ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

****

Cap. lvi.

An Act for the Improvement of the Port and Harbour of *Drogheda*. [18th *June* 1842.]

WHEREAS an Act was passed in the Parliament of *Ireland* in the Thirtieth Year of the Reign of King *George* the Third, intituled *An Act for the Improvement of the Port* 30 G. 3. (I.)
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 same Reign, intituled *An Act to amend an Act passed in the Thirtieth Year of His present* 37 G. 3. (I.)
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 Forty-eighth Year of the said Reign, intituled *An Act to continue Two* 48 G. 3. c. 106.
Acts of the Parliament of Ireland *for the Improvement of the Harbour of* Drogheda: And whereas another Act was passed in the Fiftieth Year of the same Reign, intituled *An Act to continue and* 50 G. 3. c. 10.
amend Three Acts for the Improvement of the Port and Harbour of Drogheda: And whereas by another Act passed in the Parliament of the United Kingdom in the Seventh and Eighth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to con-* 7 & 8 G. 4. c. 35.
tinue 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: And whereas it is expedient that more effectual Provision should be made, and that further and additional Powers should be granted, for the Improvement and Preservation of the said Port and Harbour, and the better Regulation thereof: And whereas the deepening, cleansing, and improving of the River *Boyne* above the Bridge at *Drogheda* would further improve the Navigation of said Port and Harbour: And whereas it would facilitate the Objects herein-before mentioned if the said recited Acts of the Thirtieth, Thirty-seventh, Forty-eighth, and Fiftieth Years of the Reign of King *George* the Third, and the Eighth Year of the Reign of King *George* the Fourth, were repealed, and other Powers and Provisions granted in lieu thereof, but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said several recited Acts of the Thirtieth, Thirty-seventh, Forty-eighth, and Fiftieth Years of the Reign of King *George* the Third, and the Eighth Year of the Reign of King *George* the Fourth, shall be and the same are hereby repealed.

Former Acts repealed.

II. And be it enacted, That the Estate and Interest of and in the present Port and Harbour, and of and in the present and future Piers, Jetties, Breakwaters, Sluices, Wharfs, Lights, Buoys, Anchors, and other Works in any way appertaining to the said Port and Harbour, and of and in all Offices, Edifices, Buildings, Materials, Implements, Lands, Tenements, Hereditaments, and Appurtenances, Funds, Goods, Chattels, and Effects, purchased or otherwise obtained by or belonging to the Commissioners acting in the Execution of the said recited Acts under the Authority and for the Purposes of such Acts, (so far as the same relate to the said Part and Harbour of *Drogheda*,) or which shall at any Time hereafter be purchased or otherwise obtained by the Commissioners acting in the Execution of this Act, shall be and the same respectively are hereby absolutely vested in the Commissioners for the Time being for executing this Act for the Purposes of this Act, subject always, however, to the existing Debts and Liabilities heretofore contracted by the Commissioners of the said Harbour; and such Offices, Edifices, Buildings, Materials, Implements, Lands, Tenements, Hereditaments, and Appurtenances, Funds, Goods, Chattels, and Effects, so hereby vested in the said Commissioners, may, with the Consent of the Commissioners of Public Works in *Ireland*, be sold and disposed of from Time to Time as such Commissioners shall think proper, and the Money arising by such Sale or Sales shall be applied in discharge of a Mortgage Debt due to the Commissioners of Public Works in *Ireland*, should they so require the same, and afterwards in aid of such of the Purposes of this Act as the said Commissioners shall think proper; and the said Commissioners are hereby authorized to bring any Action, or to prefer any Bill of Indictment, or to take any other Proceedings, (as the Case may require,) against any Person who shall injure, steal, take, carry away, or detain any or any

Property of Commissioners under former Acts vested in Commissioners under this Act.

Part of the Property, Works, Articles, or Effects so vested in them as aforesaid; and in all such Actions, Suits, or Indictments it shall be sufficient to state generally that the Works, Articles, or Effects for or on account of which any such Action shall be brought, or any such Bill of Indictment shall be preferred, or any such other Proceedings shall be taken, are the Property of "The Commissioners of the Port and Harbour of *Drogheda*," without stating the Names of all or any of the said Commissioners.

Duties, &c. due under former Acts may be recovered by the Commissioners for executing this Act.

III. Provided always, and be it enacted, That, notwithstanding the Repeal of the said recited Acts, all Duties and Rates which before the Commencement of this Act shall have become payable, and all Fines and Penalties which shall have been incurred, and all Bonds, Contracts, and Agreements which shall have been given or entered into, under or by virtue of the said recited Acts or any of them, (so far as the same relate to the said Port and Harbour of *Drogheda*,) and all other Monies due in respect to the said Port and Harbour to the Commissioners acting in the Execution of the said recited Acts, and which shall respectively remain uncollected or unpaid, or be in existence or unperformed, at the Time of the Commencement of this Act, shall and may be collected, recovered, and enforced by the Commissioners for executing this Act in the same Manner and by the same Ways and Means as if such Duties and Rates had been imposed or become due, and as if such Fines and Penalties had been incurred, and as if such Bonds, Contracts, and Agreements had been entered into, and as if such Monies had become due, under or by virtue of this Act; and all Treasurers, Collectors, Officers, and other Persons who at the Time of the Commencement of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or other Effects relating to the said Port and Harbour, belonging to the Commissioners acting in the Execution of the said recited Acts, shall be liable to account for and deliver up all such Monies, Books, Documents, Papers, Writings, and Effects to the Commissioners for executing this Act, in the same Manner, and subject to the same Process and Penalties for Refusal or Neglect, as if such Treasurers, Collectors, Officers, or other Persons had been appointed by the Commissioners acting in the Execution of this Act; and all other Persons who at the Time of the Commencement of this Act shall owe any Money to the Commissioners acting in the Execution of the said recited Acts, for or in respect of any Matter or Thing affecting or relating to such Acts, (so far as the same respectively relate to the said Port and Harbour of *Drogheda*,) shall be liable to the Payment of such Money to the Commissioners acting in the Execution of this Act, and, in case of Refusal or Neglect to pay the same, shall be subject to the Provisions of this Act for the Recovery thereof as if such Money had become due under or by virtue of this Act.

Securities under former Acts made valid.

IV. Provided also, and be it enacted, That all Bonds, Mortgages, Assignments, Grants, and other Securities, and all Conveyances and Leases, entered into, made, or granted to or by any Person by virtue or under the Authority of the said recited Acts or any other Act, shall be as valid and effectual as if such Acts had not been repealed.

V. Pro-

Books under former Acts to be Evidence.

V. Provided also, and be it enacted, That all Books kept containing the Accounts and Proceedings of the Commissioners acting in the Execution of the said recited Acts, and all Entries therein, shall be admitted in Evidence in all Courts of Law and by all Justices and others.

This Act made liable to Debts created under former Acts.

VI. Provided always, and be it enacted, That the Duties, Rates, and other Monies by this Act granted to the Commissioners acting in the Execution thereof, and all Duties, Rates, and other Monies to be recovered under the said recited Acts, and all Lands, Tenements, and Hereditaments, Goods, Chattels, and Effects, and all Monies, which at the Time of the Commencement of this Act shall be in hand under the same Acts, shall be liable to the Payment of all Monies which at the Time of the Commencement of this Act are due and owing on the Credit or under the Authority of the said recited Acts, and of all Interest due and to grow due thereon, and to all proper Proceedings thereon for the Recovery thereof, as fully and effectually to all Intents and Purposes as if such Monies had become due on the Credit or under the Authority of this Act.

Officers appointed under former Acts to be continued in Office unless removed by Commissioners.

VII. Provided also, and be it enacted, That the Treasurer, Secretary, and Clerk, (if appointed consistently with the Provisions of this Act in reference to the Offices of Clerk and Treasurer,) and all other Officers appointed under the said recited Acts, or in the Employment of the Commissioners acting in the Execution of such Acts at the Time of the Commencement of this Act, shall hold and enjoy their respective Offices and Employments until removed therefrom by the Commissioners for executing this Act, and all such Officers and Persons shall have the same Powers, Privileges, and Advantages in the Execution of this Act, and shall be liable to the same Penalties, Obligations, Restrictions, and Regulations, in every respect as if they had been respectively appointed under or by virtue of this Act.

Officers under former Acts to account under this Act.

VIII. And be it enacted, That all Persons who are or have been employed, or who shall have received any Duties or other Money, or who may owe or be subject to the Payment of any Money, by virtue of the said recited Acts, or who shall have in their Custody or Possession any Boats, Crafts, Machinery, Tools, Money, Books, Accounts, Receipts, Papers, Writings, or other Matters or Things relating to the said Port and Harbour or connected therewith, shall be liable to account for, pay, and deliver over the same, and every Part thereof, to the Commissioners nominated by this Act, or to any Person whom they may appoint, in the same Manner as if they had been employed, or had received such Money, or were subject to the Payment of such Money, or had such Things in their Custody or Possession, by virtue of this Act.

This Act not to abate Actions heretofore brought.

IX. And be it enacted, That nothing contained in this Act shall abate or affect any Action, Suit, or other Proceeding whatsoever brought, commenced, or instituted by or against the said Commissioners under the said Acts, nor prejudice or affect the Appointment of a Receiver heretofore made by the Commissioners of Public Works in *Ireland* over the Rates, Duties, and other Property of the Commissioners

sioners of the said Port and Harbour, but the said Receiver shall be considered as extended to the Duties by this Act created, but that such Action, Suit, or other Proceeding be carried on and prosecuted by or against the Commissioners by this Act created, in the like Manner and with the like Effect, and such Receiver continued over the Rates and Duties hereby established, and the Property hereby vested in the said Commissioners, as the same could or might have been continued or carried on if the said recited Acts had not been repealed, or as if the same had been commenced after the passing of this Act, by or against the Commissioners hereby created.

Commissioners to put this Act in execution.

X. And be it enacted, That the Mayor of the Town of *Drogheda* for the Time being (who shall be deemed to be an Official Commissioner), together with the Twenty-seven other Persons to be nominated, appointed, and chosen as herein-after provided, shall be and they are hereby constituted and appointed Commissioners for the Purpose of carrying this Act into execution, and accomplishing the Powers, Provisions, and Objects herein specified and designated by the Name and Style of "The Commissioners for improving the Port and Harbour of *Drogheda*."

First Commissioners.

XI. And be it enacted, That the Twenty-seven first Non-official Commissioners shall be the following Persons; (that is to say,) *Blaney Townley Balfour*, *Saint George Smith*, *Ralph Smyth*, *Francis Donagh*, *Townley Blackwood Hardman*, *William Cairnes*, *Thomas Carty*, *Thomas Ennis*, *James Matthews*, *Thomas Brodigan*, *Francis William Leland*, *George Harpur*, *Lawrence Delany*, *Henry Smith*, *Edward Atkinson*, *Patrick Ternan*, *Patrick Matthews*, *Felix M'Cabe*, *Archibald Weir*, *Christopher Jordan*, *Michael Walsh*, *John Morton*, *Michael Rogers*, *Henry Crolly*, *Thomas Hammond*, *Peter Verdon*, and *Patrick Boylan*.

Qualification of Commissioners.

XII. And be it enacted, That all Persons resident in the said Town of *Drogheda*, or within Seven Miles from the Tholsel of the said Town, who shall be seised or possessed of Real or Personal Property, or of both, of the clear Value of Eight hundred Pounds above what will satisfy his Debts, or, being resident as aforesaid, shall be seised or possessed in his own Right, or in Right of his Wife, and in the actual Enjoyment or Receipt, of the Rents of Lands, Tenements, or Hereditaments of the clear yearly Value of Fifty Pounds, or shall occupy, and shall for Twelve Calendar Months next previous have occupied, a House, Store, Warehouse, or Counting-house, or other Building which, either separate or jointly, shall be rated for the Relief of the Poor at the annual Value of Twenty-five Pounds or upwards, situate within the said County of the Town of *Drogheda*, shall be eligible to be elected Commissioners, and none other.

Same Property not to give Two Qualifications.

XIII. And be it enacted, That the same Property shall not give a Qualification to Two Commissioners at the same Time as the Owner and Occupier thereof.

No Bankrupt or Insolvent to be a Commissioner.

XIV. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing a Commissioner.

No Person holding Office or concerned in a Contract to be a Commissioner.

XV. And be it enacted, That if at any Time subsequently to the Appointment or Election of any Commissioner he shall accept or continue to hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract, or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant.

Shareholders in Companies established under Act of Parliament not disqualified by reason of Contract.

XVI. Provided always, and be it enacted, That no Person, being a Shareholder or Member of any Joint Stock Company established by Act of Parliament, shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners; but no such Commissioner, being a Member of such Company, shall vote upon any Question relating to the Execution of this Act in which such Company may be interested.

Commissioner not incapable of acting as a Justice.

XVII. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner.

Declaration by Commissioners.

XVIII. And be it enacted, That no Person shall be capable of acting as a Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made and signed, before one of the Commissioners, a Declaration to the Effect following:

'I *A. B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act of Parliament, intituled [*here insert the Title of this Act*], and also that I am seised or possessed of Real *or* Personal Property, *or of both*, of the clear Value of Eight hundred Pounds over and above my Debts, *or* am seised or possessed in my own Right, *or* in Right of my Wife, and in the actual Receipt, of the Rents of Hereditaments of the clear Value of Fifty Pounds, *or* have for the last Twelve Months occupied a House, Store, Warehouse, *or* Counting-house, *or other Building*, which, either separately or jointly, has been rated for the Relief of the Poor within the County of the Town of *Drogheda* at the annual Value of Twenty-five Pounds or upwards.'

Penalty on making a false Declaration.

XIX. And be it enacted, That any Person who shall falsely or corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Particular, shall be deemed guilty of a Misdemeanor.

Declaration to be taken at the First Meeting.

XX. And be it enacted, That at the Meeting of Commissioners at which any Person shall first attend as one of such Commissioners such Person shall make and subscribe the Declaration herein required; and it shall be lawful for any Person attending as one of such Commissioners, whether he shall himself have made such Declaration or not, to administer such Declaration.

Penalty on Commissioner acting not being qualified.

XXI. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act or not being duly qualified, or before he shall have made or subscribed such Declaration as aforesaid,

or after having become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds, and such Penalty may be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record in *Ireland*, by any Person who shall sue for the same by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified, and had made and subscribed the Declaration aforesaid, or he shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of this Act; nevertheless, all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previous to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Commissioners absenting themselves shall cease to be Commissioners.

XXII. And be it enacted, That if any Person now nominated or who shall hereafter be elected a Commissioner pursuant to the Powers of this Act shall cease to reside within the said Town, or within Seven Miles of the Tholsel therein, such Person shall, from and after such ceasing to reside, be deemed and considered as having declined to act, and shall, to all Intents and Purposes, cease to be a Commissioner, and another Person shall be elected, pursuant to the Directions of this Act, in the Room of the Person so absenting himself or ceasing to reside.

Period of Service of First Commissioners.

XXIII. And be it enacted, That the whole of the Non-official Commissioners appointed by this Act shall go out of Office on the Second *Monday* in the Month of *August* One thousand eight hundred and forty-two, and Twenty-seven newly elected Commissioners shall be chosen in their Stead in manner by this Act provided.

Period of Service and Time of going out of Commissioners elected under this Act.

XXIV. And be it enacted, That the Non-official Commissioners to be elected in manner by this Act provided shall go out of Office by Rotation as follows; that is to say, on the Second *Monday* in the Month of *August* in the Year One thousand eight hundred and forty-three Nine of such elected Commissioners shall go out of Office, and at the same Time in the following Year Nine other of such remaining Commissioners shall go out of Office, and at the same Time in the following Year Nine other of such remaining Commissioners shall go out of Office, and at the same Time in every subsequent Year One Third of such Commissioners, being those who have been longest in Office, shall go out of Office; and in each Instance the Places of the retiring Commissioners shall be supplied by the Election of a similar Number of Commissioners as herein-after provided.

Commissioners re-eligible.

XXV. And be it enacted, That every Commissioner going out of Office may be immediately re-elected, and after such Re-election he shall, with reference to going out by Rotation or otherwise, be considered as a new Commissioner.

Rotation of Commissioners.

XXVI. And in order to determine the Rotation by which the Commissioners to be elected under this Act are required to go out of Office, be it enacted, That within Three Months after the First Election

Election of Commissioners under this Act the Commissioners shall, at a Meeting to be held for the Purpose, form a Rotation List of the Commissioners; and at such Meeting the Clerk to the Commissioners, or some other Person to be previously appointed by the Commissioners for that Purpose, shall write the Names of all the then Commissioners on separate Slips of Paper, all as nearly as may be of equal Size, and having folded them up in the same Manner he shall put them in a Box, and shall draw out such Slips in succession, and the Names upon the Slips so drawn shall be inserted by such Clerk in a List in the Order in which they shall be so drawn, and such List shall be kept by such Clerk for the Purposes of the Act, and the Names in such List shall be numbered consecutively, and the Commissioners shall retire from Office in the Order in which their Names appear on such List, according to the Proportion herein-before mentioned.

Election of Commissioners on Vacancies.

XXVII. And be it enacted, That in case any of the said Commissioners shall happen to die or resign, or refuse or decline to act, or cease to possess the Qualification which renders them eligible to be elected pursuant to this Act, or shall from any other Cause cease to be a Commissioner, otherwise than retiring by Rotation as herein-before mentioned, the Election of a new Commissioner in his Stead shall remain over until the Time of the general annual Election of Commissioners, as provided by this Act, and that thereupon such Vacancy shall be filled up, and all Modes adopted therefor in the same Manner as is herein provided for the Election of any other Commissioner for the Purposes of this Act.

Qualification of Electors.

XXVIII. And be it enacted, That at all Meetings for the Election of new Commissioners every Person qualified as herein-after mentioned shall be entitled to vote at the Election of such Commissioners, and none other; (that is to say,) every Man of full Age, who at the Time of such Election shall be an inhabitant Householder, and shall for Six Calendar Months previous thereto have been resident as such within the said Town of *Drogheda* or within Seven Statute Miles from the Tholsel therein, and who shall occupy within such Town any House, Store, Warehouse, Counting-house, Shop, or other Building which, either separate, or jointly with any Land within the Borough of *Drogheda* occupied therewith by him as Tenant, or occupied therewith by him as Owner, shall be of the yearly Value of not less than Ten Pounds, such Value to be a Sum composed of the annual Value at which such Premises shall be rated to the Relief of the Poor under the Act for the Relief of the destitute Poor in *Ireland*, and of the Amount of the Sums at which the Landlord's Repairs and Landlord's Insurance shall be estimated and stated in any Rate to be made in pursuance of the said Act: Provided always, that no such Occupier shall be admitted to vote at any Election unless he shall have been rated, in respect of such Premises within the said Town, for the Space of Twelve Calendar Months at the least next preceding such Day of Election: Provided always, that the Premises in respect of the Occupation of which any Person shall be entitled to vote in any Year shall not be required to be the same Premises, but may

may be different Premises occupied in immediate Succession by such Person.

Manner of Election for supplying periodical Vacancies.

XXIX. And be it enacted, That for the Purpose of such Election a Meeting of the Persons entitled to vote thereat shall be held at the Tholsel on the Second *Tuesday* in the Month of *August* in each Year, between the Hours of Ten of the Clock in the Morning and Four of the Clock in the Afternoon, and between the Hours aforesaid the Persons by whom such Election is to be made shall respectively deliver to the Mayor of the said Town, or, in his unavoidable Absence, to some Person authorized for that Purpose by the Commissioners, a Paper containing the Names of the Persons for whom they respectively vote to fill the Office of Commissioners; and the Persons, not exceeding the Number of Commissioners proper to be elected at such Meeting, having the Majority of Votes at such Election, shall be Commissioners for the Purpose of carrying this Act into execution; and if at any such Election there be an Equality for Two or more Persons, the said Mayor or such Person as aforesaid shall, if necessary to prevent an Excess in the Number of Commissioners, decide by Lot upon the Person to be elected.

Poor Rate Assessment Book to be produced at Election of Commissioners.

XXX. And be it enacted, That at every such Election the Officer having the Custody of the Poor Rate Assessment Books relating to any Property in respect of which a Claim may be made to vote for the Election of Commissioners under this Act shall attend and produce the said Books when and as often as he may be required by the said Mayor or other Person aforesaid; and in case of such Officer refusing or wilfully neglecting so to do, he shall for every Time of so refusing or wilfully neglecting, forfeit and pay any Sum not exceeding Five Pounds.

Penalty of 5*l.* for voting without being qualified.

XXXI. And be it enacted, That all and every Person or Persons voting at any such Meeting for the Election of a Commissioner or Commissioners, and not being duly qualified as aforesaid, shall for every such Offence forfeit the Sum of Five Pounds, to be recovered and applied in manner herein-after mentioned.

First and other Meetings of Commissioners.

XXXII. And be it enacted, That the Commissioners for executing this Act shall hold their First General Meeting at the Tholsel in the said Town of *Drogheda* upon the *Saturday* next after the Sixth *Friday* after the passing of this Act, or within Six Days thereafter, at Twelve of the Clock at Noon, and proceed to put this Act into execution, and a General Meeting of the Commissioners shall be held on the last *Saturday* in *April* annually, at the Place and Hour aforesaid, unless some other Time or Place shall be appointed by the Commissioners; and it shall be lawful for the Commissioners present at such First or any subsequent Meeting from Time to Time to adjourn such Meeting to the same or any other Place within the said Town; and if at any such Meeting there shall not be Five Commissioners present within Half an Hour after the Time appointed for such Meeting, then it shall be lawful for the Commissioners present, or the major Part of them, or any One Commissioner, if only One be present, to adjourn such Meeting to another Day, but no Adjourn-

ment of any Meeting shall exceed beyond the Term of One Calendar Month from the Day on which such Adjournment shall take place; and if the Meeting shall not be adjourned, then it shall be lawful for any Two of the Commissioners, or the Clerk, to appoint a Meeting, to be held at the Tholsel aforesaid, or some other convenient Place, and not less than Seven Days Notice thereof shall be given of such intended Meeting.

Special Meetings.

XXXIII. And be it enacted, That it shall be lawful for the said Commissioners to hold Special Meetings; and any Eight or more of the Commissioners may require a Special Meeting to be held, but no such Meeting shall be held unless Six Days Notice thereof shall be given.

Quorum of Commissioners.

XXXIV. And be it enacted, That all Powers of this Act may be exercised by any Five or more of the Commissioners present at any Meeting holden in pursuance of this Act, and no Business shall be transacted at any Meeting of the Commissioners unless Five or more Commissioners shall be present at such Meeting.

How Notices of Meetings are to be given.

XXXV. And be it enacted, That all Notices of any Meeting to be held under the Authority of this Act shall be in Writing, and shall be delivered or sent by the Post to the usual Place of Abode of each of the Commissioners Three Days at least previous to such Meeting; and every Notice shall be signed by the Clerk of the Commissioners, and shall specify the Time and Place of meeting, and the Object thereof.

Meeting may appoint Committees.

Duration of Committees.

XXXVI. And be it enacted, That it shall be lawful for the said Commissioners at any Meeting to appoint a Committee or Committees for carrying into effect any of the Provisions of this Act, and at any Meeting to continue, alter, or discontinue such Committee, but no such Committee shall be appointed to act for a longer Term than until the annual General Meeting of the Commissioners next following its Appointment,

Quorum of Committees.

XXXVII. And be it enacted, That no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee be present.

Order of Business at Meetings of Commissioners and Committees.

XXXVIII. And be it enacted, That at every Meeting of the Commissioners or Committee one of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting, and all Questions considered at any such Meeting shall be decided by the Votes of a Majority present; and if there be an equal Division of Votes the Chairman, in addition to his own Vote as a Commissioner or Member of the Committee, shall have a casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of the Chairman, then one of the Commissioners having an equal Number of Votes, whose Name would stand first if the Names of the Commissioners present were alphabetically arranged, shall be Chairman of such Meeting: Provided always, that the Mayor of the said Town of

Drogheda for the Time being shall, if present at any such Meeting, be the Chairman thereof.

No Resolution of Commissioners to be revoked at a subsequent Meeting, unless under certain Circumstances.

XXXIX. And be it enacted, That no Resolution or other Act of any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be called expressly for such Alteration or Revocation within Two Calendar Months after the passing of such Resolution or the doing of such Act, by Notice given Ten Days at least previous to the holding thereof, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds at the least of the Commissioners present at such subsequent Meeting.

Minutes of Proceedings to be entered in a Book, which may be made Evidence.

XL. And be it enacted, That the Minutes of the Proceedings of the said Commissioners and Committees, together with the Names of the Commissioners present at every Meeting, shall be drawn up and fairly entered in a Book to be kept by the Clerk for that Purpose, and be signed by the Chairman of the Meeting at which such Proceedings shall be from Time to Time had, and such Book shall be open at all seasonable Times to the Inspection of any of the said Commissioners without Fee or Reward; and the said Book, as well as the Book in which the Declaration made and subscribed by the said Commissioners shall be entered, and also the Book hereafter to be kept for registering Mortgages and Assignments, Annuities or Bonds, and the Transfer thereof, and the Book in which shall be entered the Statement of the annual Accounts of the Commissioners, and all Entries in such Books respectively, shall and may be read in Evidence in all Courts whatsoever.

Contracts may be made.

XLI. And be it enacted, That it shall be lawful for the Commissioners to enter into Contracts with any Persons for the Execution of any Works directed or authorized by this Act to be done by the said Commissioners, and for furnishing any Materials for the same, or which may be required by the Commissioners; and every such Contract shall be in Writing, and shall specify the Works to be done, and the Materials to be furnished, and an Entry of such Contract shall be made in a Book to be kept by the Clerk of the Commissioners.

How to be signed.

XLII. And be it enacted, That every such Contract shall be signed by any Five or more of the Commissioners and the other Parties thereto; and such Contracts shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs recovered, by or against the Commissioners or the other Parties failing in the Execution thereof.

Commissioners not to be personally liable.

XLIII. And be it enacted, That nothing in any Deed or Contract by this Act authorized to be made by or on behalf of the Commissioners for any of the Purposes of this Act shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Instrument; but the Amount of all Damages, Costs, and

Liability of their Funds.

and Charges recovered in any Action or Suit in consequence of any such Instrument, or which any such Commissioner shall otherwise be put to by virtue of this Act, shall respectively be discharged out of the Monies to arise by virtue of this Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect or Default on the Part of the Commissioner incurring the same, or unless such Action or Suit have been defended without the Order or Direction of the Commissioners.

Actions or Suits to be brought in the Name of any One Commissioner or their Clerk.

XLIV. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this Act, or any Security given under the said former Acts, to be brought by or against the Commissioners, it shall be sufficient to state the Names of any One of the Commissioners or the Name of their Clerk as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit; and no such Action shall abate or be discontinued by the Death of any such Commissioner, or by the Death, Suspension, or Removal of such Clerk.

Executions against Goods of Commissioners.

XLV. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office.

Indemnity to Commissioners and Clerk.

XLVI. And be it enacted, That every such Commissioner or Clerk in whose Name any such legal Proceedings shall be carried on, either as Plaintiff or Defendant, on behalf of the Commissioners, shall be reimbursed, out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office, all Damages, Costs, Charges, and Expences to which any such Commissioner or Clerk may be put or with which he may become chargeable by reason of being so made Plaintiff or Defendant; and no such Commissioner or Clerk shall be personally liable for the Payment of the same, unless such Action or Suit have arisen in consequence of his own wilful Neglect or Default, or unless, if such Action have been brought by the Clerk or One Commissioner as aforesaid, it have been so brought without the Order or Direction of the Commissioners.

Commissioners to appoint Treasurer and other Officers.

XLVII. And be it enacted, That the said Commissioners shall, from Time to Time as Vacancies arise, appoint a Treasurer and Clerk, Harbour Master, and also a Collector or Receiver of the Rates and Duties, with such Salaries and Allowances as they think reasonable, and may remove any Clerk, Treasurer, Harbour Master, Collector, or Receiver, and appoint others in their Stead: Provided always, that the Salary of the Collector or Receiver of the Rates and Duties of the said Port or Harbour shall not exceed at any Time One hundred Pounds *per Annum* for his Services in receiving such Rates or Duties as may arise merely from Tonnage, and the Rents or Fines or Money arising from the Produce of Sales, or Monies borrowed upon Loan by the said Commissioners, but that in addition thereto

thereto such Collector or Receiver shall be allowed and be entitled to a Poundage of not exceeding Five Pounds *per Centum* upon all Rates and Duties received by him from Time to Time in respect of any of the Goods, Wares, or Merchandize in the Schedule to this Act annexed; and further, that the Salary of such Harbour Master or Treasurer hereby authorized to be appointed shall in no Case exceed Fifty Pounds *per Annum*, and that the Salary of such Clerk shall not exceed the Sum of Thirty Pounds *per Annum*.

Not to affect Right of Harbour Master to Compensation.

XLVIII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to take away, diminish, prejudice, or affect any Right to Compensation which the present Harbour Master of the said Port or Harbour may now have or may hereafter become entitled to under or by virtue of an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland. 3 & 4 Vict. c. 108.

Offices of Clerk and Treasurer to be separate.

Penalty 100*l.*

XLIX. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer; and that neither the Person who shall be the Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any Person offend in any of the following Cases, he shall forfeit One hundred Pounds; (that is to say,)

If any Person accept both the Office of Clerk and Treasurer:

If any Person being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer, as the Case may be:

And any Person may sue for such Penalty, either by Action of Debt or on the Case in any of Her Majesty's Courts of Record in *Ireland*, and shall on Recovery thereof be entitled to full Costs of Suit.

Commissioners to take Security from all Officers intrusted with Money.

L. And be it enacted, That the Commissioners shall take from their Treasurer, and also from all other Officers in their Employ intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying, as the Commissioners shall from Time to Time require, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing from Time to Time, when required by the Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received or collected.

Officers to account.

LI. And be it enacted, That every Officer appointed or employed by the Commissioners by virtue of this Act shall from Time to Time, when required by the Commissioners, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account, in Writing under his Hand, of all Monies received by him on behalf of the Commissioners; and such Account shall state how, and to whom, and for what Purpose, such Monies have been disposed of; and, together with such Account, such Officers shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy against Officers failing to account.

LII. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to any Justice acting within the Jurisdiction where such Officer may be found, such Justice shall, by Warrant under his Hand and Seal, cause such Officer to be brought before him, or if such Officer cannot be found, then, in his Absence, such Justice may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Justice may order such Officer to pay the same forthwith, and if he shall fail to pay the Amount it shall be lawful for such Justice to grant a Warrant to levy the same by Distress, or, in default thereof, to commit the Offender to Gaol, there to remain, without Bail, for any Time not exceeding Three Calendar Months; and in any of the following Cases; (that is to say,)

If such Officer do not appear before such Justice at the Time appointed; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Justice the several Vouchers and Receipts relating to such Account in his Possession or Power; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of this Act, or belonging to the Commissioners, in his Possession or Power,

Such Justice may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up

such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power.

Commitment not to discharge Sureties.

LIII. And be it enacted, That no such proceeding against or dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against any Surety of such Officer.

Books of Account to be kept, and to be open to Inspection.

LIV. And be it enacted, That the Commissioners shall cause a Book or Books to be kept, in which shall be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor of the Tolls by this Act authorized to be collected, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Commissioners and Creditors aforesaid, at seasonable Times, to take Copies of or Extracts from the said Book without paying any thing for the same; and if on Request for that Purpose the Person having the Care and Custody of the said Book or Books shall fail to permit any of the Commissioners or Creditors aforesaid to inspect such Book, or to take Copies or Extracts as aforesaid, such Person shall for each such Default forfeit a Sum not exceeding Five Pounds.

Accounts to be settled and examined at the annual Meeting.

LV. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at the annual Meeting of the Commissioners which shall take place in *April* in every Year, or at some Adjournment thereof, and such Accounts shall be examined and settled by the Commissioners, and if the same shall be found just and true they shall be allowed by the Commissioners, and certified accordingly, under the Hand of the Chairman of such Meeting, and shall thereupon be published in some One or more of the Newspapers published in the said Town of *Drogheda*.

Annual Account to be transmitted to the Clerk of the Peace.

LVI. And be it enacted, That the Commissioners shall every Year cause an annual Account in Abstract to be prepared showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the Thirty-first Day of *March* in every Year, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the said Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Town Clerk of the County of the Town of *Drogheda*, on or before the Thirty-first Day of *January* in each Year, which Account shall be open to the Inspection of the Public at all seasonable Hours, on the Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Ten Pounds.

LVII. And

Power to borrow Money of the Exchequer Loan Bill Commissioners and give Security 1 & 2 W. 4. c. 24.

LVII. And be it enacted, That it shall be lawful for the said Commissioners at any Time or from Time to Time, by Order of any General or Special Meeting, to borrow of the Commissioners for carrying into execution an Act of Parliament passed in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend several Acts for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, any Sum or Sums of Money not exceeding in the whole the Sum of Money hereby authorized to be raised by Mortgage as herein-after mentioned, and by Deed under the Hands and Seals of any Five or more of the said Commissioners to assign and assure to the Secretary for the Time being of the Commissioners as they shall direct, free from all Incumbrances, the said Undertaking, and all the Works and Property of the said Commissioners, and all Rates, Tolls, Profits, and Receipts accruing and thereafter to accrue to or for the Use of the said Commissioners, under or by virtue of the Authority of this Act or otherwise, for securing to the said Commissioners the Repayment of the Amount of the Exchequer Bills to be borrowed as aforesaid.

No Works to be undertaken or Officers appointed without Consent of Commissioners of Public Works so long as any Money remains due to them.

LVIII. And whereas Default having been made in Payment of the Instalments due on foot of the said Mortgage to the Commissioners of Public Works, they the said Commissioners, under the Powers and Authorities in them vested, have heretofore entered into and are now in receipt of the Rates and Duties, Rents and Profits of the said Commissioners of the Port and Harbour of *Drogheda*; be it therefore enacted, That so long as any Sum of Money shall remain due and owing on foot of the Security or Securities heretofore executed to the said Commissioners of Public Works, or their Secretary, it shall not be lawful for the said Commissioners of the Port and Harbour of *Drogheda* to undertake any Works, or appoint any Officer or Officers at a Salary or Salaries, without the Sanction and Approbation of the Commissioners of Public Works first had and obtained in Writing.

Commissioners may obtain Advance of Money from the Board of Public Works. 1 & 2 W. 4. c. 33.

LIX. And be it enacted, That it shall be lawful for said Commissioners to apply for a Loan of the Whole or any Part of the Sums necessary for the Purposes of this Act to the Commissioners for carrying into execution an Act passed in the First and Second Years of the Reign of His late Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland; and in case the Commissioners for the Execution of the said Act shall think fit to direct any Sum or Sums of Money to be advanced for the Purposes of this Act, it shall be lawful for the Commissioners under this Act to mortgage or assign any Lands or other Property of the said Commissioners, and all or any of the Rates or Duties which shall arise or be payable under this Act, to the said Commissioners, as a Security for the Payment of the Interest and Principal of any Sum or Sums so to be advanced at or within any such Time or Times, and by any such Instalments, as the said Commissioners shall think proper to direct

direct and appoint, and as shall be specified in such Mortgage or Assignment.

Commissioners may borrow from other Persons.

LX. And whereas the said Commissioners may think it more advisable or advantageous to raise all or any Part of the Money to be borrowed under this Act by Mortgage or Bond, in preference to a Loan from the Exchequer or Board of Works; be it therefore enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest on Mortgage or Bond, at Interest not exceeding Six Pounds *per Centum per Annum*, on the Credit of the several Rates, Tonnage and other Duties, by this Act granted, and upon the Security of any Lands or other Property of the said Commissioners, any Sum or Sums of Money which shall not exceed in the whole Seventy thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the Commissioners to re-borrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Seventy thousand Pounds in the whole at any one Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Five of them, may assign over the said Rates, Tonnage and other Duties, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustees, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Forms of Mortgage and Bond

LXI. And be it enacted, That every Mortgage, Assignment, and Bond for securing Money borrowed by the said Commissioners shall be by Deed, signed by any Five or more of the said Commissioners, duly stamped, and wherein the Consideration shall be truly stated; and every such Mortgage Deed or Bond may be according to the Forms in the Schedule (A.) or (B.) to this Act annexed, or to the like Effect.

Expences of Mortgages, &c.

LXII. And be it enacted, That the Expence of every Assignment or Mortgage or Bond shall from Time to Time be defrayed by the Commissioners out of the Money raised by the same.

Register of Mortgages and Assignments, &c. to be kept, and to be open to Inspection.

LXIII. And be it enacted, That a Register of such Mortgages or Assignments or Bonds shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment or Bond an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward.

Transfer of Mortgages, &c.

LXIV. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Assignment or Bond may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Register of Transfers to be kept.

LXV. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Assignment, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment or Bond, in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Mortgage or Assignment or Bond so transferred, or any Money thereby secured.

Commissioners may pay off such Mortgages on giving Six Months Notice.

LXVI. And be it enacted, That it shall be lawful for the said Commissioners to fix a Period or Periods for the Repayment of all and every the Principal Sums of Money to be hereafter borrowed, with the Interest thereof, and in such Case the said Commissioners shall cause to be inserted in such Mortgage, Assignment, or Bond the Time or Times which shall be fixed or agreed upon for the Repayment of the Principal Money thereby to be secured; and such Sum of Money, with all Arrears of Interest thereon, shall accordingly be paid at the Time or Times so to be fixed to the Party who shall, upon the Expiration of such Period or Periods, be the Holder of and entitled to such Mortgage, Assignment, or Bond, or his Nominee: Provided nevertheless, that the said Commissioners may at all Times pay off and discharge all such Mortgages or Assignments in which no Time shall be fixed for the Payment thereof, or of any Part of the Money thereby secured, on giving Six Calendar Months Notice by Advertisement in the Manner herein directed, and at the Expiration of the said Six Calendar Months all Interest shall cease to be paid on the said Principal Money, unless the said Commissioners shall, on Demand, make default in pursuance of such Notice.

When old Securities are lost, new ones to be executed.

LXVII. And be it enacted, That in case where it shall appear, by satisfactory Evidence adduced at any Meeting of the said Commissioners, that any Person is a Creditor on the Tolls or Duties granted by the several Acts herein-before repealed or by this Act, and that the Mortgage, Assignment, or Bond for securing any such Sum of Money, or the Transfer thereof, has been lost, mislaid, or by Accident destroyed, it shall be lawful for the said Commissioners, or any Five or more of them, under such Restrictions as they shall think fit, to execute, at the Expence of the Person applying for the same, a new Mortgage, Assignment, or Bond for the same Sum of Money, and on the same Security mentioned in such original or former Mortgage, Assignment, or Bond or Transfer; and every Mortgage, Assignment, or Bond so to be executed shall be valid and effectual for the Purposes thereby intended.

Application of Money to be raised from Tolls.

LXVIII. And be it enacted, That all Money which may arise or be received by or from the Rates, Tolls, or Duties by this Act granted, or by or from other Property of the said Commissioners, shall be laid out and applied by the said Commissioners in paying the

the Interest which may accrue due upon or by virtue of the said Mortgage Debt due to the Commissioners of Public Works in *Ireland*, in discharge of the Principal Monies due on foot of the Security or Securities for the same, in such Manner and by such Instalments as the said Commissioners are now entitled to demand and receive the same, in paying the Interest which may accrue due upon or by virtue of any other Mortgage, Assignment, or Bond heretofore or hereafter to be made and granted by virtue of the Powers contained in said former Acts and this Act, and in the necessary Expences of regulating, preserving, maintaining, and improving the said Port and Harbour, and all other necessary Expences incidental to the Execution of this Act; in the next place in discharge of the several Monies heretofore borrowed and which may be hereafter borrowed by the said Commissioners under the Provisions of this Act; and from and after Payment of all such Monies as aforesaid, do and shall apply any surplus Monies which may be in their Hands in reduction of the said Rates, Tolls, and Duties.

Application of Monies to be borrowed.

LXIX. And be it enacted, That all the Money which shall be raised on the Credit of the Rates hereby authorized to be levied shall be applied in making such permanent Improvements within the Limits of this Act as are hereby authorized, and as the Commissioners shall direct to be made.

Directing what shall be good Service of Notice on the Commissioners.

LXX. And be it enacted, That any Summons, Notice, or Writ, or other Proceeding, at Law or in Equity, requiring to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the said Commissioners, or to some Inmate at his usual Place of Abode, or by leaving the same at the Office of the said Commissioners, or in case there shall be no Clerk, or his Place of Abode shall not be known, then by delivering the same to any one Commissioner, or to some Inmate of the Place of Abode of such Commissioner.

Declaring what shall be good Service of Notice by the Commissioners.

LXXI. And be it enacted, That in all Cases in which it may be necessary for the said Commissioners to serve any Summons or Demand, or any Notice or Writ or other Proceeding, at Law or in Equity, upon any Person whomsoever, under the Provisions contained in this Act, the same may be in Writing or in Print, or partly in Writing and partly in Print, and be signed by the Solicitor, Clerk, or Treasurer for the Time being of the said Commissioners.

Releases to Witnesses.

LXXII. And be it enacted, That in all legal Proceedings under this Act general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness may be granted by any Two or more of the Commissioners.

Tender of Amends.

LXXIII. And with respect to Actions brought in respect of any Proceeding under the Provisions of this Act, be it enacted, That if before an Action be brought any Party, having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority thereby given, make sufficient Tender or Satisfaction, the Plaintiff shall not recover in

in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Power to purchase Lands.

LXXIV. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Commissioners to agree with the Owners of the Lands which they are hereby authorized to enter into and take for the Purposes of the said Port and Harbour, for the absolute Purchase, for a Consideration in Money, of any such Lands, or such Parts thereof as they shall think proper, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all Commonable or other Rights to which such Lands may be subject, and all other Estates or Interests in such Lands, of what Kind soever.

Parties under Disability enabled to sell and convey.

LXXV. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed of, or entitled to any such Lands, or any such Estate or Interest therein as aforesaid, to sell and dispose of and convey or release the same to the Commissioners, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Married Women seised in their own Right or entitled to Dower, Guardians, Committees of Lunatics and Idiots, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, and Administrators; and the Power so to sell and convey as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and as to such Married Women as if they were sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees, Executors, and Administrators on behalf of their Cestuique Trust, whether Infants, Issue unborn, Lunatics, Femes Covert, or other Persons, and that to the same Extent as such Cestuique Trust respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability.

Parties under Disability may exercise other Powers.

LXXVI. And be it enacted, That the Power to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent, Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of or convey and release Lands to the Commissioners.

LXXVII. And

Consideration to be a gross Sum.

LXXVII. And be it enacted, That, except as herein-after mentioned, the Consideration to be paid for the Purchase of any such Lands, or for any Damage done thereto, shall be in a gross Sum.

Acceptance of Compensation for Price of or Damage to Lands.

LXXVIII. And be it enacted, That the Owners of any such Lands, or of any such Estate or Interest therein as aforesaid, and all Parties by this Act enabled to convey any such Lands, may agree to accept, and, subject to the Restrictions in this Act contained as to the Payment thereof, may accept, Satisfaction for the Value of such Lands, or any Interest therein to which such Party shall be entitled; and in addition to Compensation for the Value of such Lands, or of the Interest therein to be so conveyed, such Parties shall be entitled to and may in like Manner accept Compensation for any Damage by them sustained by reason of the severing or dividing of such Lands, or otherwise owing to the Exercise of the Powers of this Act.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

LXXIX. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey, except under the Provisions in this Act contained, and the Compensation Money to be paid for any permanent Damage or Injury to any such Lands, be it enacted, That such Consideration Money or Compensation shall not, except where the same shall have been determined by the Verdict of a Jury under the Provision herein-after contained, be less than shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the Commissioners, and the other by the other Party, and if such Two Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not, then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Compensation to absent Parties to be ascertained by Valuation.

LXXX. And with respect to the Compensation Money to be paid for any Lands to be purchased from any Party who, by reason of Absence, or from any other Incapacity or Accident, is prevented from treating, or cannot be found, and the Compensation Money to be paid for any permanent Injury to such Lands, be it enacted, That such Consideration or Compensation shall not be less than shall be determined by the Valuation of such able practical Surveyor as Two Justices shall nominate for that Purpose, and such Surveyor shall annex to the Valuation a Declaration of the Correctness thereof.

Form of Conveyance.

LXXXI. And be it enacted, That all Conveyances so to be made as aforesaid may be according to the Form in the Schedule (D.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be effectual to vest the Lands thereby conveyed in the Commissioners, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and to destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever, of and in the Lands comprised in such Conveyances

ances as shall have been purchased or compensated for by the Consideration therein mentioned; but although Terms of Years be thereby merged, they shall in Equity afford the same Protection as if they had been kept on foot and assigned to a Trustee for the Commissioners to attend the Reversion and Inheritance.

Costs of Conveyance.

LXXXII. And with respect to the Costs of the Conveyance of any such Lands purchased or taken by the Commissioners, be it enacted, That all such Costs shall be borne by the Commissioners, and such Costs shall include all Charges and Expences, incurred on the Part as well of the Seller as of the Purchaser, of all Conveyances and Assurances of any such Lands, and of any outstanding Terms or Interests therein, and of deducing, evidencing, and verifying the Title to such Lands, Terms, or Interests, and of making out and furnishing such Abstracts and attested Copies as the Commissioners may require, and all other Expences incident to the Investigation, Deduction, and Verification of such Title; and before the Commissioners enter into possession of the Lands so purchased or taken they shall pay the Amount of such Costs, and if there be any Dispute about the same they shall obtain an Order for the Taxation thereof as herein-after provided; nevertheless, if, within Seven Days after Notice in Writing from the Commissioners, the Parties from whom such Lands shall have been purchased do not deliver a Bill of their Costs to the Commissioners, then the Commissioners shall not be prevented from entering into the Possession of such Lands by reason of the Nonpayment of such Costs, or by reason of such Order for Taxation thereof not having been obtained.

Taxation of Costs.

LXXXIII. And be it enacted, That if the Commissioners and the Party entitled to any such Costs shall not agree as to the Amount thereof, such Costs shall be ascertained by the Court of Chancery in *Ireland*, and for that Purpose either Party may apply to the Court by Petition, and thereupon the Court shall order such Costs to be referred to one of the Masters, to be taxed in the usual Manner; and upon Proof of such Service the Master shall proceed to tax such Costs accordingly, Notice of such Taxation being given to the other Party; and after the Taxation thereof it shall be lawful to the Court to order the Amount at which the same shall be so taxed, together with the Costs of Taxation, or so much of the same as shall be payable by the Commissioners, to be paid to the Party entitled thereto, and the same shall be paid accordingly; and the Expence of taxing such Costs, and of obtaining the Order referring the same to be taxed, shall be borne by the Commissioners, unless on the Taxation One Sixth Part of the Costs be disallowed, in which Case the Expence shall be borne by the Party from whom the Lands shall have been purchased or taken.

Purchase Money payable to Parties under Disability amounting to 200*l.* to be

LXXXIV. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Lands, or any Interest therein, which any Corporation, Tenant for Life, or for any

other

other partial or qualified Interest, Married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor, or Administrator, or Person under any Disability, shall be entitled to, and shall under the Powers of this Act be enabled to convey or dispose of, the same shall, if it amount to or exceed the Sum of Two hundred Pounds, 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 there, *ex parte* "The Commissioners for the Improvement of the Port and Harbour of *Drogheda*," pursuant to the General Orders of the said Court; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,)

deposited in Bank of Ireland.

Application of Monies deposited.

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Land in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of other Lands, to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands in respect of which such Money shall have been paid stood settled; or

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Chancery shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

Order for Application.

LXXXV. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the said Court of Chancery made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold or converted into Money for the Purposes aforesaid, the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands; and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition.

Sums from 20*l.* to 200*l.* to be deposited or invested in Trustees.

LXXXVI. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *Ireland*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees, to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified by Writing under

under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last-mentioned Application of the Monies shall not be made unless the Commissioners approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under their Common Seal; and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein-before directed with respect to Money paid into the Bank of *Ireland*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

Sums not exceeding 20*l.* to be paid to Parties.

LXXXVII. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable, for their own Use and Benefit, or in case of the Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity of any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Persons.

Where Parties refuse to convey, or do not show Title, the Purchase Money to be deposited.

LXXXVIII. And for the Purpose of providing for the Payment and Application in certain Cases of the Purchase Money or Compensation to be paid in respect of any Waste or other Lands not belonging to Parties under Disability, be it enacted, That in the following Cases, (that is to say,) if the Owner of any such Lands, or of any Interest therein, on Tender of the Purchase Money or Compensation either agreed or awarded to be paid, refuse to accept the same, or if any such Person fail to make out a Title to the Lands in respect whereof such Purchase Money or Compensation shall be payable, or to the Interest therein claimed by him, to the Satisfaction of the Commissioners, or if such Owner be gone out of the Kingdom, or cannot be found, or be not known, or refuse to convey or release such Lands as directed by the Commissioners, it shall be lawful for the Commissioners to deposit the Purchase Money or Compensation payable in respect of such Lands, or any Interest therein, in 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 there to the Credit of the Parties interested in such Lands (describing them, so far as the Commissioners can do), subject to the Control and Disposition of the said Court; and upon Receipt of such Money the Cashier of such Bank shall give to the Commissioners, or to the Party paying in such Money, a Receipt for such Money, specifying therein for what and for whose Use (described as aforesaid) the same shall have been received, and in respect of what Purchase the same shall have been paid in, and thereupon all the Interest in such Lands in respect whereof such Purchase Money or Compensation shall have been deposited shall vest absolutely in the Commissioners.

Application of Monies so deposited.

LXXXIX. And be it enacted, That upon the Application by Petition of any Party making claim to the Money so deposited as last

last aforesaid, or any Part thereof, or to the Lands purchased or taken, or any Part thereof, or any Interest in the same, the said Court of Chancery may in a summary Way, as to such Court shall seem fit, order such Money to be laid out or invested in the Public Funds, or may order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim to such Money or Lands, or any Part thereof, and may make such other Order in the Premises as to such Court shall seem fit.

Court of Chancery may direct Investment or Payment of Money in respect of Leases for Lives, Years, &c., or Reversions, as they may think just.

XC. Provided always, and be it enacted, That where any such Purchase Money or Compensation so paid into the Court of Chancery under the Provisions of this Act shall have been paid in respect of any Lease for Lives or Years, or any Estate in Lands less than the whole Fee Simple thereof, or of any Reversion dependent on any such Lease or Estate, it shall be lawful for the Court of Chancery, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid in such Manner as the said Court may consider will give to the Parties interested in such Money the same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be.

Party in possession deemed to be the Owner.

XCI. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Monies shall have been so paid or deposited as aforesaid, the Parties respectively in possession or receipt of the Rents of such Lands at the Time of such Lands being purchased or taken shall be deemed to have been lawfully entitled to such Lands until the contrary be shown to the Satisfaction of the Court; and unless the contrary be shown as aforesaid the Parties so in possession, and all Parties claiming under them or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly.

Costs in Cases of Money deposited.

XCII. And with respect to Costs in Cases of Monies deposited in the Bank of *Ireland*, be it enacted, That the Court of Chancery may in all such Cases, except where Monies shall have been so deposited by reason of the wilful Refusal of any Party entitled thereto to receive the same, or to convey or release the Lands in respect whereof the same shall be payable, order the Costs of the following Matters, including therein all reasonable Charges and Expences incident thereto, to be paid by the Commissioners; (that is to say,) the Costs of the Purchase or of the taking or using of the Lands, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for, and the Costs of the Investment of such Monies in Government or Real Securities, and of the Reinvestment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands, and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of the Orders for the Payment of the Dividends and Interest

of the Government or Real Securities upon which such Monies shall be invested, and for the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities whereon the same shall be invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants.

Payment of Price to be made previous to Entry, except to survey, &c.

XCIII. And be it enacted, That the Commissioners shall not, except by Consent of the Owner and Occupier, enter upon any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, until they shall either have paid to every Party having any Interest in such Lands, or deposited in the Bank of *Ireland* in the Manner herein mentioned, the Purchase Money or Compensation agreed or awarded to be paid to such Parties respectively for their respective Interests therein: Provided always, that, for the Purpose merely of surveying and taking Levels of such Lands, it shall be lawful for the Commissioners to enter upon the same without the previous Consent of the Owners, making Compensation for any Damage thereby occasioned to the Owners or Occupiers of such Lands.

Penalty on Commissioners entering upon Lands without Consent before Payment of the Purchase Money.

XCIV. And be it enacted, That if the Commissioners or any of their Contractors shall, except as aforesaid, wilfully enter upon and take possession of any Lands which shall be required to be purchased or permanently used for the Purposes of this Act without such Consent as aforesaid, or without having made such Payment or Deposit as aforesaid, the Commissioners shall forfeit to the Party in possession of such Lands the Sum of Ten Pounds, over and above the Amount of any Damage done to such Lands by reason of such Entry and taking possession as aforesaid, such Penalty and Damage respectively to be recovered before Two Justices; and if the Commissioners or their Contractors shall, after Conviction in such Penalty as aforesaid, or after Notice from the Party in possession of such Lands, continue in unlawful Possession of any such Lands, the Commissioners shall be liable to forfeit the Sum of Twenty-five Pounds for every Day they or their Contractors shall so remain in possession as aforesaid, such Penalty to be recoverable by the Party in possession of such Lands, with full Costs of Suit, in any of the Superior Courts: Provided always, that nothing herein contained shall be held to subject the Commissioners to the Payment of any such Penalties as aforesaid if they shall *bonâ fide* and without Collusion have paid or deposited the Compensation agreed or awarded to be paid in respect of the said Lands to any Person whom the Commissioners may have reasonably believed to be entitled thereto, although such Person may not have been legally entitled thereto.

Decision of Justices not conclusive as to Commissioners Right.

XCV. And be it enacted, That on the Trial of any Action for any such Penalty as aforesaid the Decision of the Justices under the Provision herein-before contained shall not be held conclusive as to the Right of Entry on any such Lands by the Commissioners.

Notice of Intention to take Lands.

XCVI. And be it enacted, That when the Commissioners shall require to purchase any of the Lands which by this Act they are authorized

authorized to purchase or take, they shall give Notice thereof to all the Parties interested in such Lands, or enabled by this Act to sell and convey or release the same, or such of them as shall be known to the Commissioners, and by such Notice shall demand from such Parties the Particulars of their Estate and Interest in such Lands, and of the Claims made by them in respect thereof; and every such Notice shall be in Writing, and shall state the Particulars of the Lands so required, and shall state that the Commissioners are willing to treat for the Purchase of the Interest of such Party in such Lands, and as to the Compensation to be made for the Damage that may be sustained by him by reason of the making of the said Works.

Parties interested in Lands to state their Claims.

XCVII. And be it enacted, That if for Two Months after the Receipt of such Notice any such Party shall fail to state the Particulars of his Claim in respect of any such Land, or to treat with the Commissioners in respect of his Interest therein, or if such Party and the Commissioners shall differ as to the Amount of the Compensation to be paid to such Party for any such Interest, or for any Damage that may be sustained by him by reason of the Execution of the said Works, the Amount of such Compensation shall be settled in the Manner herein-after provided for settling Cases of disputed Compensation.

Proceedings in case of Refusal to deliver Possession of Lands.

XCVIII. And be it enacted, That where, according to the Provisions of this Act, the Commissioners are authorized to enter upon and take possession of any Lands required for the Purposes of the said Works, if the Owner or Occupier of any such Lands, or any other Person, refuse to give up the Possession thereof, or hinder the Commissioners from entering upon or taking possession of the same, it shall be lawful for the Commissioners to issue their Precept to the Sheriff to deliver Possession of the same to the Person appointed in such Precept to receive the same, and upon the Receipt of such Precept the Sheriff shall deliver Possession of any such Lands accordingly; and the Costs accruing by reason of the issuing and Execution of such Precept, to be settled by the Sheriff, shall be paid by the Persons refusing to give Possession, and such Costs, if not paid on Demand, shall be levied by Distress, and the Sheriff shall issue his Warrant accordingly.

Dispute as to Compensation to be settled by a Jury.

XCIX. And for the Purpose of making Provision for settling Cases of disputed Compensation arising under this Act, be it enacted, That if any Difference shall arise, or if no Agreement can be come to between the Commissioners and the Owners of any Lands or of any Interest in any such Lands taken or required for or injuriously affected by the Execution of the said Works (including among such Owners all Parties by this Act enabled to sell or convey Lands), as to the Value of such Lands or of any Interest therein, or as to the Compensation to be made in respect thereof, or if by reason of Absence any such Owner be prevented from treating, or if any such Owner fail to disclose or prove his Title to any such Lands or any Interest therein, or if by reason of any Impediment or Disability any such Owner be incapable of making any Agreement, Conveyance,

ance, or Release necessary for enabling the Commissioners to take such Lands, or to proceed in making the said Works, or if any such Difference arise as to the Amount of the Damages occasioned to any Lands by the temporary Occupation thereof in the making of the said Works, or otherwise in exercise of the Powers given by this Act, and for which any Party may be entitled to demand Compensation according to the Provisions of this Act, the Amount of the Compensation to be paid by the Commissioners in every such Case shall be settled by the Verdict of a Jury in manner herein-after mentioned.

Claims not exceeding 20*l.* to be settled by Two Justices.

C. Provided always, and be it enacted, That if the Compensation claimed in any of the Cases mentioned in the preceding Enactment shall not exceed Twenty Pounds, the same shall be settled by Two Justices.

Notice by Commissioners of Intention to have a Jury summoned.

CI. And be it enacted, That where it shall be necessary to refer any such Question to the Determination of a Jury by reason of any such Difference as aforesaid, then, One Month at the least before issuing their Warrant for summoning a Jury as herein-after provided, the Commissioners shall give Notice in Writing to the Party with whom such Difference shall have arisen of their Intention to cause such Jury to be summoned, and in such Notice the Commissioners shall state what Sum of Money they are willing to give such Party for his Interest in such Lands, and for the Damage to be sustained by him by the Execution of the said Works.

Requisition by Party claiming Compensation that a Jury be summoned.

CII. And be it enacted, That if any Party who shall be entitled to any Compensation in respect of any Lands, or of any Interest therein, taken for or injuriously affected by the making of the said Works, shall desire the Amount of such Compensation to be determined by a Jury, it shall be lawful for such Party to give Notice in Writing to the Commissioners of such his Desire, and he shall in such Notice state the Nature of the Interest claimed by him in such Lands, and the Amount of the Compensation claimed by him in respect thereof; and unless the Commissioners be willing to pay the Amount of Compensation so claimed, and shall enter into a written Agreement for that Purpose, then, within Twenty-one Days after the Receipt of any such Notice from any Party so entitled, they shall issue their Warrant to the Sheriff to summon a Jury accordingly in the Manner herein mentioned.

Warrant for summoning a Jury to be addressed to the Sheriff.

CIII. And be it enacted, That in every Case in which any such Question of disputed Compensation shall be required to be determined by the Verdict of a Jury, the Commissioners shall issue their Warrant to the Sheriff, requiring him to summon a Jury for that Purpose, and if such Sheriff be interested in the Matter in dispute such Application shall be made to some Coroner of the County in which the Lands in question, or some Part thereof, shall be situate, and if all the Coroners of such County be so interested such Application may be made to some Person having filled the Office of Sheriff or Coroner in such County, and who shall be then living there, and who shall not be interested in the Matter in dispute, and with

respect to the Persons last-mentioned Preference shall be given to one who shall have most recently served either of the said Offices.

Provisions applicable to Sheriff to apply to Coroner.

CIV. And be it enacted, That throughout the Enactments contained in this Act relating to the Reference to a Jury, where the Term "Sheriff" is used, the Provisions applicable thereto shall be held to apply to every Coroner or other Person lawfully acting in his Place; and in every Case in which any such Warrant shall have been directed to any other Person than the Sheriff, such Sheriff shall, immediately on receiving Notice of the Delivery of the Warrant, deliver over, on Application for that Purpose, to the Person to whom the same shall have been directed, or to any Person appointed by him to receive the same, the Jurors Book and Special Jurors List belonging to the County where the Lands in question shall be situate.

Summoning of Jurymen.

CV. And be it enacted, That upon the Receipt of such Warrant the Sheriff shall summon a Jury of Twenty-four indifferent Persons, duly qualified to act as Common Jurymen in the Superior Courts at *Dublin*, to meet at the Time and Place named in the Warrant for that Purpose.

Impannelling of Jury.

CVI. And be it enacted, That out of the Jurors appearing upon such Summons a Jury of Twelve Persons shall be drawn by the Sheriff in such Manner as Juries for Trials of Issues joined in the Superior Courts at *Dublin* are by Law required to be drawn; and if a sufficient Number of Jurymen do not appear in obedience to such Summons, the Sheriff shall return other indifferent Men, duly qualified as aforesaid, of the By-standers, or others that can speedily be procured, to make up the Jury to the Number aforesaid; and all Parties concerned may have their lawful Challenges against any of the Jurymen, but no such Party shall challenge the Array.

Notice of Inquiry.

CVII. And be it enacted, That Fourteen Days Notice of the Time and Place of the Inquiry shall be given in Writing by the Commissioners to the other Party.

Sheriff to preside;

Witnesses to be summoned.

CVIII. And be it enacted, That the Sheriff shall preside on the said Inquiry, and the Party claiming Compensation shall be deemed the Plaintiff, and shall have all such Rights and Privileges as the Plaintiff is entitled to in the Trial of Actions at Law; and if either Party so request in Writing, the Sheriff shall summon before him any Person necessary to be examined as a Witness touching the Matters in question; and on the like Request the Sheriff shall order the Jury, or any Six or more of them, to view the Place or Matter in controversy, in like Manner as Views may be had in the Trial of Actions in the Superior Courts.

Oath of Jurymen.

CIX. And be it enacted, That before the Jury proceed to inquire of and assess the Compensation or Damage in respect of which their Verdict is to be given, they shall make Oath that they will truly and faithfully inquire of and assess such Compensation or Damage; and

the Sheriff shall administer such Oaths, as well as the Oaths of all Persons called upon to give Evidence.

Verdict of Jury to be for Purchase of Lands and for Damage, assessed separately.

CX. And be it enacted, That such Jury shall deliver their Verdict for the Sum of Money to be paid for the Purchase of the Lands required for the said Works, or of any Interest therein belonging to the Party with whom such Questions of disputed Compensation shall so have arisen, and also the Sum of Money to be paid for the Injury done to the Lands of any such Party by the Severance from such Lands of the Lands required by the Commissioners, and also the Sum of Money to be paid by way of Compensation for the Damage occasioned to any such Lands by the Execution of the Works, whether it be for Damage sustained before the Time of Inquiry, or for future Damage, either temporary or permanent, or for any recurring Damage of which the Cause is then only in part obviated, and which cannot or will not be further obviated by the Commissioners; and the Sums of Money to be paid for the Injury done by any such Severance as aforesaid, or by way of Compensation for any such Damage as aforesaid, shall in every Case be assessed separately from the Value of the Lands, or the Sum to be paid for the Purchase thereof or of any Interest therein.

Value of Interests previously purchased to be deducted.

CXI. And be it enacted, That in assessing the Sum of Money to be paid for the Purchase of any such Lands the Value of any Interest in such Lands as shall have been heretofore rightfully purchased by the Commissioners shall be first deducted.

Verdict and Judgment to be recorded.

CXII. And be it enacted, That the Sheriff before whom such Inquiry shall be held shall give Judgment for the Purchase Money or Compensation assessed by such Jury; and the said Verdict and Judgment shall be signed by the Sheriff, and being so signed shall be kept by the Clerk of the Peace among the Records of the Quarter Sessions of the County in which the Lands or any Part thereof shall be situate in respect of which such Purchase Money or Compensation shall have been awarded; and such Verdicts and Judgments shall be deemed Records, and the same, or true Copies thereof, shall be good Evidence in all Courts and elsewhere, and all Persons may inspect the said Verdicts and Judgments, and may have Copies thereof or Extracts therefrom, on paying for each Inspection thereof One Shilling, and for every One hundred Words copied or extracted therefrom Sixpence.

Costs of the Inquiry.

CXIII. And be it enacted, That on every such Inquiry before a Jury, where the Verdict of the Jury shall be given for the same or a greater Sum than the Sum previously offered by the Commissioners, all the Costs of such Inquiry shall be borne by the Commissioners, but if the Verdict of the Jury be given for a less Sum than the Sum previously offered by the Commissioners, one Half of the Costs shall be defrayed by the Owner of the Lands, and the other Half by the Commissioners: Provided always, that in every Case where, by reason of Absence in Foreign Parts, or of any Disability, the Owner

of the Land shall have been prevented from treating with the Commissioners, all the Costs shall be borne by the Commissioners.

Particulars of the Costs.

CXIV. And be it enacted, That such Costs shall be settled by the Sheriff, and such Costs shall include all reasonable Costs, Charges, and Expences incurred in summoning, impannelling, and returning the Jury, taking the Inquiry, the Attendance of Witnesses, the Employment of Counsel, recording the Verdict and Judgment thereon, and otherwise incident to such Inquiry, and also the Expences of the Bond, if any, given by the Party at whose Instance the Inquiry shall have been taken for prosecuting his Claim and securing the Costs of such Inquiry; and with respect to any such Costs payable by the Commissioners, if within Seven Days after Demand such Costs be not paid to the Party entitled to receive the same, the same shall be recoverable by Distress, and on Application to any Justice he shall give his Warrant accordingly; and with respect to any such Costs payable by the Owner of the Lands, or of any Interest therein, the same may be deducted out of any Money awarded by the Jury to be paid to such Owner as so much Money advanced for his Use, and the Payment of the Remainder of such Money shall be a good Payment and Satisfaction of the Whole thereof.

Penalty on Sheriff and Jury for Default.

CXV. And be it enacted, That if the Sheriff make default in any of the Matters herein-before required to be done by him in relation to any such Trial or Inquiry, he shall forfeit Fifty Pounds for every such Offence; and if any Person summoned and returned upon any Jury under this Act do not appear, or appear but refuse to make Oath, or in any other Manner unlawfully neglect his Duty, he shall, unless he show reasonable Excuse to the Satisfaction of the Sheriff, forfeit a Sum not exceeding Ten Pounds; and every such Penalty payable by a Sheriff or Juryman shall be applied in satisfaction of the Costs of the Inquiry so far as the same will extend; and in addition to the Penalty hereby imposed every such Juryman shall be subject to the same Regulations, Pains, and Penalties as if such Jury had been returned for the Trial of any Issue joined in any of the Superior Courts at *Dublin*.

Penalty on Witnesses making default.

CXVI. And be it enacted, That if any Person duly summoned to give Evidence upon any such Inquiry, and to whom a Tender of his reasonable Expences shall have been made, fail to appear at the Time and Place specified in the Summons, without sufficient Cause, or if any Person, whether summoned or not, who shall appear as a Witness refuse to be examined on Oath touching the Subject Matter in question, every Person so offending shall forfeit a Sum not exceeding Ten Pounds.

Reference of Dispute as to Compensation to a Justice or Sheriff.

CXVII. And with respect of any such Question of disputed Compensation or other Matter of Difference by this Act authorized to be referred to the Determination of Two Justices, be it enacted, That either Party may apply to such Justices in respect to any such Matter, and thereupon such Justices, in Presence of the Parties, or such of them as shall appear, being duly summoned for that Purpose, shall examine

examine into the Matter in dispute, and shall award such an Amount of Compensation, or shall make such Determination in respect of the Matter so referred to them, as to them shall seem fit; and the Costs of every such Inquiry shall be in the Discretion of such Justices, and they shall settle the Amount thereof, and in default of Payment of such Costs as directed by such Justices the same shall be levied by Distress, and the said Justices shall issue their Warrant accordingly.

Commissioners empowered to purchase the Interest in Lands the Purchase whereof may have been omitted by Mistake.

CXVIII. And be it enacted, That if at any Time after the Commissioners shall have entered upon any Lands which under the Provisions of this Act they were authorized to purchase, and which shall be permanently required for the Purposes of the said Works, any Party shall appear to be entitled to any Estate, Right, or Interest in or Charge affecting such Lands which the Commissioners shall have failed or omitted duly to purchase or to pay Compensation for, then, whether the Period granted for the Purchase of Lands shall have expired or not, the Commissioners shall remain in the undisturbed Possession of such Lands; provided, within Six Months after Notice of such Estate, Right, Interest, or Charge, in case the same shall not be disputed by the Commissioners, or in case the same shall be disputed, then within Six Calendar Months after the Right thereto shall have been finally established by Law in favour of the Party claiming the same, the Commissioners shall purchase or pay Compensation for the same, and shall also pay to such Party, or to any other Party who may establish a Right thereto, full Compensation for the Mesne Profits or Interest which would have accrued to such Parties respectively in respect thereof during the Interval between the Entry of the Commissioners thereon and the Time of the Payment of such Purchase Money or Compensation by the Commissioners, so far as such Mesne Profits or Interest may be recoverable in Law or Equity; and such Purchase Money or Compensation shall be agreed on or awarded and paid in like Manner as according to the Provisions of this Act the same respectively would have been agreed on or awarded and paid in case the Commissioners had purchased such Estate, Right, Interest, or Charge before their entering upon such Lands, or as near thereto as Circumstances will admit.

How Value of such Lands to be estimated.

CXIX. And be it enacted, That in estimating any Compensation to be given for any such last-mentioned Lands, or any Estate or Interest in the same, or for any Mesne Profits thereon, the Jury shall assess the same at such Price as they shall find to be the Value of such Lands, Estate, or Interest, and Profits, without regard to any Improvements or Works made in the said Lands by the Commissioners, and as though the said Works had not been constructed.

Commissioners to pay the Costs of Litigation as to such Lands.

CXX. And be it enacted, That in addition to the said Purchase Money, Compensation, or Satisfaction, and before the Commissioners shall become absolutely entitled to any such Estate, Interest, or Charge, or to have the same merged or extinguished for their Benefit, they shall, when the Right to any such Estate, Interest, or Charge shall be disputed, pay the full Costs and Expences of any Proceedings at Law or in Equity for the Recovery of the same to the Parties with whom

whom any Litigation in respect thereof shall have taken place; and such Costs and Expences shall, in case the same shall be disputed, be settled by the proper Officer of the Court in which such Litigation took place.

Power to redeem Mortgages.

CXXI. And with respect to any such Lands which shall be subject to any Mortgage, be it enacted, That the Commissioners may purchase or redeem the Interest of the Mortgagee of such Lands, and that whether they shall have previously purchased the Equity of Redemption of such Lands or not, and whether the Mortgagee thereof be entitled thereto in his own Right or in Trust for any other Party, and whether he be in possession of such Lands by virtue of such Mortgage or not, and whether such Mortgage affect such Lands solely, or jointly with any other Lands not required for the Purposes of this Act, and in order thereto the Commissioners may pay or tender to such Mortgagee the Principal and Interest due on such Mortgage, together with his Costs and Charges, if any, and also Six Months additional Interest, and thereupon such Mortgagee shall immediately convey his Interest in the Lands comprised in such Mortgage to the Commissioners, or as they shall direct; or the Commissioners may give Notice in Writing to such Mortgagee that they will pay off the Principal and Interest due on such Mortgage at the End of Six Months, computed from the Day of giving such Notice; and if they shall have given any such Notice, or if the Party entitled to the Equity of Redemption of any such Lands shall have given Six Months Notice of his Intention to redeem the same, then at the Expiration of either of such Notices, or at any intermediate Period, upon Payment or Tender by the Commissioners to the Mortgagee of the Principal Money due on such Mortgage, and the Interest which would become due at the End of Six Months from the Time of giving either of such Notices, together with his Costs and Expences, if any, such Mortgagee shall convey or release his Interest in the Lands comprised in such Mortgage to the Commissioners, or as they shall direct.

Deposit of Mortgage Money on Refusal to accept Redemption.

CXXII. And be it enacted, That if in either of the Cases aforesaid, upon such Payment or Tender, any Mortgagee shall fail to convey or release his Interest in such Mortgage as directed by the Commissioners, or if he fail to adduce a good Title thereto to their Satisfaction, then it shall be lawful for the Commissioners, at any Time after such Failure, to pay into the Bank of *Ireland*, in the Manner provided by this Act in Cases of Money directed to be deposited in such Bank, the Principal and Interest, together with the Costs, if any, due on such Mortgage, and also, if such Payment be made before the Expiration of Six Months Notice as aforesaid, such further Interest as would at that Time become due; and thereupon, as well as upon such Conveyance by the Mortgagee, if any such be made, all the Estate and Interest of such Mortgagee, and of all Persons in Trust for him, or for whom he may be a Trustee in such Lands, shall vest in the Commissioners, and they shall be deemed to be in the actual Possession thereof in case such Mortgagee were himself entitled to such Possession.

When Mortgage exceeds the Value of the Lands.

CXXIII. And with respect to any such mortgaged Lands which shall be of less Value than the Principal, Interest, and Costs secured thereon,

thereon, be it enacted, That the Value of such Lands, or the Compensation to be made by the Commissioners in respect thereof, shall be settled by Agreement between the Mortgagee of such Lands and the Party entitled to the Equity of Redemption thereof on the one Part, and the Commissioners on the other Part; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Commissioners to the Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and upon Payment or Tender thereof the Mortgagee shall convey or release all his Interest in such mortgaged Lands to the Commissioners, or as they shall direct.

Deposit of Money when refused on Tender.

CXXIV. And be it enacted, That if upon such Payment or Tender as aforesaid being made any such Mortgagee fail so to convey his Interest in such Mortgage, or to adduce a Title thereto to the Satisfaction of the Commissioners, then they may pay the Amount of such Value or Compensation into the Bank of *Ireland*, in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and every such Payment or Deposit shall be accepted by the Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and shall be a full Discharge of such mortgaged Lands from all Money due thereon, and thereupon such Lands, as to all such Estate and Interest as were then vested in the Mortgagee or any Person in Trust for him, shall become absolutely vested in the Commissioners, and they shall be deemed to be in the actual Possession thereof in case such Mortgagee were himself entitled to the Possession thereof; nevertheless, all Rights and Remedies possessed by the Mortgagee against the Mortgagor, by virtue of any Bond or Covenant, or other Obligation other than the Right to such Lands, shall remain in force in respect of so much of the Mortgage Debt as shall not have been satisfied by such Payment or Deposit.

Sum to be paid where Part only of mortgaged Lands taken.

CXXV. And with respect to any such mortgaged Lands of which only a Part shall be required for the Purposes of this Act, be it enacted, That if the Part so required be of less Value than the Principal Money, Interest, and Costs secured on such Lands, and the Mortgagee shall not consider the remaining Part of such Lands a sufficient Security for the Money charged thereon, or be not willing to release the Part so required, then the Value of such Part, and also the Compensation (if any) to be paid in respect of the Severance thereof or otherwise, shall be settled by Agreement between the Mortgagee and the Party entitled to the Equity of Redemption of such Land on the one Part, and the Commissioners on the other; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Commissioners to such Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and thereupon such Mortgagee shall convey or release to them, or as they shall

direct, all his Interest in such mortgaged Lands the Value whereof shall have been so paid; and a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage, and shall be signed by the Mortgagee, and a Copy of such Memorandum shall at the same Time (if required) be furnished by the Commissioners, at their Expence, to the Party entitled to the Equity of Redemption of the Lands comprised in such Mortgage Deed.

Deposit of such Money when refused on Tender.

CXXVI. And be it enacted, That if, upon Payment or Tender to any such Mortgagee of the Amount of the Value or Compensation so agreed upon or determined, such Mortgagee shall fail to convey or release to the Commissioners, or as they shall direct, his Interest in the Lands in respect of which such Compensation shall so have been paid or tendered, or if he shall fail to adduce a good Title thereto to the Satisfaction of the Commissioners, it shall be lawful for the Commissioners to pay the Amount of such Value or Compensation into the Bank of *Ireland*, in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and such Payment or Deposit shall be accepted by such Mortgagee in satisfaction of his Mortgage Debt so far as the same will extend, and shall be a full Discharge of the Portion of the mortgaged Lands so required from all Money due thereon, and thereupon such Lands shall become absolutely vested in the Commissioners as to all such Estate and Interest as were then vested in the Mortgagee or any Person in Trust for him, and in case such Mortgagee were himself entitled to such Possession they shall be deemed to be in the actual Possession thereof; nevertheless, every such Mortgagee shall have the same Powers and Remedies for recovering or compelling Payment of the Mortgage Money, or the Residue thereof, (as the Case may be,) and the Interest thereof respectively, upon and out of the Residue of such mortgaged Lands, or the Portion thereof not required for the Purposes of this Act, as he would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the Whole of the Lands originally comprised in such Mortgage.

Release of Lands from Rent-charges.

CXXVII. And with respect to any such Lands which shall be charged with any Rent Service, Rent-charge, or Chief or other Rent, or other Payment or Incumbrance, be it enacted, That if any Difference shall arise between the Commissioners and the Party entitled to any such Charge respecting the Consideration to be paid for the Release of such Lands therefrom, or from the Portion thereof affecting the Lands required for the Purposes of this Act, the same shall be determined as in other Cases of disputed Compensation.

Release of Part of Lands from Rent-charge.

CXXVIII. And be it enacted, That if Part only of the Lands charged with any such Rent Service, Rent-charge, Chief or other Rent, Payment, or Incumbrance, be required to be taken for the Purposes of this Act, the Apportionment of any such Charge may be settled by Agreement between the Party entitled to such Charge and the Owner of the Lands on the one Part, and the Commissioners on the other Part; and if such Apportionment be not so settled by Agreement, the same shall be settled by Two Justices; but if the remaining Part of the Lands so jointly subject be a sufficient Security for

for such Charge, then, with Consent of the Owner of the Lands so jointly subject, such Owner not being under legal Disability or Incapacity, the Party entitled to such Charge may release therefrom the Lands required, on condition or in consideration of such other Lands remaining exclusively subject to the whole thereof.

Deposit in case of Refusal to release.

CXXIX. And be it enacted, That upon Payment or Tender of the Compensation so agreed upon or determined to the Party entitled to any such Charge as aforesaid, such Party shall execute to the Commissioners a Release of such Charge, and if he fail so to do, or if he fail to adduce a good Title to such Charge to the Satisfaction of the Commissioners, they shall pay the Amount of such Compensation into the Bank of *Ireland* in the Manner provided by this Act in the like Cases of Monies required to be deposited in such Bank; and thereupon the Rent Service, Rent-charge, Chief or other Rent, Payment, or Incumbrance, or the Portion thereof in respect whereof such Compensation shall so have been paid, shall cease and be extinguished.

Charge to continue on Lands not taken.

CXXX. And be it enacted, That if any such Lands be so released from any such Charge or Incumbrance, or Portion thereof, to which they were subject jointly with other Lands, such last-mentioned Lands shall alone be charged with the whole of such Charge, or with the Remainder thereof, as the Case may be, and the Party entitled to the Charge shall have all the same Rights and Remedies over such last-mentioned Lands for the whole or for the Remainder of the Charge as the Case may be, as he had previously over the whole of the Lands subject to such Charge; and if, upon any such Charge or Portion of Charge being so released, the Deed or Instrument creating or transferring such Charge be tendered to the Commissioners for the Purpose, they shall endorse a Memorandum of such Release on such Deed or Instrument, to be signed by Five or more of the said Commissioners, declaring what Part of the Lands originally subject to such Charge shall have been purchased by virtue of this Act, and if the Lands be released from Part of such Charge, what Portion of such Charge shall have been released, and how much thereof continues payable; or if the Lands so required shall have been released from the whole of such Charge, then that the remaining Lands are thenceforward to remain exclusively charged therewith, and such Memorandum shall be made and executed at the Expence of the Commissioners, and shall be Evidence in all Courts and elsewhere of the Facts therein stated, but not so as to exclude any other Evidence of the same Facts.

Where Parts only of Land under Lease taken, the Rent to be apportioned.

CXXXI. And with respect to any such Lands which shall be comprised in a Lease for a Term of Years unexpired, Part only of which Lands shall be required for the Purposes of this Act, be it enacted, That the Rent payable in respect of the Lands comprised in such Lease shall be apportioned between the Lands so required and the Residue of such Land; and such Apportionment may be settled by Agreement between the Lessor and Lessee of such Lands on the one Part, and the Commissioners on the other Part; and if such Apportionment be not so settled by Agreement between the Parties,

Parties, such Apportionment shall be settled by Two Justices; and after such Apportionment the Lessee of such Lands shall, as to all future accruing Rent, be liable only to so much of the Rent as shall be so apportioned in respect of the Lands not required for the Purposes of this Act; and the Lessor shall have all the same Rights and Remedies for the Recovery of such Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to that Part of the Land which shall not be required for the Purposes of this Act, in the same Manner as they would have done in case such Part of the Land had been included in the Lease.

Tenants to be compensated.

CXXXII. And be it enacted, That every such Lessee as last aforesaid shall be entitled to receive from the Commissioners Compensation for Damage done to him in his Tenancy, by reason of the Severance of the Lands required from those not required, or otherwise by reason of the Execution of any such Works.

Tenants at Will or from Year to Year to cede possession on Six Months Notice.

CXXXIII. And with respect to any such Lands which shall be in the Possession of any Person having no greater Interest therein than as Tenant at Will, or Lessee for a Year, or from Year to Year, be it enacted, That at the Expiration of Six Months after receiving Notice to that Effect from the Commissioners, or at any other Time when required, after the Expiration of such Period, all such Persons shall respectively deliver up to the Commissioners, or to the Person appointed by them to take possession thereof, any such Lands in their Possession required for the Purposes of this Act; and any such Notice shall be effectual, whether it be given with reference to the Time of the Commencement of such Tenant's Holding or not, and whether such Notice be given before or after the Purchase of such Lands by the Commissioners.

Compensation to such Tenants.

CXXXIV. Provided always, and be it enacted, That if any such Person as last aforesaid be required to give up Possession of any Lands so occupied by him before the Expiration of his Term or Interest therein, he shall be entitled to Compensation for the Value of his unexpired Term or Interest in such Lands, or if a Part only of such Lands be required, Compensation for the Damage done to him in his Tenancy by the Severance of the Lands required from those not required; and the Amount of such Compensation shall be determined by Two Justices in case the Parties differ about the same.

On Refusal, Sheriff to give possession.

CXXXV. And be it enacted, That if any such Person refuse to give up such Possession, it shall be lawful for the Commissioners, after making Payment or Tender of such Compensation as hereinbefore mentioned, but not otherwise, to issue their Precept to the Sheriff to deliver up Possession of such Lands to the Person in such Precept nominated to receive the same; and upon the Receipt of such Precept the Sheriff shall deliver Possession of such Lands in obedience thereto; and the Party so refusing to give up Possession shall

shall pay the Costs incurred in the issuing or Execution of such Precept to be settled by the Sheriff; and if, on Demand, he fail to pay the same, they shall be levied by Distress, and the Sheriff shall issue his Warrant accordingly.

Production of Leases.

CXXXVI. And be it enacted, That if any Party claim Compensation in respect of any unexpired Term or Interest under any Lease or Grant of any such Lands, the Commissioners may require such Party to produce the Lease or Grant in respect of which such Claim shall be made, or the best Evidence thereof in his Power, and if, after Demand made in Writing by the Commissioners, such Lease or Grant, or the best Evidence thereof, be not produced within a reasonable Time, the Party so claiming Compensation shall be considered as a Tenant holding only from Year to Year, and be entitled to Compensation accordingly.

Compulsory Purchase limited for Five Years.

CXXXVII. And be it enacted, That the Powers of the Commissioners for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing thereof.

Commissioners may sell or let in Lots for building Warehouses or Stores fronting the River Boyne.

CXXXVIII. And be it enacted, That the said Commissioners may and they are hereby empowered from Time to Time, with the Consent, however, of the Commissioners of Public Works in *Ireland* first had and obtained in Writing, so long as any Sum shall remain due on foot of the Security or Securities heretofore executed to the said last-mentioned Commissioners, to set or let in perpetuity, and afterwards to sell and dispose of in convenient Lots for building Warehouses or Stores to front the River *Boyne*, all or any Part of the Lands, Grounds, Tenements, or Premises heretofore or hereafter to become vested in them under the Provisions of the said several recited Acts or of this Act, and that all Money arising from the Rents or Sale thereof shall become a Part of the Fund for improving the said Port and Harbour; provided, however, that nothing herein contained shall extend or be construed to extend whereby to enable the said Commissioners, or any Person or Persons deriving under them, to make or erect any Warehouses, Stores, or other Buildings whatever at either Side of the Channel of the River *Boyne* between the Bridge of *Green Hills* on the North Side and the Boundary of the County of the Town of *Drogheda* at *Saint James*'s on the South Side, and the open Sea, without the Consent in Writing of the Owner of the adjoining Estate for the Time being first had and obtained for that Purpose.

Notice of letting or selling Ground to be posted on the Tholsel of Drogheda, &c.

CXXXIX. Provided always, and be it enacted, That before any such Lands, Ground, Tenements, or Premises shall be let or sold as aforesaid, the said Commissioners shall cause Notice to be posted of the letting or Sale thereof (as the Case may be) on the Tholsel Door of the said Town, and advertised in some One or more Newspaper or Newspapers published or circulated in the said Town of *Drogheda*, Ten Days at least before the Day of letting such Lots of Ground, or before the Sale thereof, and that such Lots shall be let or sold by public Auction.

CXL. And

Lands not wanted to be sold.

CXL. And for the Purpose of making Provision respecting the Sale of Lands acquired by the Commissioners under the Provisions of this Act, but not required for the Purposes thereof, be it enacted, That the Commissioners shall sell all such superfluous Lands in such Manner as they may deem most advantageous, and convey the same to the Purchasers thereof by Deed, under the Hands and Seals of Five or more of the said Commissioners, and a Receipt under such Hands and Seals shall be a sufficient Discharge to the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received.

Lands to be first offered to original or adjoining Owners.

CXLI. Provided always, and be it enacted, That before the Commissioners dispose of any superfluous Lands they shall first offer to sell the same to the Person then entitled to the Lands (if any) from which the same were originally severed, or if such Person refuse to purchase the same, or cannot be found, the like Offer shall be made to the Person or to the several Persons whose Lands shall immediately adjoin the Lands so proposed to be sold, such Person being capable of entering into a Contract for the Purchase of such Lands; and where more than One such Person shall be entitled to such Right of Pre-emption, such Offer shall be made to such Persons in succession one after another in such Order as the Commissioners shall think fit.

Right of Pre-emption to be claimed within Sixty Days.

CXLII. And be it enacted, That if such respective Persons be desirous of purchasing such Land, then within Sixty Days after such Offer of Sale they shall signify their Desire in that Behalf to the Commissioners, or if they decline such Offer, or if for Sixty Days they neglect to signify their Desire to purchase such Lands, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer shall cease, and thereupon a Declaration in Writing, made before a Justice, by some Person not interested in the Matter in question, stating that the Person or all the Persons entitled to the Right of Pre-emption were out of the Country, or could not be found, or were not capable of entering into a Contract for the Purchase of such Lands, or that such Offer was made and was refused, or not accepted within Sixty Days from the Time of making the same, shall, in all Courts whatsoever, be sufficient Evidence of the Facts therein stated.

Differences as to Price to be settled as in other Cases.

CXLIII. And be it enacted, That if any Person entitled to such Pre-emption be desirous of purchasing any such Lands, and such Person and the Commissioners do not agree as to the Price thereof, then such Price shall be ascertained as in other Cases of disputed Compensation, and upon Payment or Tender to the Commissioners of the Purchase Money so agreed upon or determined, they shall convey such Lands to the Party so entitled to purchase the same, and every such Conveyance shall be effectual for vesting the Lands comprised therein in the Purchaser thereof for the Estate which shall so have been purchased by him, and the Money produced by the Sale of such Lands shall be applied by the Commissioners for the Purposes of the Works.

CXLIV. And

Effect of Word "grant" in Conveyances.

CXLIV. And be it enacted, That in every Conveyance of Lands to be made by the Commissioners under this Act the Word "grant" shall operate as express Covenants by the Commissioners, for themselves and their Successors, with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, and Assigns of such Grantees, according to the Quality or Nature of such Grants, and of the Estate or Interest therein expressed to be thereby conveyed, as follows, except so far as the same shall be restrained or limited by express Words contained in any such Conveyance; (that is to say,)

A Covenant that notwithstanding any Act or Default done by the Commissioners they were at the Time of the Execution of such Conveyance seised or possessed of the Lands or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them:

A Covenant that the Grantee of such Lands, his Heirs, Successors, Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the Commissioners and their Successors, and all other Persons claiming under them, and be indemnified and saved harmless by the Commissioners and their Successors from all Incumbrances created by the Commissioners:

A Covenant for further Assurance of such Lands at the Expence of such Grantee, his Heirs, Successors, Executors, Administrators, or Assigns, (as the Case may be,) by the Commissioners or their Successors, and all other Persons claiming under them:

And all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest in such Conveyance expressed to be conveyed, may in all Actions brought by them assign Breaches of Covenants as they might do if such Covenants were expressly inserted in such Conveyances.

Power to purchase Lands for certain Purposes.

CXLV. And be it enacted, That for any of the following Purposes it shall be lawful for the Commissioners, in addition to the Lands authorized to be compulsorily taken by them as aforesaid, to contract with any Party willing to sell the same for the Purchase of any Land, not exceeding in the whole Fifty Acres; (that is to say,)

For the Purpose of making and providing Yards, Wharfs, and Places for the Accommodation of Passengers, and for receiving, depositing, and loading or unloading Goods or Cattle, and for the Erection of Weighing Machines, Toll Houses, Offices, Warehouses, and other Buildings and Conveniences:

For the Purpose of making convenient Roads or Ways to the said Harbour and Works:

For any other Purpose connected therewith which the Commissioners may think beneficial to the Undertaking:

And it shall be lawful for all Parties who under the Provisions hereinbefore contained would be enabled to sell and convey Lands required for the said Works to sell and convey Lands required for any such additional Purposes as aforesaid.

CXLVI. And

Commissioners authorized to sell and repurchase such Lands.

CXLVI. And be it enacted, That it shall be lawful for the Commissioners to sell the additional Lands which they at any Time shall have so acquired, or any Part thereof, in such Manner, and for such Considerations, and to such Persons, as the Commissioners may think fit, and again to purchase other Lands for the like Purposes, and afterwards sell the same, and so from Time to Time; but the total Quantity of Land to be held at any One Time by the Commissioners for the Purposes aforesaid shall not exceed Fifty Acres.

Restraint on Purchase from incapacitated Persons.

CXLVII. And be it enacted, That the Commissioners shall not, by virtue of the Power to purchase Land for additional Purposes, purchase more than Fifty Acres from any Party under legal Disability, or who would not be able to sell and convey such Lands, except under the Powers of this Act; and if the Commissioners purchase the said Quantity of Land from any Party under such legal Disability, and afterwards sell the Whole or any Part of the Land so purchased, it shall not be lawful for any Party being under legal Disability to sell to the Commissioners any other Lands in lieu of the Lands so sold or disposed of by the Commissioners.

Limits of Harbour.

CXLVIII. And be it enacted, That this Act shall be put in force for maintaining and improving the Port and Harbour of *Drogheda* within the Limits following; (that is to say,) commencing at the North-east Angle of the Bridge at *Shop Street*, and running from thence along the *North Quay* and *Custom House Quay* to the Eastern Extremity of the *North Strand*, from thence along the Shore Road to the Village of *Baltray*, and from thence along the Line of High-water Mark bounding the Southern and Eastern Shores of the Townland of *Baltray*, and terminating at *Duff's Farm* as the Northern Limit; and from the North-east Angle of the Bridge aforesaid in a Southern Direction along the East Side of the Bridge to its South-east Angle at the *Bull Ring*, and from thence in an Easterly Direction along the *South Quay* to the Brewery, and from said Brewery in an Easterly Direction along the High-water Mark to the *Maiden Tower* near the Entrance of the Harbour, and from thence in a Southerly Direction along the Eastern Shore of the Townland of *Mornington* and *Betaghstown* to the Southern Extremity thereof as the Southern Limit.

Commissioners empowered to erect Works.

CXLIX. And be it enacted, That it shall and may be lawful for the said Commissioners to enter upon, take, and use such of the Lands delineated and described on the Plans and in the Books of Reference herein-after mentioned within the Limits of the said Port and Harbour as may be necessary to cleanse, deepen, alter, improve, maintain, and repair the same, and to erect and maintain such Piers, Quays, Jetties, and Works adjoining thereto or connected therewith along each Side of the same as they shall deem expedient, and also provide and make and maintain proper Wharfs, Quays, Inclined Planes, Slips, Locks, Sluices, Drains, Sewers, Channels, Archways, Embankments, Approaches, Roads, Warehouses, and other Works, Erections, Buildings, or Conveniences connected therewith or adjoining thereto; and for these Purposes the said Commissioners are hereby authorized, subject to the Provisions contained in this Act,

to enter upon the Lands and Grounds of any Persons which they are by this Act authorized to take, and to survey and take Levels of the same or any Part thereof, and to set out and ascertain such Parts thereof as they shall think necessary.

Power to sow Grass on Banks at the Mouth of the River Boyne.

CL. And with a view to the further Improvement of the said Port and Harbour, and the Removal of Obstructions at the Mouth thereof, be it enacted, That it shall be lawful for the said Commissioners, and they are hereby, by themselves, their Agents, Officers, Workmen, or Servants, and others, empowered to enter upon and sow with Bent or other Grass the several Sand Hills, Sand Banks, and Sand Shore or Shores, situate at either or both Sides of the Mouth of the said River *Boyne*, along the Sea Coast to the Extent of Two Miles, on either or both Sides thereof, and to the Extent or Breadth of One hundred and fifty Yards from High-water Mark, and also within such Space to make, erect, and maintain all such Sea Walls, Piers, Jetties, or other Erections as to them shall seem meet, without being in any Way deemed a Trespasser or Trespassers thereon.

Power to deepen and improve the River Boyne between Oldbridge and Drogheda.

CLI. And be it enacted, That it shall be lawful for the said Commissioners, with the Consent in Writing of the Commissioners for the Extension and Promotion of Public Works in *Ireland*, and of the Owners, Lessees, and Occupiers of the Soil on either Side of the Course or Channel of the River *Boyne*, between the Entrance of the Canal at *Oldbridge* into the said River and the Bridge at *Drogheda*, to alter, divert, deepen, and improve the same or any Part thereof, and to fill or block up the old Channel where the same may be necessary, and also to embank the said River on either Side thereof.

Works not to be constructed below High-water Mark without the Consent of the Lords Commissioners of the Admiralty.

CLII. And whereas the several Ports, Harbours, Estuaries, Creeks, and navigable Rivers of the United Kingdom, within the Flux and Reflux of the Tide, are by Law under the Superintendence and Jurisdiction of the Lord High Admiral of the said Kingdom, be it enacted and provided, That nothing herein contained shall extend or be construed to extend to authorize the said Commissioners or any other Person or Persons, nor shall it be lawful for them or any of them to begin to make, build, or construct any Pier, Quay, Jetty, or Wharf, or any other Work below the Line of High-water Mark at ordinary Spring Tides, without the previous Consent of the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only under such Limitations and Restrictions as the said Lord High Admiral or the Commissioners aforesaid shall deem expedient for the Convenience and Safety of Navigation; and that to enable the said Lord High Admiral or Commissioners to form a due Judgment therein, the said first-mentioned Commissioners shall, at least One Calendar Month before any such Work below the ordinary High-water Mark shall be commenced, deposit in the Hydrographer's Office in the Admiralty a Plan describing the Position and Dimensions of all and every such proposed Works, the Materials of which they are to be constructed, and the Extent to which they are in every Part thereof intended to be carried below such High-water Mark;

and so from Time to Time as often as it shall be judged fit or necessary to alter or improve any of such Works.

Sewers may be stopped or altered.

CLIII. And be it enacted, That it shall be lawful for the said Commissioners, with the Consent in Writing of the Corporation of the Town of *Drogheda*, to cause all or any Sewers or Drains which shall be in or near the said Port and Harbour to be filled or stopped up, arched over, widened, or otherwise altered, as they shall think necessary, for making and completing and extending the several Quays, Docks, Basins, Cuts, and other Works, so that they the said Commissioners do and shall, and they are hereby required, previous to the Time of stopping up the same, to make and build, in lieu of the said Sewers and Drains so to be filled or stopped up, other good Sewers and Drains of sufficient Depth and Width, for carrying off the Water from the Lands and Premises adjoining or near the said Works, and as serviceable and convenient in all respects, as the Sewers or Drains so to be filled or stopped up.

Power to erect Cranes, Weighing Machines, &c.

CLIV. And be it enacted, That it shall be lawful for the said Commissioners to construct and maintain on the Lands and Grounds heretofore vested in the Commissioners of the said Port and Harbour, or purchased under the Provisions of this Act, such Quays or Wharfs for the loading or unloading of Goods, and such Sheds, Warehouses, Storehouses, Cranes, Weighing Machines, Buildings, and other Works, as they shall deem necessary and expedient for the better Accommodation and Security of the Shipping resorting to the said Port and Harbour and their Cargoes.

Power to let Warehouses, &c.

CLV. And be it enacted, That it shall be lawful for the said Commissioners to demand and take reasonable Rents and Tolls for the Use of such Sheds, Warehouses, Cranes, or Weighing Machines: Provided always, that such Rents, after paying the original Costs and Repairs of the said Works, shall be applied generally towards the Purposes of this Act.

Map or Plan of the Works to remain with the Clerks of the Peace.

CLVI. And whereas Maps or Plans describing the Limits of the several Works in this Act authorized, and the Land upon which the same are proposed to be made, together with Books of Reference containing a List of the Owners, Lessees, and Occupiers of such Lands, have been deposited in the Office of the Clerks of the Peace for the Counties of *Louth* and *Meath*, and County of the Town of *Drogheda*; be it therefore enacted, That the Clerks of the Peace for the said Counties respectively for the Time being shall keep the said Plans and Books of Reference, and shall permit all Persons to inspect the same at seasonable Times, and shall make out Copies or Extracts therefrom for all Persons requiring the same, on being paid One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of any such Copy or Extract; and a Copy or Extract from any such Plan, Section, or Book of Reference, certified by either of such Clerks of the Peace, shall be received in Evidence in all Courts of Justice.

Errors and Omissions to be corrected.

CLVII. And for the Purpose of making Provision for correcting any Omission, Mis-statement, or erroneous Description of any Lands, or

or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plans or in the said Books of Reference, be it enacted, That the Correction of any such Matter may be referred by the Commissioners to the Determination of Two Justices; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly; and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerks of the Peace of the several Counties in which the Lands affected thereby shall be situate, and such Certificate shall be kept by such Clerks of the Peace along with the Documents to which they relate, and thereupon such Document shall be deemed to be corrected according to such Certificate; and it shall be lawful for the Commissioners to execute the said Works in accordance with such Certificate.

Copies of Plans, &c. to Evidence.

CLVIII. And be it enacted, That true Copies of such Plans and Books of Reference or of any Correction thereof or Extracts therefrom, certified by any such Clerk of the Peace, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Not to purchase certain Property.

CLIX. Provided always, and be it enacted, That nothing herein contained shall enable the said Commissioners to purchase for the Purposes of this Act any of the Lands situate to the South of the present Road leading from the Town of *Drogheda* to *Mornington* in the County of *Meath*, or to the North of the present low Road leading from *Drogheda* to *Baltray* in the County of *Louth*, without the Consent in Writing of the Owner or Owners thereof first had and obtained.

Certain Property not to be injured.

CLX. Provided also, and be it enacted, That nothing herein contained shall authorize or empower the said Commissioners, or any Person acting by or under their Authority, to take, use, injure, or damage, for the Purposes of this Act, any House or other Building, or any Ground which on the Thirtieth Day of *November* One thousand eight hundred and forty was the Site of any House or other Building, or any Land which was then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, without the Consent in Writing of the Owner or Owners thereof respectively first had and obtained for that Purpose.

To enter upon Lands for temporary Purposes.

CLXI. And whereas in making and executing the said Works by this Act authorized it may be necessary for the said Commissioners, their Agents and Workmen, to enter upon and take temporary Possession of some Parts of the Lands adjoining the said Works, for the Purpose of laying or depositing thereon the Earth, Clay, and other Materials which shall have been taken out in excavating and deepening the said River *Boyne* and the said Port and Harbour, and in executing the other Works by this Act authorized to be done; but inasmuch as a Jury summoned as directed by this Act to assess a Compensation for the Damage and Injury done to such adjoining

adjoining Lands, by the Exercise of the Powers and Authorities by this Act granted, cannot either upon View or from Evidence form a just Opinion of the permanent Injury which will be sustained by the Owners or Proprietors of such adjoining Lands, by the Exercise of the Powers and Authorities aforesaid, until the Works shall have been completed, it is expedient that the said Commissioners, their Agents and Workmen, should be empowered to enter upon such adjoining Lands for the Purposes aforesaid, without previously making such Payment, Tender, or Investment of Money as herein-before mentioned; be it therefore enacted, That notwithstanding any thing in this Act contained it shall be lawful for the said Commissioners, their Agents and Workmen, and they are hereby empowered, to enter upon the Lands of any Person or Corporation whatsoever situate not more than Two hundred and fifty Yards from the said Works by this Act authorized to be made and maintained, or any of them, or any Part thereof respectively, for the Purpose of depositing upon such Lands, or any Part thereof respectively, any Soil, Gravel, Clay, Sand, Stone, or other Materials, which shall have been excavated in deepening the said River, Port, or Harbour, and executing the other Works by this Act authorized and empowered to be done, without having previously made such Payment, Tender, or Investment as herein-before mentioned, they the said Commissioners, their Agents and Workmen, doing as little Damage as may be in the Exercise of the several Powers thereby granted to them, and making Compensation for such temporary Occupation of the said Lands, and for any Injury to any Crop or Dressing thereon, to the Owners or Occupiers thereof, such Compensation, in case the Parties differ about the same, to be settled and recovered in manner herein-before provided in Cases of Disputes as to Damages to a small Amount.

Commissioners to give Notice previous to such temporary Possession.

CLXII. And be it enacted, That the Commissioners shall, before entering thereon, give Six Weeks Notice in Writing to the Owners and Occupiers of such Lands of their Intention to enter upon the same for such Purposes, and the Commissioners shall in such Notice state the Substance of the Provisions herein-after contained respecting the Right of such Owner or Occupier to receive Compensation for the temporary Occupation thereof, as the Case may be.

Power to Owner to object that other Lands ought to be taken.

CLXIII. And be it enacted, That it shall be lawful for the Owner or Occupier of such Lands, within Ten Days after Service of such Notice, to object to the Commissioners making use of such Lands, on the ground that other Lands lying contiguous thereto, and being such as the Commissioners are herein-before authorized to use for the Purposes aforesaid, might be more beneficially occupied for such Purposes by the Commissioners; and in such Case, if the Commissioners shall refuse to occupy such other Lands in lieu of those mentioned in the Notice, it shall be lawful for Two Justices, on the Application of such Owner or Occupier, to summon the Commissioners and the Owners and Occupiers of such other Lands to appear before them at any Time, not being more than Fourteen Days after such Application, nor less than Seven Days from the Service of such Summons, and on the Hearing pursuant to such Summons it shall be lawful for such Justices to determine summarily which of the said Lands shall be

occupied by the Commissioners for the Purposes aforesaid, and to authorize the Commissioners to occupy the same accordingly.

Power to the Justices to summon other Owners before them.

CLXIV. Provided always, and be it enacted, That if it shall appear to such Justices, upon the Inquiry before them, that the Lands of any other Party not summoned before them, being sufficient in Quantity, and such as the Commissioners are herein-before authorized to take or use for the Purposes aforesaid, would be more suitable to be used by the Commissioners than the Lands of the Person who shall have been so summoned as aforesaid, it shall be lawful for the said Justices to adjourn such Inquiry, and to summon such other Person to appear before them at any Time, not being more than Fourteen Days from such Inquiry, nor less than Seven Days from the Service of such Summons, and on the Hearing of such last-mentioned Summons to determine finally which Lands shall be occupied or used for the Purposes aforesaid, and to authorize the Commissioners to occupy the same accordingly.

The Commissioners to give Securities if required.

CLXV. And be it enacted, That before entering upon any such Lands the Commissioners shall, if required by the Owner or Occupier thereof, Seven Days at least before the Expiration of the Notice to take such Lands as herein-before mentioned, find Two sufficient Persons, to be approved of by a Justice in case the Parties differ, who shall enter into a Bond to such Owner or Occupier, in a Penalty of the Amount of Fifty Pounds *per* Acre, conditioned for the Payment of such Compensation as may become payable in respect of the same in manner herein mentioned.

Commissioners to separate the Lands before using them.

CLXVI. And be it enacted, That before the Commissioners shall use any such Lands for any of the Purposes aforesaid they shall, if required so to do by the Owner or Occupier thereof, separate the same by a sufficient Fence from the Lands adjoining thereto.

Compensation to be made for temporary Occupation.

CLXVII. And be it enacted, That it shall be incumbent on the Commissioners, within One Month after their Entry upon such Lands for temporary Purposes as aforesaid, upon being required so to do, to pay to the Occupier of the said Lands the Value of any Crop or Dressing that may be thereon, and to agree with the Owner and Occupier thereof for the Payment of an annual Sum by way of Rent during the Occupation thereof, and also, within Six Months after they shall have ceased to occupy the said Lands, to pay to such Owner and Occupier Compensation for any permanent Damage or Injury that may have been done to the said Lands in the Exercise of the Powers herein-before granted; and the Amount of such permanent Damage shall, in case of Difference, be determined as in other Cases of disputed Compensation under this Act; and the Value of any Crop or Dressing which may be on the said Lands, and the Rent payable in respect thereof during the Possession of the Commissioners, whatever the Amount of Claim in respect of the same may be, shall, in case of Difference, be determined as other Cases of disputed Compensation under Twenty Pounds are determined under this Act.

CLXVIII. Pro-

Bonds for Costs of Trial by Jury in case of temporary Damages.

CLXVIII. Provided always, and be it enacted, That if any Party entitled to Compensation in respect of Damage temporarily sustained shall require to have the Amount of such Compensation determined by a Jury, he shall, before requiring the Commissioners to issue their Warrant as herein-before provided for causing such Jury to be summoned, enter into a Bond to the Commissioners, with Two sufficient Sureties, in the penal Sum of Two hundred Pounds, duly to prosecute his Claim, and to bear such Part of the Costs, if any, incidental to the Inquiry as he shall be required to pay under the Provisions of this Act in that Behalf.

Tonnage Duty on Ships entering the Harbour.

CLXIX. And be it enacted, That the said Commissioners, or such Officer or Officers, Person or Persons, as they shall appoint or authorize, are hereby authorized to demand, collect, levy, and recover from every Owner or Consignee, or Commander or Master of any Ship or Vessel which shall anchor, load, or unload within the said Port or Harbour, or which shall be made fast to the said Piers and other Works and Premises, or any Part thereof, any Sum *per* Ton not exceeding Sixpence *per* Ton of the Register Tonnage of such Ship or Vessel, but that nothing herein contained shall extend or be construed to extend to authorize the said Commissioners to levy any Rates, Tolls, and Dues from any Vessel which shall enter into the said Port or Harbour in Distress, or which shall enter into and depart from the same merely with Ballast, or which shall enter into and depart from the same without breaking Bulk.

Exemption for Vessels returning from Stress of Weather, &c.

CLXX. Provided always, and be it enacted, That if any Vessel for which Rates herein-before mentioned shall have been paid shall, after leaving the said Harbour, be obliged, from Stress of Weather or other Cause, to return with the same Cargo, the Rates so paid shall not again be payable in respect of such Vessel.

Tonnage of British registered Vessels to be ascertained by the Register, that of other Vessels by Measurement, according to 5 & 6 W. 4. c. 56.

CLXXI. And be it enacted, That the Tonnage of every *British* Vessel liable to the Payment of any Tonnage Rate under this Act, and duly registered according to Law, shall be ascertained according to the certified Tonnage in the Register; and the Tonnage of all other Vessels shall be ascertained according to the Rules of Admeasurement established by an Act of Parliament passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Admeasurement of the Tonnage and Burden of the Merchant Shipping of the United Kingdom*, or any Law for the Time being regulating such Admeasurement.

Foreign Vessels may be measured.

CLXXII. And be it enacted, That it shall be lawful for the said Commissioners to appoint a proper Person for the Purpose of ascertaining the Tonnage of any Foreign Vessel, and of all other Vessels having no Certificate of Registry, and such Person may admeasure the same accordingly, pursuant to the Directions of such Act or Acts as may at the Time be in force for the registering of *British* Vessels.

CLXXIII. Pro-

Vessels of less than 15 Tons Burden not liable to Tonnage Dues.

CLXXIII. Provided always, and be it enacted, That nothing herein contained shall be construed to extend to make any Lighter, Boat, or other Coasting Vessel of less than Fifteen Tons Burden subject or liable to the Payment of the said Tonnage Dues by this Act imposed.

Rates on Goods.

CLXXIV. And be it enacted, That it shall be lawful for the said Commissioners to demand and receive for Goods, Articles, or Things in the Schedule (F.) to this Act annexed, which shall be shipped or unshipped, received or delivered, within the Limits of the said Port or Harbour, of and from the Owner or Commander of the Ship or Vessel in which such Goods, Articles, or Things shall be so shipped or unshipped, or the Owner or Consignee of such Goods, Articles, or Things, any Sums not exceeding the several Rates in the said Schedule specified: Provided always, that all Goods, Wares, Merchandize, and Commodities which are not particularized and set forth in the said Schedule of Rates shall be charged and chargeable with and shall pay a Rate or Duty equal to a Rate or Duty rated and affixed on Goods, Wares, and Merchandize of a similar Nature, Package, and Quality, in and by the said Schedule of Rates.

Lords of the Treasury, &c. may reduce Rates on Foreign Vessels.

CLXXV. And be it enacted, That it shall be lawful for Her Majesty by an Order in Council, and for the Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time, by Her or their Order in Writing, to reduce the Rates hereby made payable on all or any Vessels not entitled to the Privileges of *British*-built Vessels, and on all or any of the Goods imported or exported in Vessels not entitled to such Privileges, to the same and like Rates as shall from Time to Time be payable in respect of *British* Vessels or the Goods imported or exported in them in pursuance of this Act.

Rates to be charged equally.

CLXXVI. Provided also, and be it enacted, That the several Rates authorized to be taken by this Act shall at all Times be charged equally and after the same Rate in respect of the same Description of Vessel and Goods.

Masters to report Arrival of Vessels within the Harbour.

CLXXVII. And be it enacted, That the Master or Commander of any Vessel liable to any of the said Rates shall, within Twenty-four Hours after the Arrival of such Vessel at her Place of discharging within the said Port or Harbour, report to the Harbour Master for the Time being the Arrival of such Vessel, and the Place from whence it came; and any Master or Commander of any such Vessel who shall fail to make such Reports within the Time aforesaid shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Master of Vessel to produce Certificate of Registry.

CLXXVIII. And be it enacted, That the Master or Commander of every registered Vessel shall, on Demand, produce the Certificate of the Registry of such Vessel to any Person authorized by the Commissioners to collect the Tonnage Rates in respect of such Vessel, and if any such Master or Commander shall refuse or neglect to

to produce such Certificate to any such Person, on Demand, he shall forfeit any Sum not exceeding Ten Pounds.

Recovery of Rates by Distress of Ship and Tackle.

CLXXIX. And be it enacted, That if any Master or other Person having Command of any Vessel in respect of which any Tolls or Rates shall be payable to the Commissioners shall refuse or neglect to pay the same, then it shall be lawful for the Person appointed by the Commissioners to collect such Rates to go on board of such Vessel and demand such Rates, and, on Nonpayment thereof, or any Part thereof, to take and distrain such Vessel, and all the Tackle, Apparel, and Furniture belonging thereto, or any Part thereof, and to detain such Distress until the Rates shall be paid, and in case any of the said Rates shall remain unpaid for the Space of Fourteen Days next after any Distress so made, then it shall be lawful for the said Collector to sell the Distress, and therewith to satisfy the Rates so unpaid, and all the Expences of taking, keeping, and selling such Distress, rendering the Overplus (if any) to the Master of such Vessel, upon Demand.

Penalty on Master obstructing Commissioners in Collection of Rates and Duties.

CLXXX. And be it enacted, That in case the Master or Commander of any Vessel liable to any of the Duties imposed by this Act, or any other Person, shall obstruct or hinder the said Commissioners, or the Persons employed to collect the Rates or Duties, or employed or appointed to admeasure Vessels in pursuance of this Act, from going on board such Vessels or taking Admeasurement thereof, such Master, Commander, or other Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Masters of Vessels to give Accounts of Goods intended to be unshipped within the Harbour, &c.

CLXXXI. And be it enacted, That when the Cargo of any Vessel arriving within the Limits of the said Port or Harbour, or any Part of such Cargo, shall be intended to be unshipped within the Limits of the said Port or Harbour, the Master or Commander of such Vessel shall, within Twenty-four Hours after the Arrival of such Vessel at her Discharging Place, deliver to the Person for the Time being appointed to collect the Tolls and Duties mentioned in the said Schedule the following Particulars; (that is to say,)

The Name of the Consignee of the Cargo or Part of the Cargo of such Vessel intented to be unshipped within the Limits of the said Harbour:

And if the whole Cargo of such Vessel shall be intended to be unshipped within the Limits of the said Harbour, a Copy of the Bill of Lading or Manifest of the Cargo of such Vessel:

Or if Part only of the Cargo of such Vessel is intended to be so unshipped, a true Account in Writing of the Kinds, Weights, and Quantities of the several Goods, Articles, and Things intended to be so unshipped.

Penalty on Masters giving no Account or a false Account.

CLXXXII. And be it enacted, That any Master or Commander of any Vessel, the Cargo or Part of the Cargo which shall be intended to be unshipped within the Limits of the said Harbour, who shall fail to deliver or give any of the Particulars herein-before required to be given by such Master or Commander, or shall deliver

or give any false Particular, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Master of Vessel to give an Account of Goods intended to be shipped.

CLXXXIII. And be it enacted, That the Master or Commander of any Vessel within the Limits of the said Harbour, on board of which any Goods, Articles, or Things shall be shipped, shall give to the Person for the Time being appointed by the Commissioners to collect the Tolls and Duties a true Account, signed by the Consignor or Shipper, of the Kinds, Quantities, and Weights of such Goods, Articles, or Things as soon as the same shall have been shipped in such Vessel; and any Master or Commander who shall fail to give such Account, or shall give a false Account, and any Consignor or Shipper who shall sign a false Account, of any such Goods, Articles, or Things, shall respectively for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty.

As to Goods exported by Steam Vessels belonging to the Port of Drogheda.

CLXXXIV. And be it enacted, That in all Cases of Rates and Duties payable under this Act in respect of Vessels belonging to the said Port and Harbour of *Drogheda*, and propelled by the Power of Steam, and in respect of Goods and Merchandize exported in such Vessels, all such Rates and Duties shall be paid to the Collector appointed by the said Commissioners within Twenty-four Hours after the sailing of such Steam Vessel, and that in case of Default in such Payment such Rates and Duties may be recovered in the same Manner as is directed by this Act with reference to the Rates upon Goods, Articles, and Things, or upon Vessels brought into the said Port and Harbour, and it shall be lawful for the Officers of Her Majesty's Custom House to refuse to clear out or discharge such Steam Vessel on any succeeding Voyage till the same be fully paid and satisfied.

In case of Dispute, Goods to be weighed or measured.

CLXXXV. And be it enacted, That if any Difference shall arise between the Person for the Time being appointed by the Commissioners to collect the said Tolls and Rates and the Master or Commander of any Vessel, or the Owner, Consignor, or Consignee of any Goods, concerning the Weight or Quantities of any Goods, Articles, or Things in respect of which any Rates are payable by this Act, it shall be lawful for such Collector to cause all such Goods, Articles, or Things to be weighed or measured, as the Case may require, and if necessary to detain the Vessel in which such Goods, Articles, or Things may be, until the same shall have been weighed or measured.

Expences of weighing or measuring Goods.

CLXXXVI. And be it enacted, That if the Goods, Articles, or Things so weighed or measured shall be of greater Weight or Measure than shown from the Manifest, Account, or Statement delivered or made by the Master or Commander of the Vessel in which the same may be, or by the Owner, Consignor, or Consignee thereof, the Expences of such weighing or measuring shall be paid to the Commissioners or their Collector, and shall be recovered by the Commissioners or their Collector by the same Means as herein provided for the Recovery of Rates due in respect of such Goods, Articles, and Things; hut if such Goods, Articles, and Things shall be of the same

same or less Weight or Quantity than shown by the Manifest, Account, or Statement so delivered or made as aforesaid, the Commissioners shall pay all the Expences of such weighing or measuring, and shall also pay to the Master or Commander of the Vessel, or to the Owner, Consignor, or Consignee of such Goods, Articles, or Things, all Expences which may be occasioned to any such Person by reason of such weighing or measuring.

Goods, &c. to be weighed or measured before Samples are taken.

CLXXXVII. And be it enacted, That all such Goods, Wares, Merchandize, and Commodities as shall be imported or exported to or from the said Port and Harbour, and shall be chargeable with Duties according to the Weight or Measure thereof, shall be respectively weighed or gauged, as the Case shall require, immediately or as soon as may be after the same shall be landed or unshipped or shipped, and before any Samples from the same shall be taken for Sale.

Recovery of Rates on Goods.

CLXXXVIII. And be it enacted, That if Default be made in the Payment of any Tolls and Duties payable under this Act in respect of any Goods, Articles, or Things, it shall be lawful for the Person for the Time being appointed by the Commissioners to collect such Rates to distrain any such Goods, Articles, or Things, or if the same shall be removed without the Limits of the Harbour, to distrain any other Goods, Articles, or Things within the Limits of the said Port or Harbour belonging to the Person liable to pay such Rates, and to sell any such Distress, and out of the Proceeds of such Sale to pay the Rates due to the Commissioners; or it shall be lawful for the Commissioners to recover such Rates by Action in any of the Superior Courts, provided that the Person collecting any such Rates shall, before making any such Distress as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Goods, Articles, or Things so distrained, and may retain the Amount of Duties so paid out of the Proceeds arising from the Sale of such Distress.

Collector of Rates may enter Vessels.

CLXXXIX. And to the End that the Rates by this Act imposed may be effectually levied, be it enacted, That it shall be lawful for any Person appointed to collect any such Rates to enter, either alone or with any other Persons, into any Vessel within the Limits of the said Harbour, and to ascertain the Rates payable in respect of any such Vessel, or of any Goods, Articles, or Things therein.

Penalty on evading Payment of Rates.

CXC. And be it enacted, That if any Master or Commander of any Vessel shall evade the Payment of any Rates payable to the Commissioners, he shall pay to them Three Times the Amount of such Rates, and the same shall be recovered from such Master or Commander in the same Manner as Penalties imposed by this Act are directed to be recovered, or by Action in any of the Superior Courts.

Master, &c. to pay Duties before Departure of Vessels.

CXCI. And be it enacted, That if the Master or Commander of any Ship or Vessel entering into the said Port or Harbour shall attempt to depart therefrom without having first paid the Rates and Duties

Duties to which such Ship, Vessel, or Goods therein carried, shall be liable by this Act, (except in the Case of Goods or Merchandize exported in Steam Vessels belonging to the said Port or Harbour as herein-before provided,) it shall be lawful for the Collector or Receiver, or his Deputy, or the Harbour Master or other Officer, to demand and require Payment thereof from the Master or Commander or other Person in charge of such Ship or Vessel; and in default of Payment of the same, or Want of Satisfaction given to such Collector or Receiver, or his Deputy, or the Harbour Master or other Officer, it shall be lawful for the said Collector or Receiver, or his Deputy, or the Harbour Master or other Officer, and all others in their Employ or whom they may call in to their Assistance, to stop and detain and prevent the said Ship or Vessel from proceeding out of the said Port or Harbour, with the same and with the like Powers of Entry and Distress and Sale, and the like Penalty as herein-before mentioned; and any Pilot or Salvageman piloting or assisting any Vessel out of the said Port or Harbour, after being required to desist therefrom by the Collector, Harbour Master, or other Officer as aforesaid, shall forfeit and pay any Sum not exceeding Five Pounds.

Collector of Customs may withhold a Discharge to any Vessel until Rates are paid.

CXCII. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs within the said Harbour, with the Consent of the Commissioners of Her Majesty's Customs, to refuse to receive any Entry or give any Cocquet, Discharge, or Clearance, or to take any Report Inwards or Outwards for any Vessel liable to the Rates imposed by this Act, until the Master or Commander of such Vessel shall produce to such Collector or Officer a Certificate under the Hand of the Person appointed by the Commissioners to collect such Tolls and Duties in respect of such Vessel, and any Goods, Articles, or Things imported or exported by such Vessel have been paid.

Disputes concerning Rates and Distress to be settled by a Justice.

CXCIII. And be it enacted, That if any Dispute shall arise concerning the Amount of any Rates, Tolls, and Duties due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Person distraining to detain such Distress until the Amount of the Rates, Tolls, and Duties due, or the Charges of such Distress (as the Case may be), shall be ascertained by some Justice of the Peace for the County of *Meath*, or County of *Louth*, or County of the Town of *Drogheda*, who, upon Application made to him for that Purpose, shall determine the Amount of the Rates, Tolls, and Duties due, and award such Costs to be paid by either of the Parties to the other of them as he shall think reasonable, and such Costs, if not paid on Demand, shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

List of Rates to be set up.

CXCIV. And be it enacted, That the Commissioners shall from Time to Time cause to be painted on Boards in large and legible Characters, and affixed in some conspicuous Part of the Quays of the said Harbour, a List of the several Tonnage Rates, Tolls, and Duties which shall be from Time to Time payable in respect of the said Harbour, and no Rates, Tolls, or Duties shall be payable in respect of the said Harbour during such Time as such Lists shall not continue

so affixed, or for any Matter or Thing not specified in such List: Provided always, that if any such List shall be destroyed, injured, or obliterated, the Rates, Tolls, and Duties shall continue to be payable during such Time as may be reasonably required for the Restoration or Reparation of such List in the same Manner as if such Lists had continued affixed and in the State required by this Act.

Articles not in Schedule to be rated.

CXCV. And be it enacted, That it shall and may be lawful to and for the said Commissioners to ascertain and fix such reasonable Duties to be paid upon the lading or unlading, importing or exporting, of any Commodity or Article not specified or enumerated in the Tables or Schedules hereto annexed, in proportion to the several Duties therein specified, as they shall think fit, so as no such Duty shall exceed One Twelfth of the Freight payable thereon respectively on being imported or exported into or from the said Port and Harbour, which Duties, when so ascertained and fixed by the said Commissioners, shall be considered to all Intents and Purposes as if the same had been specially enumerated in this Act, or in the said Schedule or Table hereunto annexed.

Commissioners may examine Persons liable to the Duties.

CXCVI. And be it enacted, That it shall be lawful to and for the said Commissioners to summon and call before them, by Summons under the Hand of their Clerk or Secretary, or under the Hand of any Justice of the Peace for the said County of *Louth*, or County of *Meath*, or County of the Town of *Drogheda*, any Person or Persons then within the said Town of *Drogheda* or within the said Port and Harbour, being the Owners, Part Owners, or Masters, or having the Command or Direction, or Consignee or Consignees, of any Ship or Vessel liable to pay any of the Rates or Duties hereby imposed, and to examine and inquire of and concerning all or any Goods, Wares, or Merchandize, or other Matters or Things, liable to the Payment of Duties and Rates as aforesaid, or otherwise concerning the Execution of this Act, and whether all or any and what Part or Parts of such Rates, Duties, and Sum hath or have been paid or not paid, and when, and by whom, and to whom; and in case such Person or Persons, or any of them so summoned as aforesaid, shall not appear at the Time and Place in such Summons mentioned, or appearing shall refuse or shall not answer and discover, or shall fraudulently or wilfully mis-state what he knows and believes concerning the Matters examined or inquired into, he shall forfeit for every such Non-appearance, Refusal, or not answering and discovering, or wilfully or fraudulently mis-stating as aforesaid, any Sum not exceeding Ten Pounds, together with Costs of Suit, to be recovered by Bill, Plaint, or Information, or in case the Party be absent from *Ireland*, by Action of Debt in any Court of Record, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance shall be allowed, or upon Conviction in a summary Way before a Justice of the Peace.

Commissioners under this Act once a Year to lay before Commissioners of

CXCVII. And to the end that all and every the Sum and Sums of Money which shall arise, grow due, and be levied from Time to Time by force and virtue of this Act, or may be borrowed pursuant thereto, may be properly and effectually applied to the Purposes of

Public Accounts an Account of all Sums received and paid.

of this Act, be it enacted, That the Commissioners appointed by this Act shall once in every Year lay before the Commissioners for auditing Public Accounts a true and perfect Account of all and every Sum and Sums of Money which shall be received, levied, and borrowed as aforesaid within the Year immediately preceding the furnishing of such Account, and also how and in what particular Manner the same shall have been applied, which Account so furnished shall be signed by at least Five of the said Commissioners and their Treasurer.

Goods, &c. may be removed from Quays.

CXCVIII. Provided always, and be it enacted, That it shall be lawful for the said Commissioners to remove or cause to be removed all Live Stock, Goods, Articles, and Things as shall be and remain upon the said Quays, Wharfs, Piers, and other Places beyond the Space of Twenty-four Hours, and to detain and keep the same till the Charges incurred by such Removal and Keeping, to be ascertained by any Justice of the Peace for the County of *Louth* or County of *Meath*, or County of the Town of *Drogheda*, shall be paid.

Penalty on giving a false Draught of Water of Ship, &c.

CXCIX. And be it enacted, That if any Master or other Person having the Command of any Vessel entering the said Port and Harbour, or any Part thereof, shall give false Information of the Draught of Water of any such Vessel to the Harbour Master or other Officer or Person appointed as aforesaid, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds Sterling.

Commissioners may appoint Pilots.

CC. And in order that a sufficient Number of skilful Pilots may be appointed to take charge of Ships or Vessels trading to the said Port and Harbour, and that proper Persons may be appointed to regulate the placing of such Ships or Vessels as shall be therein, and to prevent Abuses committed by Persons employed in Lighters within the said Port and Harbour, and that the Conduct of such Pilots and other Persons so to be appointed may be properly regulated, be it enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to license and appoint, during their Will and Pleasure, such Number of skilful Pilots for the Purpose aforesaid as may be necessary: Provided always, that nothing herein contained shall affect or interfere with the Provisions of any general Act to be hereafter passed for regulating Pilots or Pilotage in *Ireland*.

Rates of Pilotage.

CCI. And be it enacted, That the Master, Commander, Owner, or Owners of every Ship or Vessel coming into the said Port and Harbour of *Drogheda* from the Sea, or going out of the same to the Sea, shall for every such Ship or Vessel, not being exclusively engaged in Her Majesty's Service, pay or cause to be paid as and for Pilotage to the aforesaid Harbour Master, Collector, Receiver, or other Officer a Rate or Sum not exceeding the respective Rates or Sums specified in Schedule (G.) to this Act annexed: Provided always, that Vessels coming into the said Port or Harbour from Stress of Weather or contrary Winds shall pay One Half only of the respective Rates from Time to Time so fixed upon by the said Commissioners; and

Exception in favour of Steam Vessels.

provided also, that Owners of Steam Vessels may, if they think fit, employ a Pilot or Pilots by private Agreement without being liable to pay any of the said Pilot Rates, provided such Pilot or Pilots be approved of by the said Commissioners.

Persons offering to pilot any Vessel, if not licensed, to pay a Penalty.

CCII. And be it enacted, That every Person offering himself as Pilot to any Ship or Vessel off or in the said Port and Harbour shall declare whether he be duly appointed and licensed by the said Commissioners to act as Pilot pursuant to the Directions of this Act; and if any Person so offering himself and not licensed shall, at the Time or Times he shall so offer himself as Pilot declare himself to be so authorized and appointed as aforesaid, every such Person shall for such Offence forfeit and pay any Sum not exceeding Five Pounds.

If no licensed Pilot offers, Master may take other Persons, &c.

CCIII. And be it enacted, That if it shall happen that a Pilot licensed as aforesaid shall not appear alongside of and offer himself to any Ship or Vessel coming from Sea into the said Port and Harbour before such Ship or Vessel shall arrive in that Part of the open Sea between *Clogher Head* and the *Skerries*, or during such Time as such Ship or Vessel shall be between the said Points, such Ship or Vessel having for at least Fifteen Minutes previous the usual Signal or Flag for a Pilot flying, then and in such Case it shall and may be lawful to and for any Person whom the Master or Commander of the said Ship or Vessel shall think proper to appoint, though not a licensed Pilot, to take charge and care of the said Ship or Vessel as Pilot thereof, and no Pilotage shall be paid by the Master or Commander of such Ship or Vessel to the said Commissioners,

Master refusing Pilot.

CCIV. And be it enacted, That in case the Master, Owner, or other Commander of any Ship or Vessel (save and except Steam Vessels) inward or outward bound, who is required by this Act to employ a Pilot, shall refuse to take on board and employ a Pilot, so to be licensed as aforesaid, who shall offer his Services, such Master, Owner, or Commander shall pay or cause to be paid the usual Pilotage to the said Commissioners for the Services of such Pilot who first offered his Services and was refused as aforesaid, according to the different Rates and Prices directed to be paid over and above any other Penalty to which such Master, Owner, or Commander may be liable.

Licensed Pilot neglecting his Duty to pay a Penalty.

CCV. And be it enacted, That if any such licensed Pilot as aforesaid who shall go on board any Ship or Vessel going into or coming out of the said Port or Harbour for the Purpose of piloting the same shall wilfully or in any Manner neglect or refuse to perform his Duty in piloting such Vessel, so as to cause any unnecessary Delay or Injury to such Ship or Vessel, and shall be thereof convicted on the Oaths of Two or more credible Witnesses before the Mayor for the Time being in the said Town of *Drogheda*, or any Justice of the Peace for the County of *Louth* or County of *Meath*, or County of the Town of *Drogheda*, such Pilot shall for every such Offence forfeit and pay such Sum as such Chief Magistrate or Justice of the Peace shall think fit, not exceeding Five Pounds.

CCVI. And

Power to let Warehouses, Wharfs, Cranes, &c.

CCVI. And be it enacted, That it shall and may be lawful for the said Commissioners from Time to Time, with the Consent however of the said Commissioners of Public Works in *Ireland* first had and obtained in Writing, so long as any Sum of Money shall remain due on foot of the Security or Securities heretofore executed to the said last-mentioned Commissioners, by Deed or Lease to demise to such Person or Persons as may be willing to take the same all or any of the Warehouses, Quays, Wharfs, Cranes, Engines, or other Erections or Buildings which shall be erected, constructed, or set up by the said Commissioners, and to lease or demise all or any Part of their Lands or Grounds to any Person or Corporation who may be willing to erect, construct, or set up thereon, or any Part thereof, at their own Expence, such Warehouses, Quays, Wharfs, Cranes, Engines, or other Erections or Buildings; and it shall also be lawful for the said Commissioners to levy and receive, in respect of such Warehouses, Quays, Wharfs, Cranes, Engines, or other Erections or Buildings, or in respect of any Land or Ground to be demised or leased for the Erection thereof as aforesaid, such Rents or other Sums of Money as shall be fixed and agreed upon between the said Commissioners and such Persons as aforesaid, and to make such Regulations regarding the Use of the said Warehouses, Quays, Wharfs, Cranes, Engines, or other Erections or Buildings, as the said Commissioners shall deem expedient; and every such Lease or Demise shall be good, valid, and effectual to all Intents and Purposes whatsoever.

Power to lay Buoys, &c.

CCVII. And be it enacted, That the said Commissioners shall or may lay or place, or cause to be laid, made, or placed, such Buoy or Buoys, Mooring Craft, Dolphin or Dolphins, in the said River *Boyne* and in the said Port and Harbour of *Drogheda*, and make or cause to be made such Sluices, Locks, Flood Gates, Engines, Machines, Pipes, Roads, and other Works, Requisites, Matters, and Things, in or upon or leading to or communicating with the said River, Port, or Harbour, as they shall from Time to Time deem necessary for the more convenient Use thereof, or any of them, and erect such Dams, Coffer Dams, and other Devices and Things as may be found necessary or proper during such Time or Times as any of the said Works respectively shall be making, altering, or repairing, and from Time to Time and at all Times hereafter shall also well and sufficiently amend, repair, maintain, support, and cleanse such Basins, Sluices, Locks, Flood Gates, Engines, Machines, Pipes, and other Works, Matters, and Things respectively.

Punishing Persons obstructing the Execution of this Act.

CCVIII. And be it enacted, That if any Person or Persons shall at any Time or Times obstruct or hinder any of the said Commissioners, or any of their Officers or Servants who is, are, or shall be employed by virtue of this Act in the Performance or Execution of their Duty, any such Person so offending shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence.

Powers of Harbour Master.

CCIX. And be it enacted, That it shall be lawful for the Harbour Master for the Time being to give Directions for all or any of the following Purposes; (that is to say,)

For regulating the Time and Manner in which any Vessel shall enter into, go out of, or lie in the Limits of the said Port and Harbour,

Harbour, and the Position, mooring or unmooring, placing or removing, of any Vessel within the said Limits:

For regulating the Manner in which any Vessel shall take in or discharge its Cargo, or any Part thereof, or shall take in or deliver Ballast within the Limits of the said Harbour:

For regulating the Government of any Vessel within the said Limits.

Penalty on Harbour Master, acting unreasonably.

CCX. And be it enacted, That in case any Harbour Master appointed or continued under this Act shall without reasonable Excuse exercise any of the Powers or Authorities vested in him by this Act, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on not complying with Directions of Harbour Master.

CCXI. And be it enacted, That the Master or Commander of any Vessel within any Part of the Limits of the said Harbour shall regulate such Vessel according to the Directions of the Harbour Master for the Time being, made in conformity with this Act; and any Master or Commander of any Vessel who, after Notice in Writing signed by the said Harbour Master of any such Direction served upon him, shall not forthwith regulate such Vessel according to such Direction, shall be liable to a Penalty not exceeding Five Pounds.

Power of Harbour Master to remove Vessels.

CCXII. And be it enacted, That if the Master or Commander of any Vessel within any Part of the Limits of the said Harbour shall not moor, unmoor, place, or remove such Vessel according to the Directions of the said Harbour Master for the Time being, in Writing given to the said Master or Commander, it shall be lawful for any such Harbour Master to cause such Vessel to be moored, unmoored, placed, or removed according to the Directions aforesaid, and to employ a sufficient Number of Persons for that Purpose, and the Expences attending such mooring, unmooring, placing, or removing shall be paid by such Master or Commander, and shall, together with the Costs of ascertaining and recovering the same, be ascertained and recovered from any such Master or Commander in the same Manner as any Damages for the ascertaining and recovering of which no special Provision is contained in this Act are hereby directed to be ascertained and recovered.

Penalty on Master or Commander for obstructing Harbour Master.

CCXIII. And be it enacted, That if any Master or Commander of any Vessel within the Limits of the said Harbour, except as aforesaid, or any Person on board the same, shall hinder the said Harbour Master or any Person employed by him in mooring, unmooring, placing, or removing such Vessel in manner aforesaid, such Master or Commander or other Person shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Harbour Master may cut Ropes.

CCXIV. And be it enacted, That if any Master or Commander, or other Person, on board of any Vessel which shall be moored or fastened within the Limits of the said Harbour, except as aforesaid, shall not, upon Demand of the said Harbour Master, unloose or slacken the Rope or Chain by which such Vessel shall be moored or fastened, or if there shall be no Person on board of any such Vessel so moored

or fastened, it shall be lawful for the said Harbour Master to cut the Rope or slacken the Chain by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master shall cut any Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened, he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel, and all Expences thereby incurred shall be paid by the Master or Commander of such Vessel.

Power to remove Wrecks, &c.

CCXV. And be it enacted, That it shall be lawful for the said Harbour Master to remove any Wreck, or any Stone, Timber, Anchors, or other Obstruction to the said Port and Harbour within the Limits thereof, and the Expence of removing any such Wreck, Stone, Timber, or other Obstruction shall be repaid by the Owner of the same.

Penalty for not having a Buoy to the Anchors of Vessels.

CCXVI. And be it enacted, That if the Master or Commander of any Ship or Vessel which shall cast Anchor within the said River, Port, or Harbour shall not immediately on so doing cause to be tied or fastened a Buoy to such Anchor in such Manner as that the said Buoy shall float, and in a conspicuous Manner, so that it may be plainly and easily seen in what Place such Anchor has been cast, such Master or Commander shall for every such Offence forfeit any Sum not exceeding Five Pounds, and shall for every Hour such Anchor shall remain, after One Hour's Notice shall have been given, without such Buoy being tied or fastened thereto as aforesaid, forfeit a further Sum of Five Pounds.

Combustible Matter on Quays to be removed.

CCXVII. And be it enacted, That if any Tar, Pitch, Rosin, Spirituous Liquors, Turpentine, Oil, or combustible Thing, being on any Quay or Wharf belonging to the Commissioners, or on the Deck of any Vessel within the Limits of the said Harbour, shall not be removed from the Place where the same may be to a Place of Safety within Two Hours after Notice in Writing for that Purpose, signed by the said Harbour Master for the Time being, shall have been served on the Owner or Person having the Charge of the same, every such Owner or Person shall for every such Offence forfeit a Sum not exceeding Five Pounds for every Hour such combustible Thing shall remain in any such Place as aforesaid after the Expiration of Two Hours from the Service of the said Notice.

Combustibles to be guarded during the Night.

CCXVIII. And be it enacted, That if any such combustible Thing as aforesaid shall remain on any of the said Quays or Works, or on Deck of any Vessel, within the Limits of the said Harbour, after Daylight, the Owner or Person having Charge of the same, or in his Default the Commissioners, at the Expence of such Owner or Person, shall provide a sufficient Number of Persons to guard the same from One Hour before Sunset to One Hour after Sunrise, and such Expence, if not paid to the Commissioners on Demand, shall be ascertained and recovered in the same Manner as Damages for the Recovery of which no special Provision is herein contained are by this Act directed to be ascertained and recovered.

CCXIX. And

Penalties against Fire.

CCXIX. And be it enacted, That every Person who shall commit any of the following Offences shall be liable to a Penalty not exceeding Five Pounds; (that is to say,)

1. Every Person who shall boil or heat any Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter in any Vessel lying in the Limits of the said Port or Harbour, or in any Place within the said Port or Harbour, except in such Place, and in such Manner, as shall be specially appointed by the Commissioners for that Purpose:
2. Every Person who shall without the Permission of the Commissioners bring or suffer to remain any Gunpowder on the Quays or Works of the said Port or Harbour.

Punishing Persons who cast Ashes or Dirt into the Harbour.

CCXX. And be it enacted, That if any Person or Persons shall cast any Ashes, Ballast, Stones, Dirt, Filth, or Rubbish into the said Port or Harbour, or into any Part of the said River *Boyne*, between the Entrance of the Canal aforesaid on the said River and the open Sea at the Mouth thereof, or into any Stream that empties itself therein, or on any of the Quays, Jetties, or Landing Places in the said River, Port, or Harbour, without the Consent in Writing of the said Harbour Master, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and the said Commissioners are hereby required to proceed against every such Person so offending.

Penalty for cutting Ropes.

CCXXI. And be it enacted, That if any Person (other than the Harbour Master in execution of the Powers of this Act) shall wilfully cut, break, or destroy any Rope or other Thing by which any Vessel lying in the Limits of the said Harbour shall be moored or fastened, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Remedies for Damage to Quay, &c.

CCXXII. And be it enacted, That every Master, Pilot, or other Person having the Charge of any Vessel or Float of Timber, through whose wilful Act or Negligence any Damage shall be done to the said Harbour, or the Quays or other Works of the Commissioners, by means of such Vessel or Float of Timber, shall pay for and repair all such Damage; and all such Damage, if the Amount claimed does not exceed Twenty Pounds, shall be ascertained and recovered in the same Manner as any Damages for the Recovery of which no special Provision is contained in this Act are hereby directed to be recovered; and in addition to the Remedies hereby provided for the Recovery of the same, it shall be lawful for the Justices before whom the same is recovered to cause the Vessel or Float of Timber causing such Damage, and any Tackle and Furniture thereof, to be distrained and detained until the Amount of Damage and Costs awarded by him shall be paid, and if the same shall not be paid within Seven Days after the taking of such Distress to cause the Property so distrained or any Part thereof to be sold, and out of the Proceeds of such Sale to pay the Amount of Damage and Costs awarded by such Justices, and all the Charges incurred by the Distress, Detention, and Sale of such Property.

CCXXIII. And

Penalty for destroying Works.

CCXXIII. And be it enacted, That if any Person shall wilfully and maliciously destroy, break down, or damage any of the Works in the said Port or Harbour, or any of the Piers, Quays, Vessels, or Goods or Articles, or shall remove or displace any Anchor, Buoy, Beacon, or Sea Mark, or extinguish or put out any Light used in or about the said Port or Harbour for the Protection or Assistance of Vessels resorting thereto, or maliciously cut, take, or interfere with in any Manner the Bent or other Grass to be planted or sown under the Provisions of this Act, or take away or interfere with any Mud, Stone, Gravel, Slush, or Sand within the Limits of the said Port and Harbour, without the Consent in Writing of the said Commissioners first had and obtained, such Person, being lawfully convicted of such Offence, shall forfeit and pay any Sum not exceeding Five Pounds, over and above making good the Damage thereby done; provided however, that nothing herein contained shall prevent such Owners or Lessees of adjoining Lands as can show existing Titles to such Mud, Stone, Gravel, Slush, or Sand from taking away and using the same between the Time of the passing of this Act and the Purchase of such Waste or Mud Lands by the said Commissioners; provided that the taking away of the same shall not be within Twenty Yards of nor be injurious in any Manner to any Part of the Works of the said Commissioners.

Owner or Master of Vessels answerable for Servants.

CCXXIV. And be it enacted, That the Owner or Master or Commander of every Vessel or Float of Timber shall be answerable to the Commissioners for any Damage done by such Vessel or Float of Timber, or any Person employed about the same, to the said Harbour, or any Quays, Works, or Property of the Commissioners; and all such Damage, in case the Amount claimed in respect thereof shall not exceed Five Pounds, shall be ascertained by and be recovered before any Two or more Justices; and it shall be lawful for the Harbour Master for the Time being, appointed under this Act, to detain any such Vessel until sufficient Security shall have been given for the Amount of the Damage done by the same, or by any Person employed therein.

Masters may recover from Servants.

CCXXV. And be it enacted, That if the Owner, Master, or Commander of any Vessel shall make Satisfaction for any such Damage as aforesaid done by any Person employed in such Vessel, the Person doing such Damage shall repay to the said Owner, Master, or Commander the Amount of the Damage so paid, together with the Costs (if any) incurred by him in respect of such Damage; and the Amount of such Damage, together with the Costs, shall, if such Damage does not exceed Fifty Pounds, be ascertained by and recovered before any Two or more Justices of the Peace having Jurisdiction.

Vessels to be kept for cleansing the Harbour and towing Ships, &c.

CCXXVI. And be it enacted, That, it shall be lawful to and for the said Commissioners to build or provide Vessels, to be propelled by Steam or otherwise, for the Purpose of cleansing and deepening the said River, Port, and Harbour, or any Part thereof, or of towing or hauling Ships, Barks, or other Vessels, or Rafts of Timber, into or out of the said Port and Harbour, or for either of such Purposes; and any Person or Persons requiring the Assistance of such Towing

Vessel or Vessels shall pay to the said Commissioners such reasonable Rates or Compensation for the Use thereof as shall from Time to Time be established by the said Commissioners.

Bye Laws.

CCXXVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business and the Business of their Committees, and for the Government of their Officers, Servants, or other Persons in their Employ; as also,

For governing and regulating Pilots and Rates of Pilotage;

For governing or regulating the Use of the Piers, Quays, and other Works hereby authorized to be made;

For regulating the placing and removing of Vessels entering in, lying in, or going out of the said Harbour within the Limits aforesaid, and for the good Order and Government of all such Vessels;

For regulating the Exercise of the several Powers hereby vested in the Harbour Master to be appointed by the Commissioners respectively;

For regulating the Admission of Vessels into the said Port and Harbour, and their Removal out of the same;

For regulating the shipping, unshipping, landing, warehousing, stowing, depositing, and removing of all Goods, Articles, or Things from, in, or on the Piers, Quays, Wharfs, or Warehouses of the Commissioners;

For regulating the Duties and Conduct of all Persons, as well the Servants of the Commissioners as others who shall be employed in the Quays and Premises of the Commissioners;

For regulating the Use of Fires, Candles, and Lamps within the said Port and Harbour and the Premises belonging thereto, and within any Vessels being within One hundred Yards of the Piers, Quays, or Works of the Commissioners;

For preventing Damage or Injury to any Vessel, Goods, Articles, or Things in or on the Premises belonging to the Commissioners;

For regulating the Use of the Cranes, Weighing Machines, Weights, and Measures belonging to the Commissioners, and the Duties and Conduct of all Weighers and Meters appointed by them;

For regulating the Duties and Conduct of the Carriers employed on the Premises of the Commissioners, and fixing the Rates to be paid to them for carrying any Goods, Articles, or Things from or to the same:

And it shall be lawful for the Commissioners, from Time to Time as they shall think fit, to repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Laws of *Ireland* or the Provisions of this Act, and be reduced into Writing, and have affixed thereto the Names of any Seven of the Commissioners, and if affecting other Persons than the Officers or Servants of the Commissioners, be printed and published as herein provided.

Bye Laws may be enforced by Penalties.

CCXXVIII. And be it enacted, That it shall be lawful for the Commissioners, by the Bye Laws so to be made by them, to impose such

such reasonable Penalties as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby is sought to be recovered to order the Whole or Part only of such Penalty to be paid.

Bye Laws to be confirmed.

CCXXIX. And be it enacted, That no Bye Law which shall be made by the Commissioners under the Authority of this Act, or their Officers or Servants, shall be valid or binding unless the same shall be allowed by some Judge of one of the Superior Courts, or by the Justices assembled at some General or Quarter Sessions of the Peace for the County of the Town of *Drogheda*; and it shall be incumbent on such Justices, on the Request of the Commissioners, to inquire into any Bye Laws which may be tendered to them for that Purpose, and to allow or disallow the same, if they shall think fit: Provided always, that no such Bye Law shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more Newspapers of the County of the Town of *Drogheda* One Month at least before the Hearing of such Application; and any Person aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the Commissioners Ten Days before the Hearing of such Application, may, by himself or his Attorney or Agent, be heard thereon, but not so as to allow more than One Party to be heard on the same Matter of Objection.

A Copy of proposed Bye Laws to be open to Inspection.

CCXXX. Provided always, and be it enacted, That for One Month at least previous to any such Application a Copy of such proposed Bye Laws shall be kept at the principal Office of the said Commissioners, and it shall be lawful for all Persons at all seasonable Times to inspect such Copy, without Fee or Reward, and to be furnished by the Commissioners with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every One hundred Words.

Publication of Bye Laws.

CCXXXI. And be it enacted, That such Bye Laws, when confirmed, shall be printed on Paper and pasted on Boards, or be painted on Boards, and hung up, affixed, and continued on the Front or some conspicuous Part of the Quays of the said Harbour, according as such Bye Laws may relate to the said Port and Harbour, and such Boards shall be from Time to Time renewed as often as the same or any Part thereof may be obliterated or destroyed.

Bye Laws to be binding on all Parties.

CCXXXII. And be it enacted, That such Bye Laws, when so confirmed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Evidence of Bye Laws.

CCXXXIII. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the Commissioners, authenticated by the Signatures of Three of the Commissioners, shall be Evidence of the Existence and of the due Making of such Bye Laws in all Prosecutions under the same; and with respect to the Proof of the Publication thereof, it shall be sufficient that a printed or painted Copy thereof were affixed or continued in the Manner by this Act directed;

directed; and in case of any of such Boards being afterwards destroyed or obliterated, it shall be sufficient to prove that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such Boards did not contain a Copy of the Bye Law under which he shall be prosecuted, or that Boards were not affixed or continued to be affixed as required by this Act.

Penalty on pulling down Boards used for Publication of Bye Laws.

CCXXXIV. And be it enacted, That any Person who shall destroy, pull down, injure, or deface any Board on the Premises of the Commissioners on which any Bye Law of the Commissioners or any Rate to be taken under this Act shall be stated, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Provision for Damages not otherwise provided for.

CCXXXV. And be it enacted, That in all Cases where any Damages or Charges are by this Act directed or authorized to be paid, and the Method of ascertaining the Amount thereof is not provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by Two or more Justices; and when by this Act any Damages or Charges are directed to be paid in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Justices by whom the Offender shall be convicted of such Offence; and on Nonpayment of the Damages or Charges in any of the Cases aforesaid, on Demand, the same shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

Distress against Commissioners.

CCXXXVI. And with respect to any Sum of Money under the Provisions of this Act adjudged by any Justices to be paid by the Commissioners, for which no other Mode of Proceeding is provided by this Act, be it enacted, That if such Money be not paid by the Commissioners to the Party entitled to receive the same within Thirty Days after Demand thereof in Writing, stating the Order of the Justices for the Payment of such Money, the Amount may be recovered by Distress of the Property or Goods of the said Commissioners, and the Justices by whom such Sum of Money shall have been ordered to be paid, or any other Justice, on Application, shall issue his Warrant accordingly.

Penalties to be summarily recovered before One Justice or more.

CCXXXVII. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance thereof, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before any Two or more Justices having Jurisdiction, and on the Complaint being made to any Justice or Justices he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party

Party offending, it shall be lawful for any Two or more Justices to proceed to the Hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any such Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justices shall think fit.

Penalties may be levied by Distress.

CCXXXVIII. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture, and of such Costs as aforesaid, be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any such Justice or Justices shall issue his or their Warrant of Distress accordingly.

Imprisonment in default of Distress.

CCXXXIX. And be it enacted, That it shall be lawful for the Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justice or Justices, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security, but if, before issuing such Warrant of Distress, it shall appear to the Justices, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, then such Justices shall, by Warrant, cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Penalties to be sued for within Six Months.

CCXL. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before Two or more Justices, unless the Complaint respecting such Offence shall have been made before such Justices within Six Months next after the Commission of such Offence.

Penalty on Witnesses making default.

CCXLI. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which he shall have Jurisdiction, and if any Person who shall be summoned as a Witness before any Justice or Justices touching such Matter shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath, or to

give Evidence before such Justices, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Transient Offenders.

CCXLII. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Commissioners, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before some Justice without any Warrant or other Authority than this Act, and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

Form of Conviction.

CCXLIII. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (E.) to this Act annexed.

Informalities.

CCXLIV. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Distress, how to be levied.

CCXLV. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress not unlawful for Want of Form.

CCXLVI. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Parties may appeal to Quarter Sessions on giving Security.

CCXLVII. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justices under the Provisions of this Act, he may appeal to the General Quarter Sessions for the County in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless

the Appellant forthwith after such Notice enter into Recognizances with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to make such Order as they think reasonable.

CCXLVIII. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the Hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

Costs.

Commissioners may direct Prosecutions for Nuisances.

CCXLIX. And be it enacted, That the said Commissioners at any Meeting may direct Prosecutions by Indictment or otherwise against the Offender or Offenders for any Nuisance or other Offence done, committed, or continued in or upon the said River, Port or Harbour, or any Quays, Wharfs, or Piers adjoining thereto, or for any Injury or Damage occasioned to the Navigation of the said Port or Harbour, and to defray the Costs of any such Proceeding out of the Premises belonging to the said Commissioners.

Not to extend to Vessels in her Majesty's Service.

CCL. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, or any Vessel employed in or upon Her Majesty's Service, or of the Ordnance, Customs, or Excise, or of Her Majesty's Postmaster General: Provided always, that if any Person shall claim or take the Benefit of any such Exemption as aforesaid without being entitled thereto, every such Person for every such Offence shall forfeit any Sum not exceeding Five Pounds.

Not to affect the Rights of any other Person to Mud Lands.

CCLI. Provided also, and be it enacted, That nothing in this Act contained shall in anywise, save as afore mentioned, affect any Estate, Claim, Right, Title, or Interest of any Person or Persons in or to or relating to any of the Strand, Mud Land, or other Land or Ground lying between High and Low Water Mark within the Limits of the said River, Port, or Harbour, but that the same shall be and remain as if this Act had not been passed, save and except as to such Right, Title, and Interest as the said Commissioners may acquire therein, by Purchase or otherwise, under the Powers herein contained, and provided no Embankment or other Work or Works be made or erected thereon, or on the Side or Sides thereof, which would interfere with, damage, or impede the Works by this Act authorized to be made, or the Navigation of the said River, Port, or Harbour.

Interpretation of Act.

CCLII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them,

them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender shall include Females:

The Word "Person" shall include Corporation, whether Aggregate or Sole:

The Word "Month" shall mean Calendar Month:

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Dublin*:

The Word "Oath" shall include Affirmation in the Case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of Persons exempted by Law from the Necessity of taking an Oath:

The Word "Secretary" shall include the Word Clerk:

The Word "Lands" shall extend to Lands, Tenements, and Hereditaments of any Tenure:

The Word "Justices" shall mean Justice of the Peace for the County or Place where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter:

The Expression "the Commissioners" shall mean the Commissioners for the Improvement of the said Port and Harbour of *Drogheda*:

The Word "Vessel" shall include Ship, Lighter, Vessel, Barge, and Boat.

Expences of this Act how to be defrayed.

CCLIII. And be it enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing this Act, and incurred preparatory thereto, and in the Execution thereof, together with Interest on any Monies advanced for that Purpose, shall be paid, discharged, and defrayed out of the First Monies to arise or be raised by virtue of this Act.

Public Act.

CCLIV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Mortgage.

We the Commissioners for improving the Port and Harbour of Drogheda, by virtue of an Act made in the Year of the Reign of Queen Victoria, intituled "An Act [*here set forth the Title of this Act*], in consideration of the Sum of £ advanced and lent by of upon the Credit and for the Purposes of the said Act, do hereby grant and assign to the said *or* to his Trustees [*as the Case may be*], his Executors, Administrators, and Assigns, such Proportion of the Rates and Duties payable to us by virtue of the said Act as the said Sum of £ doth or shall bear to the Whole Sum which may at any Time be borrowed, or become due or owing, or be charged upon the Credit of the said Act, to be holden from this Day of until the Sum of £ with Interest at the Rate of per Centum per Annum for the same, shall be repaid and satisfied. In witness whereof we the said Commissioners have hereunto set our Hands and Seals, the Day of in the Year of our Lord . And every such Security shall be good, valid, and effectual, and shall entitle the Person to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profits and Advantages therein, according to the true Intent and Meaning of this Act and as so expressed in such Security.

SCHEDULE (B.)

Form of Bond.

The Drogheda Harbour Commissioners.

Bond £

By virtue of an Act passed, *&c.*, intituled, *&c.*, we "The Commissioners of the Port and Harbour of Drogheda," in consideration of

of the Sum of Pounds to us in Hand paid by *A. B.* of do bind ourselves and our Successors unto the said *A. B.*, his Executors, Administrators, and Assigns, in the penal Sum of Pounds.

The Condition of the above Obligation is such, that if the said Commissioners shall pay to the said *A. B.*, his Executors, Administrators, or Assigns, on the Day of which will be in the Year One thousand eight hundred and the Principal Sum of Pounds, together with Interest for the same at the Rate of Pounds per Centum per Annum, payable half-yearly on the Day of and the Day of then the above-written Obligation is to become void, otherwise to remain in full Force. Given under our Hands and Seals, this Day of One thousand eight hundred and .

SCHEDULE (C.)

Form of Transfer of Mortgage.

I being entitled to the Sum of £ secured to his Executors, Administrators, and Assigns, by virtue of an Assignment or Bond [*as the Case may be*], bearing Date the Day of from the Commissioners for improving the Port and Harbour of Drogheda, do hereby transfer all my Right, Title, and Benefit in said Sum, and all Interest and other Money now due and owing thereon, unto his Executors and Assigns.

In witness whereof I have hereunto set my Hand and Seal, this Day of in the Year of our Lord .

SCHEDULE (D.)

Form of Conveyance.

I of in consideration of the Sum of paid to me [*or, as the Case may be*, into the Bank of Ireland, in the Name and with the Privity of the Accountant General of the Court of Chancery, ex parte "The Commissioners for improving the Port and Harbour of Drogheda," or to *A. B.* of and *C. D.* of Two Trustees appointed to receive the same], pursuant to an Act passed in the Year of the Reign of Queen Victoria, intituled [*here insert the Title of this Act*], by the [*here name the Commissioners*] incorporated by the said Act, do hereby convey to the said Commissioners, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with

all Ways, Rights, and Appurtenances thereto belonging, and all such Estate, Right, Title, and Interest in and to the same, as I am or shall become seised or possessed of, or am by the said Act empowered to convey; to hold the Premises to the said Commissioners, their Successors and Assigns for ever, according to the true Intent and Meaning of the said Act.

In witness whereof I have hereunto set my Hand and Seal, the Day of in the Year of our Lord .

SCHEDULE (E.)

Form of Conviction.

County of } BE it remembered, That on the Day of in the Year of our Lord *A.B.* of is this Day convicted before us, *C.D.* and *E.F.*, Her Majesty's Justices of the Peace for the County of of having [*specifying the Offence, and Time and Place when and where the same was committed, as the Case may be*], contrary to the Form of the Statute passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here set forth the Title of this Act*]; and we do adjudge him, her, or them to pay and forfeit for the same a Sum of or be committed to [*Place of Imprisonment*] for the Term of [*Time of Imprisonment*]. Given under our Hands and Seals, the Day and Year aforesaid.

SCHEDULE (F.)

Duties, &c.

	s.	*d.*
Acid, per Pipe - -	0	3
Ditto, per Carboy -	0	0¼
Anchors, each - -	0	6
Apples, per Hogshead -	0	1
Ditto, per Barrel or Hamper - - -	0	0½
Alum, per Ton - -	0	2
Alabaster, per Ton - -	0	1½
Ashes, Pot or Pearl, per Barrel - - -	0	1
Ditto, Dantzig, per Barrel -	0	0¾
Barilla, per Ton - -	0	3
Bark, per Ton - -	0	3
Bacon, per Bale or Tierce -	0	0½
Beef, per Tierce - -	0	0½
Ditto, per Barrel - -	0	0¼
Beef, per Half Barrel -	0	0¼
Butter, per Firkin - -	0	0¼
Ditto, per Half Ditto, or Crocks - - -	0	0⅛
Barley, per Ton - -	0	2
Beer or Ale, per Hogshead -	0	1½
Ditto, per Barrel - -	0	1
Brimstone, per Ton - -	0	2
Blacking, per Hogshead -	0	3
Brick, Fire, per Thousand -	0	4½
Ditto, for building -	0	3
Bearers or Blocks, each -	0	0⅛
Blue, in Boxes, each -	0	0⅛
Boilers, each - -	0	6
Ditto, Steam - -	2	6
Barm, per Puncheon -	0	2
Bran, per Ton - -	0	1

	s.	d.
Books and Stationery, per Package - -	0	1½
Coals, per Ton - -	0	1½
Cotton, in Packages, each -	0	2
Cotton Wool and Waste, per Bale - - -	0	1½
Copper Dross, per Ton -	0	2
Copper, in Ingots, Tile, or Sheets, per Ton -	0	6
Cheese, per Ton - -	0	6
Copperas, per Ton - -	0	2
Clay, per Ton - -	0	1½
Candlewick, per Bale -	0	2
Candles, per Box - -	0	0¼
Coaches or Chariots, each -	2	6
Coffee, per Ton - -	0	6
Carts, each - -	0	3
Cement, per Ton - -	0	2
Canvas, per Bale - -	0	2
Cider, per Pipe - -	0	2
Ditto, per Hogshead -	0	1
Cork Wood, per Ton -	1	3
Cables (Chain), per Ton -	0	6
Ditto (Hempen), per Ton -	0	6
Cordage, per Ton - -	0	6
Colours, per Ton - -	0	6
Clover Seed, per Sack -	0	1½
Cream of Tartar, per Ton -	0	6
Calf Skins, per Bundle - -	0	0¼
Cattle (Black), Bulls, Oxen, or Cows, each - -	0	1½
Drugs, per Hogshead -	0	6
Ditto, per Tierce - -	0	4½
Ditto, per Barrel - -	0	3
Ditto, per Firkin -	0	1
Dye Stuffs, per Hogshead -	0	2
Ditto, per Tierce - -	0	1½
Ditto, per Barrel - -	0	1
Dye Wood, per Ton - -	0	3
Dust (Founders), per Hogshead - - -	0	1½
Eggs, per Package - -	0	1
Earthenware, per Load -	1	3
Ditto, per Crate and Hogshead - - - -	0	2
Ditto, per Tierce - -	0	1½
Fruit (dry), per Ton - -	1	0
Flour, per Ton - - -	0	2
Furniture, per Package -	0	3
Freestone, per Ton - -	0	1½
Flax, Hemp, and Tow, per Ton - - - - -	0	6
Flax Seed, per Hogshead and Bag - - - -	0	1
Flax Seed, per Barrel -	0	0½
Flags, per Ton - -	0	1½
Feathers, per Bale - -	0	4½
Fowls, per Crate - -	0	1
Fish, dry, per Ton - -	0	4
Ditto, per Hogshead -	0	2
Ginger, per Ton - - -	0	9
Guns, in Cases, each - -	0	3
Gums (British), per Ton -	0	3
Gums (Foreign), per Ton -	0	6
Gunpowder, per Cask -	0	1
Glass, per Hogshead -	0	3
Ditto, per Crate or Tierce -	0	2
Glass Bottles (Wine), per Gross - - -	0	0½
Ditto Carboys, each -	0	0¼
Grindstone - - -	0	1
Greaves, per Ton - -	0	2
Gigs and Cars, each -	1	3
Garden Seeds, per Sack -	0	1½
Ditto, per Bag - -	0	1
Hardware, per Hogshead -	0	4
Ditto, per Tierce - -	0	3
Ditto, per Barrel - -	0	2
Hosiery, per Bale or Package	0	3
Hair, per Bale - -	0	2
Hats, per Package - -	0	3
Hatters Stuff, per Hogshead -	0	1½
Herrings, per Barrel - -	0	0½
Hops, per Pocket or Bag -	0	2
Hoops, Hhd., per Thousand -	0	6
Ditto, Tierce, per Thousand	0	4
Ditto, Barrel, per Thousand	0	3
Ditto, Half Barrel, per Thousand - -	0	2
Ditto, Firkin, per Thousand - - -	0	1½
Hides (Cow or Ox), each -	0	0¼
Ditto, Kips, each - -	0	0⅛
Haberdashery, per Package -	0	3
Hams, per Hogshead - -	0	1½
Ditto, per Tierce - -	0	1
Horses, Mares, or Geldings, each - - -	0	3
Hay, per Truss - -	0	0½
Hemp, Flax, or Tow, per Ton	0	6
Indian Corn, per Ton -	0	2
Iron (Pig), per Ton - -	0	1½
Ditto (Bar), per Ton - -	0	2
Ditto (Castings), per Ton -	0	3
Indigo, per Chest - -	0	3
Jewellery, per Case - -	0	6

	s.	d.
Kelp, per Ton - - -	0	2
Leather, per Package -	0	1½
Lead, per Ton - -	0	4½
Lemons or Oranges, per Chest	0	1½
Ditto, per Box - -	0	1
Liquor, per Pipe or Puncheon	0	2
Lamp Black, per Cask -	0	2
Liquorice, per Case - -	0	1
Liquorice, per Box -	0	1½
Lard, per Firkin - -	0	0¼
Ditto, per Hogshead -	0	2
Ditto, per Tierce - -	0	1½
Linens, per Package -	0	2
Lime, per Hogshead - -	0	1½
Limestone, per Ton (free).		
Mahogany, per Ton -	0	6
Machinery, per Case -	0	3
Molasses, per Puncheon -	0	2
Ditto, per Hogshead -	0	1½
Malt, per Ton - -	0	2
Manganese - -	0	2
Marble, per Case - -	0	4
Ditto, per Ton - -	0	3
Mats, per Bundle - -	0	0¼
Millstones, each - -	0	6
Mustard, per Keg - -	0	0¼
Mules and Asses, each -	0	3
Madder, per Hogshead -	0	4½
Nuts, per Bag or Barrel -	0	1
Oil, per Hogshead or Pipe -	0	3
Ditto, per Barrel - -	0	1½
Ditto, per Chest - -	0	0½
Ditto, per Jar - -	0	0½
Oats, per Ton -	0	1½
Oatmeal, per Ton - -	0	2
Onions, per Basket - -	0	0¼
Oakum - - -	0	2
Oranges and Lemons, per Chest - - -	0	1½
Ditto, per Box - -	0	1
Paper, per Package - -	0	1½
Paints, per Ton - -	0	6
Peas, per Ton - -	0	2
Pepper, per Bag - -	0	1½
Pork, per Tierce - -	0	0½
Ditto, per Barrel - -	0	0¼
Ditto, per Half Barrel -	0	0¼
Porter, per Hogshead -	0	1½
Ditto, per Barrel - -	0	1
Potatoes, per Ton - -	0	1½
Pitch, per Barrel - -	0	0½

	s.	d.
Pianofortes, each - -	0	6
Pigs, each - - -	0	0½
Planks, per Load of 50 Cubic Feet - - -	0	4
Quicksilver, per Bottle -	0	0½
Rags, per Bale - -	0	1½
Reeds (Cane), per Bundle -	0	0¼
Rice, per Ton - - -	0	6
Rum and other Spirits, per Puncheon - - -	0	2
Ditto Ditto, per Hogshead	0	1½
Rosin, per Barrel - -	0	0½
Rye, per Ton - -	0	2
Skins, per Bundle - -	0	0½
Saddlery, per Package -	0	3
Shot (Lead), per Ton -	0	6
Salt, per Ton - -	0	1½
Salts (Bleachers), per Cask -	0	1
Saltpetre, per Ton - -	0	6
Sheep and Lambs - -	0	0¼
Soap, per Box - -	0	0¼
Ditto, Black, per Firkin -	0	0¼
Smalts, per Cask - -	0	1½
Staves (Pipe), per 120, above 50 Inches long - -	0	2½
Ditto, (Pipe) per 120, under 50 Inches - -	0	2
Ditto Hogshead, per 120 -	0	1
Ditto Barrel, per 120 -	0	0½
Slates, per Ton - -	0	1½
Sugar, per Hogshead -	0	4
Ditto, per Tierce - -	0	3
Ditto, per Barrel or Bag -	0	1
Sugar Candy, per Box -	0	1
Starch, per Hogshead -	0	2
Ditto, per Tierce - -	0	1½
Ditto, per Box - -	0	1
Shooks, Puncheon or Barrel, per Bundle - -	0	0½
Tea, per Quarter Chest -	0	1
Turpentine (Spirits of), per Puncheon - -	0	3
Ditto, raw, per Barrel -	0	0½
Tiles, per Thousand -	0	3
Tin Plates, per Box - -	0	0¼
Tin Blocks, each - -	0	0½
Tar, per Barrel - -	0	0½
Tallow, per Cask - -	0	1½
Tobacco, per Hogshead -	0	4
Thread, per Box - -	0	1½
Timber, per Load of 50 Feet	0	4

	s.	d.
Deals, per 120 - -	0	9
Deal Ends, per 120 - -	0	3
Ditto Battens, per 120 -	0	6
Ditto Batten Ends, per 120	0	2
Vitriol (Oil of), per Bottle -	0	0¼
Vinegar, per Pipe - -	0	2
Ditto, per Hogshead -	0	1½
Woollens, per Package -	0	3
Whiskey, per Puncheon -	0	2
Ditto, per Hogshead -	0	1½
Wine, per Pipe - -	0	3
Ditto, per Hogshead -	0	2
Ditto, per Case or Quarter Cask - - -	0	1½
Wheat, per Ton - -	0	2
Whiting, per Barrel -	0	0¼
Wool, per Bale - -	0	1½
Yarn, per Bale - -	0	2
Ditto, per Skip - -	0	1½
Ditto, per Beam - -	0	1
Yeast, per Puncheon -	2	0

SCHEDULE (G.)

Containing the Rates of Pilotage at the Harbour of Drogheda.

Registered Tonnage.	No. 1. Vessels not having British Registers arriving from or sailing on a Foreign Voyage.			No. 2. Vessels with British Registers arriving from or sailing on a Foreign Voyage.			No. 3. Vessels not Steamers trading to or from a Port in the United Kingdom.		
	£	s.	d.	£	s.	d.	£	s.	d.
30 and under 40	0	12	0	0	9	0	0	6	0
40 — 50	0	15	0	0	11	3	0	7	6
50 — 60	0	18	0	0	13	6	0	9	0
60 — 70	1	1	0	0	15	9	0	10	6
70 — 80	1	4	0	0	18	0	0	12	0
80 — 90	1	7	0	1	0	3	0	13	6
90 — 100	1	10	0	1	2	6	0	15	0
100 — 110	1	13	0	1	4	9	0	16	6
110 — 120	1	16	0	1	7	0	0	18	0
120 — 130	1	19	0	1	9	3	0	19	6
130 — 140	2	2	0	1	11	6	1	1	0
140 — 150	2	5	0	1	13	9	1	2	6
150 — 160	2	8	0	1	16	0	1	4	0
160 — 175	2	11	0	1	18	3	1	5	6
175 — 200	2	14	0	2	0	6	1	7	0
200 — 225	2	17	0	2	2	9	1	8	6
225 — 250	3	0	0	2	5	0	1	10	0
250 — 275	3	3	0	2	7	3	1	11	6
275 — 300	3	6	0	2	9	6	1	13	0
300 — 325	3	9	0	2	11	9	1	14	6
325 — 350	3	12	0	2	14	0	1	16	0
350 — 375	3	15	0	2	16	3	1	17	6
375 — 400	3	18	0	2	18	6	1	19	0
400 and upwards	4	1	0	3	0	9	2	0	6

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