ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

****

Cap. XXXV.

An Act to continue and amend Four Acts for the Improvement of the Port and Harbour of *Drogheda*, in the County of the Town of *Drogheda*, and the Counties of *Louth* and *Meath*.

[28th *May* 1827.]

WHEREAS an Act was passed in the Parliament of *Ireland*, in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the Improvement of the Port and Harbour of* Drogheda, *and the better Regulation of the Police of said Town:* And whereas another Act was passed in the Parliament of *Ireland* in the Thirty-seventh Year of the Reign of His said Majesty, intituled *An Act to amend an Act passed in the Thirtieth Year of His present Majesty's Reign,* intituled *An Act for the Improvement of the Port and Harbour of* Drogheda, *and the better Regulation of the Police of said Town:* And whereas another Act was passed in the Parliament of the United Kingdom of *Great Britain* and *Ireland,* in the Forty-eighth Year of the Reign of His said late Majesty, intituled *An Act to continue Two Acts of the Parliament of* Ireland *for the Improvement of the Harbour of* Drogheda: And whereas another Act was passed in the said Parliament of the United Kingdom of *Great Britain* and *Ireland,* in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act to continue and amend Three Acts for the Improvement of the Port and Harbour of* Drogheda: And whereas the said Port and Harbour are capable of further Improvement, which would greatly increase the Trade and Com-

30 G. 3. (I.)

37 G. 3. (I.)

48 G. 3. c. 106.

50 G. 3. c. 10.

merce of the said Town, and contribute to the Safety of the Ships and Vessels trading thereto, and to the Preservation of the Lives of the Seamen and Mariners navigating the same; but such Improvement will require additional Powers to be given to the Commissioners appointed pursuant to the said first recited Act, and will require additional Sums of Money to be placed at their Disposal, for the Purposes of the said Improvements; and it is expedient that the said Acts should be made perpetual: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act passed in the Thirtieth Year of the Reign of His late Majesty, and so much of the said Act passed in the Thirty-seventh Year of the Reign of His said Majesty as relates to the Port and Harbour of *Drogheda*, and also the said Acts passed in the Forty-eighth and Fiftieth Years of the Reign of His said Majesty, and all and every the Powers, Provisoes, Authorities, and other Matters and Things therein contained, (save and except such of them or such Part or Parts thereof as are expressly varied, altered, or repealed,) shall remain and continue in full Force and Effect, and be as good, valid, and effectual to all Intents and Purposes for carrying this Act into Execution as if the same had respectively been repeated and re-enacted in the Body of this Act.

Powers of former Acts extended to this.

Repealing Provision in 30 G. 3. authorizing certain Members of Parliament to be Commissioners.

II. And whereas it is by the said first recited Act enacted, that the Representatives in Parliament for the Town of *Drogheda*, and for the Counties of *Meath* and *Louth*, should be Commissioners for improving and cleansing the River and Harbour of *Drogheda*, and for executing the said Act: And whereas it is expedient that the said Provision should be repealed; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

New Commissioners.

III. And be it further enacted, That *Blany Townley Balfour*, *John Chadwick*, *James Gernon*, *John Leland*, *Patrick Marron*, *Peter M'Conchey*, *James M'Cann*, *Robert Pentland*, *Thomas Ridgway*, *Patrick Tiernan*, and *John Woolsey*, shall be and they are hereby added to and joined with the Commissioners appointed by the said first-mentioned Act; and in case any of the said additional Commissioners hereinbefore named, or any other Commissioners hereafter to be elected, other than the Six Aldermen and Seven Members of the Common Council, and the Mayor and Recorder of the said Town for the Time being, who under and by virtue of the Provisions of the said Act of the Thirtieth Year of His late Majesty are to be Commissioners as aforesaid, shall die or resign, or shall cease to be qualified as aforesaid, it shall and may be lawful for the Commissioners acting in the Execution of the said Acts from Time to Time to choose and elect another Person or Persons in his or their Room.

Qualification of Commissioners.

IV. Provided always, and be it enacted, That no Person already appointed or hereafter to be appointed a Commissioner as aforesaid, shall be capable of acting or qualified to act as a Commissioner in the

the Execution of the said Acts and this Act, unless he shall, at the Time of so acting, be seised or possessed in his own Right or in Right of his Wife, and in the actual Enjoyment or Receipt of Lands, Tenements, or Hereditaments of the clear Yearly Value of Fifty Pounds, or possessed of a Personal Estate of the Amount or Value of One thousand five hundred Pounds over and above what shall be sufficient to satisfy and pay his just Debts; and if any Person not being so qualified, or not having taken and subscribed the Oath as hereinafter mentioned, or being a Quaker not having made and subscribed the Affirmation as hereinafter mentioned, shall presume to act as a Commissioner, every such Person 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 in *Dublin*, by Action of Debt or on the Case, or by Bill, Suit, or Information, together with Costs of Suit, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed, and wherein the Proof of Qualification shall be on the Person prosecuted, and it shall be sufficient on the Part of the Prosecutor to prove that the Person so prosecuted had acted as a Commissioner in the Execution of the said Acts and this Act; but, nevertheless, the Acts or Proceedings which shall have been done by any such Person touching the Execution of this Act, previous to his being convicted of acting without such Qualification, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

No Person to act as Commissioner if personally interested; nor until he has taken the following Oath.

V. Provided always, and be it further enacted, That no Person whosoever shall be capable of acting or qualified to act as a Commissioner in the Execution of the said Acts or this Act, in any Case wherein he shall be in anywise personally or beneficially interested (save and except as a Creditor on the Rates and Duties granted by the said Acts), nor (except in administering the Oath or Affirmation hereinafter mentioned) until such Person shall have taken and subscribed an Oath, or, being a Quaker, until he shall have made and subscribed an Affirmation, in the Form or Words following, (and which Oath or Affirmation the Chairman at any Meeting of the said Commissioners to be held in pursuance of this Act is hereby authorized and empowered to administer); and an Entry or Memorandum shall be made in the Book of Proceedings of the Commissioners, of the taking or making and subscribing such Oath or Affirmation, and of the Date of administering the same:

'I *A. B.* do swear [*or, being one of the People called Quakers*, do solemnly declare and affirm], That I am really and *bonâ fide* in 'my own Right [*or*, in Right of my Wife, late *or* present, *as the Case may be*] now in the actual Possession, Enjoyment, or Receipt 'of the Rents and Profits of the Messuages, Lands, Tenements, or 'Hereditaments, of the clear Yearly Value of Fifty Pounds [*or*, am 'possessed of a Personal Estate of the Amount or Value of One 'thousand five hundred Pounds]; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and 'perform all and every the Powers and Authorities reposed in me as 'a Commissioner by virtue of an Act passed in the Eighth Year of

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'the Reign of His Majesty King *George* the Fourth, intituled *An* '*Act* [*here add the Title of this Act*]. So help me God.'
[*Or, being a Quaker, omit the Words* 'So help me God.']

Commissioners empowered to borrow a further Sum of Money.

VI. And be it further enacted, That it shall and may be lawful to and for the Commissioners chosen and appointed, and to be chosen and appointed from Time to Time for carrying the said several recited Acts and this Act into Execution, or any Seven or more of them, when and so often as to them shall seem convenient and necessary, to borrow such Sum or Sums of Money as may appear requisite for carrying on the Improvements of the said Port and Harbour, not exceeding in the whole the Sum of Fifteen thousand Pounds, at legal Interest or at any lesser Rate; which said Money so to be borrowed shall be applied and disposed of by the said Commissioners to and for the Improvement of the said Port and Harbour, or in such other Manner as the said Rates and Duties are directed by the said first-recited Act to be applied and disposed of; and the said Commissioners, or any Seven or more of them, are hereby empowered, by Writing under their respective Hands and Seals, to assign over the Rates, Duties, and Rents in any of the said Acts mentioned, or any Part or Parts thereof, for any Time or Times during the Continuance of this Act, as a Security for any Sum or Sums of Money by them to be hereafter borrowed, not exceeding in the whole the said Sum of Fifteen thousand Pounds, to such Person or Persons who shall advance and lend the same, or any Part thereof, or to their Trustees, in order to secure the Repayment thereof, and the Interest due thereon.

No Person holding a Place of Profit to be a Commissioner.

VII. Provided always, and be it enacted and declared, That no Person or Persons holding any Place or Employment of Profit arising out of or by reason of any Rates or Duties by the said first-recited Act granted, or any Contract under the said Commissioners, shall be capable of acting as a Commissioner under the said Acts or this Act during the Time that he shall hold such Place or Employment of Profit as aforesaid, or any such Contract.

Orders made at Meetings not to be altered at future Meetings without Notice.

VIII. And be it enacted, That no Order made by the said Commissioners shall be revoked or altered unless at some Meeting to be holden for that special Purpose, and to be called by the Treasurer to the said Commissioners, which shall specify the Time and Place for holding such Meeting and the Object thereof, and unless a greater Number of Commissioners shall attend at such Meeting to revoke or alter such Order than were present when the same was made.

Clerk not to act as Treasurer, and vice versâ.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of the said Acts and this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of the Partner of any such Clerk, the Treasurer for the Purposes of the said Acts and this Act; or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person

in the Service or Employ of any such Treasurer, or of the Partner of any such Treasurer, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said Acts and this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of the Partner of any such Clerk, shall act as Treasurer, or as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or as Deputy of the Clerk, or in any Manner officiate for the Clerk, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Authorizing the Collector of the Storehouses to charge a Poundage on their Rents.

X. And whereas the Collector of His Majesty's Customs for the Time being of the Port of *Drogheda* is by the said recited Acts authorized and required to demand and collect the Rates and Duties therein granted to the Commissioners appointed for the Improvement of the said Port and Harbour, and is thereby empowered to charge at the Rate of One Shilling in the Pound as Receiver's Fees thereon: And whereas since the passing of the said Acts a considerable Extent of Ground has been gained and recovered from the said River by the building of additional Quay Walls, which said Ground has been let by the said Commissioners pursuant to the Powers vested in them by the said first-recited Act, for the Purpose of erecting Stores and other Buildings thereon, the Rents of which, according to the Provisions of the said last-mentioned Act, form a Part of the Funds for the Improvement of the said Port and Harbour: And whereas it appears reasonable that the said Collector should be entitled to charge the same Poundage on the Receipt of the said Rents, for his Trouble in receiving the same, as by the said Act he is allowed to charge for collecting the said Rates and Duties; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for the said Collector to charge at the Rate of One Shilling in the Pound on the Amount of all such Rents as shall be received by him: Provided always, that such Collector shall give Security for the due Receipt of the said Rents and Duties, to the Satisfaction of the said Commissioners, before he receives any of the said Rents, and shall render an Account of all Sums received by him by virtue of the said recited Acts and this Act once in every Three Months, to the said Commissioners, and pay over the Balance in his Hands to their Treasurer.

Appointment of Officers.

XI. And be it enacted, That it shall and may be lawful to and for the said Commissioners to nominate and appoint a Clerk, a Receiver, and Treasurer, and such other Officers and Servants as they shall judge necessary to be employed under them for carrying the said Acts and this Act into Execution, and from Time

to Time to remove such Officers or Servants, or any of them, and to appoint other or others in their Stead, and to settle such reasonable Remuneration for them and every of them as to the said Commissioners shall appear just and proper; and the Receivers, Treasurers, or Persons appointed and to be appointed to receive the said Rates and Duties, and all and every of them, shall give good and sufficient Security to the said Commissioners for answering and paying the Monies arising from the same, and which shall be by them respectively collected or received.

Security.

Making good Damage done to the Quay Walls.

XII. And whereas it is expedient that the Traders, Owners, and Masters of Ships and Vessels entering the said Port and Harbour should make Compensation for any Injury or Damage caused by the mooring or navigating of such Ships or Vessels respectively, or by the Masters or Crew thereof or any of them to the Quay Walls of the said Town, Port, or Harbour, or any of them, or to the Improvements made or to be made on the same; be it therefore enacted, That in case at any Time hereafter any Ship or Vessel trading to the said Port and Harbour shall in any Manner injure or damage the said Walls, or Mooring or Guiding Perches, or other Work carried on or hereafter to be carried on for the improving thereof, that then and in such Case it shall and may be lawful to and for any Two Magistrates of the said Town of *Drogheda*, upon Complaint thereof being made to them, to summon the Master or Owner of such Ship or Vessel before them, provided he or they shall be in the said Town of *Drogheda*, or within Five Miles thereof, and also to summon One or more Engineers or other skilful Persons qualified to estimate the Injury so done, and to examine on Oath all Persons so summoned, and such other Witnesses as shall or may be produced by either Party, and the said Magistrates shall certify to the Collector of the said Port the Amount of Compensation (if any) which may appear to them reasonable and just to be paid by the said Master or Owner of such Ship or Vessel for or by reason of such Injury or Damage, after having duly examined and having heard the Testimony of all such Persons as aforesaid.

Owners of Ships and Boats to be accountable in certain Cases for Damages done to the Harbour, &c.

XIII. And be it further enacted, That every Master, Owner, or other Person having the Rule or Command of any Ship or other Vessel entering into or departing from, or lying or being in the said Harbour, or having the Charge or Care of any Boat, Barge, Keel, or other Vessel navigating in the said Harbour, shall be and is hereby made answerable for any Damage, Spoil, or Mischief which shall be done to the said Harbour, or any of the Works to be constructed under this Act, through Wilfulness, Unskilfulness, or Negligence of him, or by any of the Mariners, Boatmen, Servants, or Crew on board of or employed in or about the same, or by or in the navigating, loading, or unloading of such Ship, Boat, Barge, Keel, or other Vessel, or by any other Means whatsoever; and the said Master or Owner, or other Person having the Rule or Command of such Ship, Boat, Barge, Keel, or other Vessel, shall, upon Conviction before any One Justice of the Peace, either upon Confession or upon the Oath or Oaths of One or more credible Witness or Witnesses (which Oath or Oaths such Justice is hereby empowered and required to administer), pay the

Person or Persons injured the Damages, to be ascertained by such Justice, provided such Damages do not exceed the Sum of Twenty Pounds; and upon Non-payment on Demand, the same shall be levied by Distress and Sale of the Goods and Chattels of such Master or Owner, in the same Manner as any Penalty is hereby directed to be recovered; or if the Damages shall exceed the Sum of Twenty Pounds, then the same may be sued for and recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Dublin*.

Masters to recover from their Servants for their Defaults.

XIV. And be it further enacted, That in case the Owner or Owners of any Ship, Boat, Barge, Keel, or other Vessel using the said Harbour, or any Basin or Dock or other Work therein or adjoining thereto, or passing through any of the Locks therein, shall be compelled to pay any Penalty or to make Satisfaction for any Damages by reason of any Neglect or Default done or committed by his or their Servants, Boatmen, or Watermen, or by any other Person or Persons on board such Ship, Boat, Barge, Keel, or other Vessel, or any of them, such Servants, Boatmen, Watermen, or other Person or Persons as aforesaid, and each and every of them, shall be liable to repay such Penalty or Damages (with the Costs thereof,) to such Owner or Owners; and in case of Non-payment upon such Demand thereof, and Oath made by such Owner or Owners of the Payment made by him or them of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him or them by such Servants, Boatmen, Watermen, or other Person or Persons as aforesaid, or any of them, although demanded, (such Oath to be made before any One Justice of the Peace for the County or Place where such Penalty or Satisfaction shall have been recovered,) the Amount thereof shall be recovered in like Manner as any Penalty is hereby directed to be recovered.

Collector not obliged to clear Ships till Harbour Duties paid.

XV. And for the more effectually securing the Payment of the said Rates and Duties, be it further enacted, That the Collector of Customs, Comptroller, and every other Officer whatsoever of His Majesty's Customs, shall hereafter be authorized to refuse to give or make out any Cocquet, or other Discharge, or take any Report outwards or inwards, for any Ship, Vessel, or Boat using the said Harbour, until the Duties by this Act made payable, according to the true Intent and Meaning hereof, shall be paid unto the Collector, or other Person or Persons from Time to Time appointed to receive the same; and that such Collector or Customer, Comptroller, or other Officer of His Majesty's Customs, shall and he is hereby required to obey all such Orders and Directions as he shall from Time to Time receive from His Majesty's Commissioners of Customs in relation thereto.

Exempting Vessels in His Majesty's Service.

XVI. Provided always, and be it further enacted, That nothing in the said Acts or this Act contained shall extend to charge His Majesty or any other Person on His Behalf with the Payment of any of the said Rates or Duties, in respect of any of His Majesty's Ships of War, or any other Ship, Transport, or Packet of His Majesty, His Heirs or Successors, or any Vessel employed in His Majesty's Revenues of Customs or Excise, or in the Service or Employ of the Board

Board of Ordnance, or any Ship, Transport, or Packet employed in carrying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or any Vessel employed in or upon His Majesty's Service, or in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging; and if any Person or Persons shall claim and take the Benefit of any such Exemption as aforesaid without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Officers to be appointed by the Commissioners to measure Foreign Vessels, &c.

XVII. And be it further enacted, That the said Commissioners shall and they are hereby authorized to appoint a proper Person or Persons for the Purpose of ascertaining the Tonnage of any Foreign Ships, Vessels, Barks, Lighters, or Boats, and of all other Ships, Vessels, Barks, Lighters, or Boats, having no Registers, which shall enter the said Port or Harbour, in order to the due Collection of the Duties payable by such Ships, Vessels, Barks, Lighters, or Boats; and such Person or Persons is or are hereby empowered and required to admeasure the same accordingly, according to the Directions of an Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for the registering of* British *Vessels*.

Power to reduce Dues on Foreign Ships and Goods.

XVIII. Provided always, and be it further enacted, That it shall and may be lawful to and for His Majesty in and by an Order in Council, or to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time and at all Times, when and so often as he or they shall deem fit so to do, in and by His or their Order in Writing, to reduce the Duties hereby made payable on all or on such and so many of the Foreign Ships or Vessels, and on all or on such or so many of the Goods and Merchandize imported or exported in Foreign Bottoms, as He or they in their Judgment shall deem expedient, to the same and like Duties as are hereby and hereafter shall, in pursuance of the Powers herein contained, be made payable in respect of the *British* Ships or Vessels, or the Goods and Merchandize imported or exported in or by them.

Penalty on Persons obstructing the measuring of Ships.

XIX. And be it further enacted, That in case the Master or other Person having the Command of any Ship, Vessel, Bark, Lighter, or Boat liable to any of the Rates or Duties imposed by the said first-recited Act, or any other Person whatsoever, shall obstruct or hinder the said Commissioners, or the Person or Persons appointed to collect the said Rates or Duties, or the Person or Persons employed or appointed to admeasure Ships, Vessels, Barks, Lighters, or Boats in pursuance of this Act, from entering on board such Ship, Vessel, Bark, Lighter, or Boat, or taking the Admeasurement thereof, such Master or other Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

For removing Vessels.

XX. And be it further enacted, That the said Commissioners, or such Person or Persons as they shall authorize and appoint, shall and may, and he and they is and are hereby authorized and empowered, when and so often as he or they shall judge necessary, to remove or cause to be removed any Ship, Vessel, Bark, Lighter, or Boat lying in any of

of the Entrances or Passages, or in any Part of the said Port and Harbour, or at any Pier, Quay, and Breast already built or hereafter to be built, from the Birth or Lying Place at which such Ship, Vessel, Bark, Lighter, or Boat shall happen to be moored or stationed at the Time, to any other Birth or Lying Place, as he or they shall think proper; and in case the Master or other Person having and taking the Command and Charge of any such Ship, Vessel, Bark, Lighter, or Boat, shall, after Notice given him in Writing, or left in Writing on board the Ship, Vessel, Bark, Lighter, or Boat intended to be moved, Twelve Hours before the Time of Removal, by the said Commissioners or such Person or Persons as they shall appoint, neglect or refuse to remove or cause to be removed during the first High Water or Tide after such Notice, such Ship, Vessel, Bark, Lighter, or Boat from her said Birth or Mooring Place, to such Birth or Mooring Place as is or shall be appointed by the said Commissioners or the Person or Persons authorized by them as aforesaid, then the said Commissioners, or the Person or Persons so authorized by them, shall have Power and are hereby directed and empowered, immediately after such Notice, Neglect, or Refusal, to remove or cause to be removed such Ship, Vessel, Bark, Lighter, or Boat from her then present Birth or Mooring Place, to such other Birth or Mooring Place as the said Commissioners, or the Person or Persons authorized by them as aforesaid, shall judge proper; and the Owner or Owners, Master or Masters, or other Person or Persons having and taking the Command and Charge of such Ship, Vessel, Bark, Lighter, or Boat so to be removed, shall respectively pay to the said Commissioners, or the Person or Persons authorized and appointed by them, all such Costs and Charges as shall be reasonably expended in removing such Ship, Vessel, Bark, Lighter, or Boat, to be recovered and levied in like Manner as the Forfeitures and Penalties imposed by this Act are authorized to be recovered and levied; and every Master or other Person having or taking the Command or Charge of any Ship, Vessel, Bark, Lighter, or Boat, or other Person or Persons whatsoever, who shall obstruct or hinder the Removal of any such Ship, Vessel, Bark, Lighter, or Boat, shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

Preference to Ships in Distress

XXI. And be it further enacted, That in case any Ship, Vessel, Bark, Lighter, or Boat shall arrive and come into the said Port and Harbour in Distress, or shall meet with any Misfortune in the said Port or Harbour, it shall and may be lawful to and for the Commissioners or any One of them, upon Request made to them or him in Writing by the Master or Person taking the Command and Charge of, or the Owner or Owners of any such Ship, Vessel, Bark, Lighter, or Boat, or the Owner or Owners of any Goods on board the same, and upon Proof being made of such Distress or Misfortune, to give a Preference to such Ship, Vessel, Bark, Lighter, or Boat being in Distress, or having met with any Misfortune as aforesaid, both as to the Births at the Piers and Quays, and as to the Course of discharging, to any other Ship, Vessel, Bark, Lighter, or Boat that shall have arrived before in the Port and Harbour aforesaid; and every Master or Person having the Command and Charge of any Ship, Vessel, Bark, Lighter, or Boat lying in the said Port

and Harbour, who shall refuse or delay to comply with the Order of the said Commissioners in favour of the Ship or Vessel in Distress, or having met with any Misfortune as aforesaid, shall forfeit any Sum not exceeding Ten Pounds.

Old Ships, &c. not to remain in the Harbour.

XXII. And be it enacted, That all Ships, Vessels, Barks, Lighters, or Boats which shall be laid by as unfit for Sea Service, or neglected by the Owner or Owners thereof, shall not be permitted to be and remain in or at any of the Piers, Quays, or other Works erected or to be erected within the said Port and Harbour, so as to incumber the same, but in every such Case it shall and may be lawful to and for the said Commissioners, or any Person or Persons whom they shall authorize for that Purpose, immediately to cause such Ships, Vessels, Barks, Lighters, or Boats, and every of them, to be, at the Charges and Expences of the Owner or Owners of the same, removed from the said Piers, Quays, or other Works or any of them, and to lay the said Ships, Vessels, Barks, Lighters, or Boats on any Part of the Strand or Sea Shore, within the High Water Mark, or any other Place of Safety without the said Port and Harbour, and there to moor such Ships, Vessels, Barks, Lighters, or Boats; and before Demand of Payment is made by the said Commissioners, or the Persons authorized by them as aforesaid, from the Owner or Owners, Master or Agent of any such Ship, Vessel, Bark, Lighter, or Boat as aforesaid, such Charges and Expences shall be first examined and allowed by any Two Justices of the Peace for the said Town and County; and in case of Refusal or Neglect of Payment of such Charges and Expences allowed as aforesaid for the Space of Three Days after Demand thereof made, then and in every such Case it shall and may be lawful to and for the said Commissioners, or the Person authorized by them as aforesaid, to levy such Charges and Expences by Distress and Sale of such Ship, Vessel, Bark, Lighter, or Boat, or any of the Tackle, Apparel, or Furniture of the same, or any Part thereof, rendering the Surplus (if any be after deducting the Charge of taking and Sale of such Distress) to the Owner or Owners, Master or Agent of such Ship, Vessel, Bark, Lighter, or Boat, whenever the same shall be demanded.

Goods, &c. not to remain above a certain Time at the Quays.

XXIII. And be it further enacted, That it shall not be lawful for any Person or Persons who shall have landed or caused to be landed and laid any Goods or Merchandize, Timber, Wood of any Kind, Masts, Yards, Pumps, Boats, Anchors, Cables, Casks, Guns, Ballast, Paving or other Stones, Limestone, Lime, Chalk, Slates, Dung, or Manure, or any other Thing (other than Materials for the necessary Repair of the Piers, Quays, and other Works within the said Port and Harbour, or for the Purpose of being immediately shipped, or immediately on landing the same), upon any of the Piers, Quays, or Landing Places already constructed or hereafter to be constructed within the said Port and Harbour, or in any of the adjacent Streets and Avenues leading to or from the same or any of them, to permit the same or any Part thereof to continue, remain, and be thereon, so as unnecessarily to interrupt the free Use of the said Piers, Quays, Landing Places, Streets, and Avenues, or in any Event for any longer Time than Forty-eight Hours; and in all Cases where the same

same shall have so continued unnecessarily, or in any Event beyond the Space of Forty-eight Hours, it shall and may be lawful to and for the said Commissioners, or any Person or Persons authorized and appointed by them as aforesaid, to remove or cause to be removed all such Goods or Merchandize and other Things as aforesaid which shall be found continuing, remaining, and lying on the said Piers, Quays, or other Places as aforesaid, unnecessarily, or above the said limited Time, to some Place or Places of Safety, and there to detain or keep the same till Payment of the Charges of such Removal and Detention, and of such Consideration besides to the said Person or Persons authorized as aforesaid, for their Trouble in and about such Removal and Detention, as any Justice of the Peace for the said Town and County shall adjudge to be reasonable; and if such Charges and Expences and such Consideration shall not be paid within the Space of Three Days after Demand made thereof by the said Person or Persons so authorized as aforesaid by the said Commissioners, then and in that Case the said Commissioners are hereby authorized and required to levy the same by Distress and Sale of the said Goods or Merchandize and other Things so respectively removed and detained as aforesaid, and to render the Overplus (if any be after deducting the Charges of removing or detaining and selling the same) to the Owner or Owners of such Goods or Merchandize and other Things aforesaid, whenever the same shall be demanded.

Gunpowder, &c. not to be left on the Quays.

XXIV. And be it further enacted, That no Gunpowder, Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy, or other Spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or other such combustible Things, shall be suffered to be and remain in or upon the said Piers, Quays, or Landing Places already constructed or hereafter to be constructed within the said Port and Harbour, or in or upon any of the adjacent Streets and Avenues leading to or from the same, or upon the Deck of any Ship or Vessel lying in the said Port and Harbour, for above the Space of Twenty-four Hours after the same shall be passed by the Officers of His Majesty's Revenue; and in case the same cannot conveniently be removed or got off by Daylight, then and in every such Case the Owner or Owners thereof shall be obliged and they are hereby required to set and maintain, at his, her, or their own Expence, a sufficient Number of careful, discreet, 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 Commissioners, or the Person or Persons authorized as aforesaid, shall direct and appoint; and in case such Owner or Owners of the Articles aforesaid, or the Master or Masters, or Persons having and taking the Command and Charge of such Ships or Vessels, shall make Default in the Premises, such Owner or Owners, Master or Masters, or Persons, shall forfeit and pay for every such Offence a Sum not exceeding Ten Pounds.

Not to extend to Gunpowder in King's Ships, &c.

XXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Ships, Vessels, or Boats belonging to or employed in the Service of His Majesty, His Heirs or Successors, or in the Service or Employ of

of the Ordnance, Customs, Excise, or Post Office, laden with Gunpowder.

Commissioners may license Pilots.

XXVI. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the said Commissioners, or any Seven or more of them, and they are hereby required to appoint and license fit and competent Persons duly skilled as Pilots for the Purpose of conducting all Ships and Vessels sailing, navigating, and passing up and down or upon the River *Boyne*, and all and every the several Channels, Creeks, and Docks thereof or therein, or leading or adjoining thereto, from the Bridge of *Drogheda* to the Outside of the Sand Banks in the open Sea, which Vessels shall be conducted and piloted by such Pilots so appointed and licensed, and by no other Pilot or Pilots whomsoever; and it shall and may be lawful for the said Commissioners or any Seven or more of them to fix and determine the Rates of Pilotage which shall be charged and chargeable for the piloting and conducting any Ship or Vessel into the said Port and Harbour, and a Schedule thereof signed by the said Commissioners shall be delivered by them to the Collector of the said Port, who shall cause the same to be constantly hung up in some conspicuous Place in the Office of His Majesty's Custom House in the said Town of *Drogheda;* and no greater Rate or other Reward or Emolument shall under any Pretence whatsoever be demanded, solicited, or received by any Pilot, than the Rates or Prices so stated therein: Provided always, that it shall and may be lawful to and for the said Commissioners or any Seven or more of them, at any Time when they shall think fit and proper so to do, to alter and amend the said Schedule, and that the Rates or Prices so altered and amended shall thenceforth be held and considered as the legal Rates or Prices for piloting of Ships or Vessels into the said Port and Harbour; and it shall and may be lawful for the said Commissioners or any Seven or more of them to remove and dismiss any Pilot or Pilots against whom any improper Conduct or Neglect of Duty shall be proved to their Satisfaction; and no Person so removed and dismissed, or not duly licensed, shall, under any Pretence whatsoever, take Charge of any Ship or Vessel entering the said Port and Harbour, under a Penalty for every such Offence not exceeding Five Pounds, to be levied by Warrant under the Hand and Seal of any Two Justices of said Town and County, upon due Proof before such Justices of such Offence having been committed, which Sum shall be paid to the Use of the Infirmary, or any other charitable Public Institution in the said Town of *Drogheda*, to be directed by the said Justices, and in Default of immediate Payment of the said Penalty, it shall and may be lawful for the said Justices to commit the Person offending in that Behalf to Prison for any Period of Time not exceeding One Month.

Ballast not to remain on the Piers, &c.

XXVII. And be it further enacted, That no Person or Persons who shall or may at any Time hereafter have occasion to throw or cast out any Ballast from or out of any Ship, Vessel, Bark, Lighter, or Boat, upon any Piers, Quays, Breasts, or other Works erected or to be erected in and about the said Port and Harbour, shall suffer the same to be and remain on any of the said Piers, Quays, Breasts, or other Works, but shall

shall immediately after cart and carry away the same, or cause the same to be carted and carried away to such Place or Places as the said Commissioners shall for such Purpose provide and appoint; nor shall it be lawful for any Person or Persons laying down Stones, Gravel, or other Materials to be used as Ballast by any Ship, Vessel, Bark, Lighter, or Boat, to lay down the same on any Part of the Quays adjoining the said River, save and except on such Part thereof only as shall be directed and appointed by the said Commissioners; and if any Person or Persons shall offend in the Premises, he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Ballast not to be thrown into the Harbour.

XXVIII. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons to throw or empty any Ballast, Dirt, Ashes, or Rubbish, Shingle, Stones, or other Things, into the said River, Port, or Harbour, or to dig or take away any Ballast, Shingle, Stones, or other Things from within the same, or adjoining thereto, except from such Place or Places as shall be from Time to Time appointed under the Authority of the said Commissioners, or shall do any other Act to the said River, Port, or Harbour, or the Works erected or to be erected for the Security and Accommodation of the same, or to do any other Act, Matter, or Thing to prejudice or annoy the same, or any Part thereof, under the Penalty of any Sum not exceeding Forty Shillings for every such Offence.

Power to make Bye Laws.

XXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners or any Seven of them at any Time or Times hereafter to make, order, and establish such Rules, Orders, and Bye Laws for the better deepening, cleansing, and keeping in Repair the said River, Port, and Harbour, and piloting of the Ships and other Vessels going out of and coming into the same, and for the better regulating, governing, and managing the Piers, Quays, and Breasts, and other Works erected and to be erected in or about the said River, Port, or Harbour, and for the better executing the other Purposes of the said Acts and this Act, and also from Time to Time, as Occasion may require, to repeal and amend or alter such Rules, Orders, and Bye Laws as to them shall seem most fitting and requisite, and to appoint reasonable pecuniary Penalties, not exceeding Forty Shillings, for the Non-observance or other Breach of all or any of such Rules, Orders, or Bye Laws, or any Part of them, to be recovered and applied in such Manner as the Fines and Penalties imposed by the said Acts and this Act are hereby ordered to be recovered, levied, and applied; provided always, that such Rules, Regulations, and Bye Laws, and the Fines and Penalties for the Breach or Non-performance thereof, as the same shall from Time to Time be made, altered, or varied, shall not be repugnant to the Law of *Ireland*, or to the Provisions in this Act contained; and the said Commissioners shall cause the said Rules, Orders, and Bye Laws to be printed and distributed, and painted on Boards and hung up at the most conspicuous Places within the said Harbour; and such Boards shall be renewed as often as the same shall be destroyed, obliterated, or defaced; and the said Com-

missioners shall pay the Expence and Charge thereof out of the Rates and Duties granted by the said first-recited Act; which Rules, Orders, and Bye Laws shall be subject to Appeal in Manner hereinafter mentioned.

Punishing Persons destroying the Works.

XXX. And be it further enacted, That if any Person or Persons whatsoever shall after the passing of this Act maliciously, wilfully, or wantonly demolish, break down, or destroy any of the Piers, Quays, Breasts, or other Works constructed or to be constructed in or belonging to the said Port and Harbour, every such Person or Persons so offending shall be deemed guilty of a Misdemeanor, and the Court by and before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be liable to Fine and Imprisonment only, or, in Mitigation of Punishment, may award Sentence of Imprisonment at the Discretion of the Court.

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

XXXI. And be it further enacted, That if any Money shall be agreed or adjudged to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said Acts or this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infants, Lunatic, or Person or Persons under any Disability or Incapacity, 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 *ex parte* the said Commissioners, without Fee or Reward, 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 or Profits of the said Lands, Tenements, or Hereditaments,) in or towards the discharging 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, Trusts, 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 Stock; and in the mean time and until the said Government Stock shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce thereof shall from Time

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 Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement was made.

If under 200*l.*

XXXII. Provided always, and be it further enacted, That if any Money so agreed or adjudged to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, 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 his or their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore 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 Commissioners, (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 therefrom may be applied in Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

If 20*l.* or under.

XXXIII. Provided also, and be it further enacted, That when such Money so agreed and adjudged to be paid as before mentioned shall not exceed the Sum of 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, in such Manner as the said Commissioners shall think fit, or in case of Infancy, Idiotcy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of Refusal to accept, or of not making out Titles, &c. the Money to be paid into the Bank.

XXXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be assessed or adjudged for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used as aforesaid, shall, for the Space of Twenty-one Days after Notice thereof, neglect or refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or be not known or discovered, or cannot be found, then and in every such Case it shall be lawful for the said Commissioners to order the said Sum or Sums so adjudged to be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements,

Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said 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, or to make such other Order in the Premises as to the same 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 to give a Receipt or Receipts for such Sum or Sums of Money (mentioning and specifying therein 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 of *Ireland* as aforesaid.

In case of disputed Titles.

XXXV. 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, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts or this Act for the Purposes thereof, 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 shown to the Satisfaction of the said Court; and the Dividends or Interest of the Government Securities to be purchased with such Money, 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.

Court may order reasonable Expences to be paid by Corporation.

XXXVI. 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 so to be purchased, taken, or used, the Purchase Money for the same shall be required to be paid into the Court of Chancery and be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs

Costs and Charges of obtaining such Order, to be paid by the said Commissioners out of the Monies to be received by virtue of the said Acts or this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Justices may proceed by Summons in Recovery of Penalties.

XXXVII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before Two Justices of the Peace of said Town and County, it shall and may be lawful for any One Justice of the Peace, to whom Complaint shall be made of any Offence against this Act, to summon the Party complained against before him and another Justice of said Town and County, and on such Summons the said Two Justices to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justices; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was exhibited.

Recovery of Fines and Penalties, &c.

XXXVIII. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by the said Acts or this Act, (the Manner of levying and Recovery whereof is not otherwise particularly directed,) or which shall be inflicted by any Rule, Order, or Bye Law hereby authorized, may, in case of Non-payment thereof, be recovered in a summary Way by Order and Adjudication of any Two Justices of the Peace for the said Town and County of the Town of *Drogheda*, on Complaint to them for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceeding, on Non-payment, by Distress and Sale of the Goods and Chattels of the Offender and Offenders, or Person or Persons liable to pay the same, by Warrant under the Hands and Seals of such Two Justices, who are hereby authorized and required to summon any Witness or Witnesses upon Oath, and to examine him, her, or them of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money so levied or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned upon Demand to the Owner or Owners of the Goods and Chattels so seized and distrained; and in case such Fines, Penalties, or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender or Offenders shall give sufficient Security to the Satisfaction of such Justices for his, her, or their Appearance before them on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such

Warrant it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justices, either by the Confession of the Offender or Offenders or otherwise, that such Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Fines, Penalties, Forfeitures, Costs, and Charges may be levied were a Warrant of Distress issued, such Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for the said Justices, and they are hereby authorized and required, by Warrant under their Hands and Seals to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the said Town and County, there to remain without Bail or Mainprize for any Term not exceeding Six Calendar Months, unless such Fines, Penalties, and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied; and such Penalties and Forfeitures when so levied (the Application whereof is not otherwise directed) shall be paid to the Treasurer for the Time being of the said Commissioners, and be applied to the Purposes of the said Acts and this Act.

Form of Conviction.

XXXIX. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That the Two Justices of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the following Form, or in any other Form to the same Effect, as the Case shall happen; (that is to say,)

'to wit. } BE it remembered, That on [*Time of Conviction*] at [*Place of Conviction*] *A. B.* [*Name of Offender*] of [*Addition of Offender*] was duly convicted before us, [*Name and Style of convicting Justices,*] for that the said *A. B.* [*Name of Offender*] on [*Time of committing Offence*] at [*Place of committing Offence*] did [*here state the Offence against this Act according to the Fact*], contrary to the Form of the Statute made in the Eighth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*]; and we do therefore declare and adjudge that the said *A. B.* [*Name of Offender*] hath forfeited for the said Offence the Sum of [*Fine*], or shall be committed to [*Place of Imprisonment*] for the Space of [*Time of Imprisonment*]. Given under our Hands and Seals the Day and Year first above written.'

Appeal.

XL. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of the said Acts or this Act, or of any Rule, Order, Regulation, or Bye Law made in pursuance thereof, such Person may appeal to the Justices of the Peace at their General Quarter Sessions which shall be holden for the said Town and County, within Three Calendar Months next after the Cause of Appeal shall have arisen, such Appellant first giving or causing to be given Fourteen Days Notice at least in Writing of his or her Intention to exhibit such Appeal, and of the Matter thereof, to the Person or Persons appealed against, and within Four Days after having given 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

to abide by the Order of and pay such Costs as shall be awarded by the Justices at such Sessions, and the said Justices at such Sessions, upon due Proof of such Notice having been given and of the entering into such Recognizance as aforesaid, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they shall think proper; and the Determination of such Justices shall be binding, final, and conclusive to all Intents and Purposes whatsoever.

Limitation of Actions.

XLI. And be it further enacted, That no Action or Suit shall be commenced or prosecuted by virtue of this Act against any Person or Persons for any thing done or left undone, unless Two Calendar Months Notice thereof shall be first given in Writing to the Defendant or Defendants, signed by the Plaintiff or Plaintiffs, or by his, her, or their Attorney or Attornies, or unless the same shall be commenced before the Expiration of Six Calendar Months next after the Fact committed, or unless Tender of reasonable Amends hath not or shall not have been made by or on the Behalf of the Defendant or Defendants in such Action or Suit, nor unless such Action or Suit shall be laid and brought in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in any Action or Suit to be commenced for any thing done in pursuance of this Act shall and may plead the General Issue, and give this Act and the special Matter in Evidence in any Trial to be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought was done in pursuance and by Authority of this Act; and if such Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Two Calendar Months Notice thereof was given in Writing to the Defendant or Defendants, signed by the Plaintiff or Plaintiffs, or by his, her, or their Attorney or Attornies, or if it shall appear that such Action or Suit was not commenced before the Expiration of Six Calendar Months next after the Fact committed, or if it shall appear that Tender of reasonable Amends was made by or on Behalf of the Defendant or Defendants in such Action or Suit before such Action or Suit was commenced, or if such Action or Suit be brought in any other County or Place than the County aforesaid, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Expences of the Act.

XLII. And be it further enacted, That the Commissioners acting under the said recited Acts, or any Seven of them, shall be and are hereby authorized and required to draw on their Treasurer for such Sum or Sums of Money as may be necessary to defray the Expences of obtaining and passing this Act; and the said Treasurer shall be and is hereby empowered to pay the same out of the Funds arising from

from the Tonnage Rates, Duties, and Rents levied or to be levied in pursuance of the said Acts and this Act, and which shall be allowed in his Accounts.

Public Act. XLIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

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