful to and for the ſaid Directors as to any Canals or Navigations which are or may become veſted in them; and alſo for all and every Company of Undertakers or Proprietors of any other Canal or Navigation in *Ireland*, with reſpect to ſuch Canals or Navigations reſpectively as are not or ſhall not be veſted in the ſaid Directors, to fence in and incloſe ſuch Part of any ſuch Bank, provided the Breadth of the Bank ſo fenced in and incloſed ſhall not exceed Twenty-one Feet from the Edge of the Water of the ſaid Canal or Navigation or Off-branch, including the Ditch or Fence by which the ſame ſhall be incloſed as aforeſaid.

Where no Boundary, Directors may fence in and incloſe Banks.

Not to exceed 21 Feet in breadth.

VIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors, and for the Surveyor or Surveyors, Engineer or Engineers of the ſaid Directors, and for any other Perſon or Perſons employed for that Purpoſe, and their Servants and Attendants, to ſurvey, meaſure, take Levels, and lay out any Line intended for a new Canal or Navigation, Off-branch or Cut, or for the altering, widening, extending, or improving of any exiſting Canal or Navigation, Off-branch or Cut, or for any Works relating to Inland Navigation; and for that Purpoſe to enter upon, traverſe, and paſs and repaſs through and over any Lands or Grounds, and to do all other Matters and Things neceſſary for the Purpoſes aforeſaid, without being deemed a Treſpaſſer or Treſpaſſers, and without being liable to any Obſtruction whatever; provided ſuch Surveyor or Surveyors,

Directors, Surveyors, and Engineers, &c. may enter upon Lands for Purpoſes of ſurveying and laying out new Lines of Navigation.

Engineer or Engineers, Perſon or Perſons, ſhall be accompanied by One or more of the ſaid Directors, or ſhall produce (if demanded) a Certificate in Writing under the Hands of the ſaid Directors, or under the Hand of their Secretary for the Time being, that he or they is or are employed by the ſaid Directors for that Purpoſe.

Swine found on Canal Banks may be ſeized, killed, or carried away, if not under the care of a Driver, &c.

IX. And be it further enacted, That from and after the paſſing of this Act it ſhall and may be lawful for the ſaid Directors, and alſo for all and every Company of Undertakers or Proprietors of any other Canal or Inland Navigation in *Ireland*, whenever they ſhall deem it expedient or neceſſary ſo to do, to iſſue Orders in Writing under their Hand and Seal to the ſeveral Lock-keepers and other Officers of the ſeveral Navigations, now veſted or hereafter to become veſted in them the ſaid Directors, or in any ſuch Company of Undertakers or Proprietors, to ſeize, kill, or carry away, and it ſhall and may be lawful for ſuch Lock-keepers and other Officers, when ſo thereunto ordered, to ſeize, kill, and carry away all Swine found roaming at large on any Part of the Banks of any Canal or Navigation or Off-branch thereof, veſted or to be veſted in the ſaid Directors, or in any ſuch Company of Undertakers or Proprietors, unleſs ſuch Swine ſhall have One or more Driver or Drivers attending on, or Perſon or Perſons in charge of them, who ſhall be actually driving the ſame, and who ſhall prevent them from doing Miſchief to or injuring any ſuch Navigation, or unleſs ſuch Swine ſhall have Iron Rings or Staples in their Noſes.

Power to ſue for Damages done to Navigations, to be preſented by Grand Juries, and raiſed off County, Barony or Town, as Grand Juries may think fit.

X. And whereas the Banks, Locks, and other Works as well of the ſeveral Canals and Navigations veſted in the ſaid Directors as of other Canals and Navigations in *Ireland* have frequently been maliciouſly, wantonly, or intentionally damaged and deſtroyed; and it has been found very difficult by Means of Rewards or otherwiſe to diſcover and bring to Puniſhment the Perſons guilty of ſuch Offences; be it therefore enacted, That when and as often as any Bank, Gate, Lock, Sluice, Bridge, Dam, or other Work belonging to any Canal or Navigation now veſted or hereafter to be veſted in the ſaid Directors, or belonging to any other Canal or Navigation in *Ireland*, or any Off-branch or Cut of any ſuch Canal or Navigation reſpectively, ſhall be maliciouſly, wantonly, or intentionally damaged, injured, or deſtroyed, it ſhall and may be lawful for the ſaid Directors with reſpect to ſuch Canals and Navigations as are or may be veſted in them; and alſo for all and every Company of Undertakers or Proprietors of any other Canal or Inland Navigation in *Ireland*, with reſpect to ſuch Canals or Navigations reſpectively as are not or ſhall not be veſted in the ſaid Directors, to ſue for and recover Satisfaction and Amends for the Injury, Loſs, or Damage ſo done as aforeſaid, at the next Aſſizes to be held for the County where ſuch Offence was committed, by preſenting a Petition to the Grand Jury impannelled and ſworn at ſuch Aſſizes, praying ſuch Satisfaction and Amends, and ſetting forth the Extent and Amount of the Injury, Loſs, and Damage done as aforeſaid, and proving to the Satisfaction of the ſaid Grand Jury, that ſuch Injuries and Damages were maliciouſly, wantonly, or intentionally done as aforeſaid, and the Extent and Amount thereof; and thereupon the ſaid Grand Jury ſhall, and they are hereby required to preſent ſuch Sum or Sums of Money as ſhall be ſufficient to repair and make good the Loſs, Injury, and Damage ſo done as aforeſaid, to be raiſed either on the County at large, or on the Barony or

Baronies, Town or Towns in or near to which ſuch Injury or Damage ſhall have been committed, or any of them, and in ſuch Proportions as they ſhall think fit; which Sums, ſo preſented as aforeſaid, ſhall be applotted, levied, and raiſed, by ſuch Ways and Means, and in ſuch Manner and Form as Money preſented at the Aſſizes ſhall be applotted, levied, and raiſed within ſuch County, purſuant to the Laws now in force, and ſhall be paid over to the ſaid Directors.

Notice of ſuch Damage to be given within 10 Days to High Conſtable and Churchwardens.

XI. Provided always, and be it further enacted, That the ſaid Directors or the Company of Undertakers or Proprietors of any Canal or Navigation not veſted in the ſaid Directors, or ſome Perſon or Perſons on their Behalf reſpectively, ſhall within Ten Days next after ſuch Injury and Damage done and committed as aforeſaid, give Notice of ſuch Injury and Damage to the High Conſtable of the Barony, and to the Churchwardens of the Pariſh where ſuch Fact ſhall be alledged to have been committed, if ſuch High Conſtable and Churchwardens ſhall reſpectively reſide in ſuch Barony and Pariſh; and if no High Conſtable or Churchwardens ſhall reſide in ſuch Barony or Pariſh reſpectively, then to Two or more Inhabitants of ſuch Barony or Pariſh: Provided alſo, that if ſuch Fact ſhall be committed ſo near the Time of holding the next Aſſizes, that Notice cannot be given before the Firſt Day of ſuch Aſſizes, according to the Direction of this Act, it ſhall and may be lawful for the ſaid Directors or Company, or Proprietors, as the Caſe may be, to prefer their Petition, and obtain ſuch Preſentment at the next enſuing Aſſizes, after ſuch due Notice ſhall be given as aforeſaid.

If not Time for giving ſuch Notice previous to next Aſſizes, then Petition to be preferred and Preſentment at the Aſſizes next but one.

Power of Traverſe to Perſons aggrieved where Sum preſented ſhall exceed 50l.

XII. Provided alſo, and be it enacted, That if any Perſon or Perſons ſhall find himſelf, herſelf, or themſelves aggrieved by any ſuch Preſentment, ſuch Perſon or Perſons, in caſe the Sum preſented to be raiſed ſhall exceed the Sum of Fifty Pounds, but not otherwiſe, ſhall or may at the ſaid Aſſizes traverſe ſuch Preſentment, which Traverſe ſhall be tried at the ſame or the next enſuing Aſſizes, as the Judge or Judges who ſhall allow the ſame ſhall think fit; and if on ſuch Traverſe, the Iſſue ſhall be found for the Traverſer, ſuch Preſentment ſhall be diſcharged, otherwiſe the ſame ſhall be final and concluſive to all Perſons: Provided alſo, that no ſuch Preſentment ſhall at any Time be removed by *Certiorari*, nor ſhall the raiſing the Money thereby preſented be otherwiſe delayed than by ſuch Traverſe as aforeſaid, and that for ſuch Time only as ſhall be neceſſary for the Trial of ſuch Traverſe; nor ſhall any ſuch Preſentment be at any Time quaſhed for any Informality, Imperfection, or Defect in Form whatſoever.

No Preſentment to be removed by Certiorari, or Proſecution otherwiſe delayed than by Traverſe.

Monies preſented not to be levied till after the Aſſizes enſuing thoſe at which Preſentment ſhall be made.

XIII. Provided alſo, and be it enacted, That the Sum or Sums of Money ſo preſented as aforeſaid, ſhall not be raiſed or levied until after the Aſſizes next enſuing the Aſſizes at which the ſame ſhall be preſented as aforeſaid; and that in caſe the Perſon or Perſons who ſhall have committed any ſuch Injury or Damage, or any of them, ſhall be convicted of ſuch Offence, then and in ſuch Caſe, no Sum of Money ſhall be raiſed or levied in purſuance of any ſuch Preſentment; any Thing herein contained to the contrary in anywiſe notwithſtanding.

Public Bodies and all Individuals, however diſabled

XIV. And be it further enacted, That it ſhall and may be lawful to and for all and every Body and Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Eccleſiaſtical Perſons, Tenants in Tail, Tenants

in Law, empowered to ſell Grounds to Directors; Tenants for Life, Huſbands ſeiſed in Right of their Wives, married Women, Guardians, Truſtees, and Feoffees in Truſt, Committees of Lunatics and Infane Perſons, Executors, and Adminiſtrators, and all other Perſons whomſoever, not only on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of thoſe for whom they are Truſtees or Guardians, whether Infants, Iſſue unborn, Lunatics, Idiots, married Women, or other Perſon or Perſons, and to and for all married Women who are or ſhall be ſeiſed, poſſeſſed of, or intereſted, in their own Right, or entitled to Dower or other Intereſt, and for every Perſon and Perſons who is, are, or ſhall be in any Way ſeiſed, poſſeſſed of, or intereſted in any Lands, Houſes, Tenements, or Hereditaments, which the ſaid Directors ſhall at any Time think neceſſary to occupy, uſe, or take in, for the Purpoſe of making, enlarging, altering, widening, or extending any Canal or Navigation, or any Off-branch or Supply-cut, or any Works thereunto belonging, to contract and agree for, ſell, and convey the ſame, and every Part thereof, unto the ſaid Directors; and all Bodies Politic, Corporate, or Collegiate, and all Eccleſiaſtical and other Perſons aforeſaid, ſo conveying as aforeſaid, are hereby indemnified for ſuch Acts as they ſhall reſpectively do in relation to any ſuch Sale which he, ſhe, or they, or any of them, ſhall make by virtue and in purſuance of this Act; and all ſuch Contracts, Sales, Conveyances, and Aſſurances of any Lands, Houſes, Tenements, or Hereditaments, ſhall be made to the ſaid Directors according to the Form following; (*videlicet*)

and indemnified for what they ſhall do in ſuch Sales.

Form of Conveyance.

'I *A. B.* of in Conſideration of the Sum of to me paid by the Directors of all 'Works relating to Inland Navigation in *Ireland*, do hereby grant, convey, 'and diſpoſe of, to the ſaid Directors, all that and thoſe [*here deſcribe the 'Premiſes to be conveyed*] as marked and deſcribed in the Map or Survey 'hereunto annexed, and all my Right, Title, and Intereſt in and to the 'ſame, and every Part thereof, to hold to the ſaid Directors and their Suc-'ceſſors, in the ſame Manner as I hold or might have held the ſame, for 'ever, by virtue of and according to the true Intent and Meaning of an 'Act of Parliament paſſed in the Fifty-ſixth Year of the Reign of His 'preſent Majeſty, intituled [*here inſert the Title of this Act.*] In Witneſs 'whereof I have hereunto ſet my Hand and Seal, this Day 'of in the Year of our Lord One thouſand eight 'hundred.'

Memorial of ſuch Conveyance to be lodged in Regiſtry Office in Dublin.

A Memorial of which ſaid Conveyance ſhall be duly prepared and lodged in the Office for regiſtering Deeds and Wills in the City of *Dublin*; and ſuch Conveyance ſhall have Effect and be valid and effectual to all Intents and Purpoſes, as if the Perſon or Perſons ſo conveying had conveyed the Lands, Tenements, Hereditaments, or Premiſes therein mentioned, by Fine or Common Recovery, or any formal Conveyance thereof, made and executed according to Law, and the ſame ſhall paſs thereby and be veſted accordingly; and that any ſuch Conveyance, executed and regiſtered as aforeſaid by any Tenant for Life in Poſſeſſion of the Lands, Tenements, Hereditaments, and Premiſes therein mentioned, ſhall be binding and concluſive againſt every Perſon claiming any Eſtate in the Lands, Tenements, Hereditaments, or Premiſes, in Remainder after ſuch Tenant for Life, as if the Perſon or Perſons ſo in Remainder had executed the ſame.

Such Conveyance to be valid, as if a formal Conveyance according to the Laws of Ireland.

XV. And be it further enacted, That the Registrar or Deputy Registrar of the said Registry Office shall, from Time to Time when required, deliver an attested Copy or Copies of such Memorial or Memorials to any Person or Persons requiring the same; which said attested Copy or Copies shall be admitted and received as Evidence in all Courts of Law and Equity in *Ireland*. An attested Copy of Memorial of Registry to be Evidence.

XVI. And be it further enacted, That if any Money shall be paid or agreed to be paid for the Purchase of any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, to be placed to his Account there "*Ex parte* the Directors of Inland Navigation in *Ireland*," to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in Discharge of any Debt or Debts or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Government Securities; and in the mean Time, and until the said Government Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of such Government Securities shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so directed to be purchased by virtue of this Act, in case such Purchase or Settlement were made. Application of Compensation if amounting to 200l.

XVII. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, Application of Compensation if less than 200l.

and equal to and exceeding 20l.

tion, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed or be equal to the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by the ſaid Directors of Inland Navigation in *Ireland* (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application of Compenſation if leſs than 20l.

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

In caſe of not making out Titles.

XIX. And be it further enacted, That in caſe any Perſon or Perſons who ſhall have agreed to receive any Sum or Sums of Money for the Purchaſe of any Lands, Tenements, or Hereditaments to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Directors, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Directors to order ſuch Sum or Sums of Money to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [deſcribing them], ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court of Chancery, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be, and is hereby empowered in a ſummary way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title, or Intereſt of the Perſon or Perſons making claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *Ireland*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required

Purchaſe Money to be paid into the Bank,

ſubject to the Order of the Court of Chancery on Motion, &c.

to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

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

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

The Court of Chancery may order Expences of Purchaſes to be paid by Truſtees.

XXI. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied to the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Directors, out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

General Iſſue.

XXII. And be it further enacted, That if any Perſon ſhall be ſued or impleaded for or by reaſon of any Thing done under or by virtue of any Powers given by this Act, or under or by virtue of any Rule, Order, Regulation, or Bye Law, made or hereafter to be made by the ſaid Directors as aforeſaid, ſuch Perſon may plead the General Iſſue, and give the Special Matter in Evidence.

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