ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 76.

An Act for regulating the Police of the Town and Liberties of *Kinſale*, and for the Regulation and Improvement of the Port and Harbour of the ſaid Town, and of the Fiſheries thereof; and for other Purpoſes therein mentioned. [20th *May* 1809.]

WHEREAS the Town of *Kinſale* is a very ancient Town, and is daily increaſing in Extent and Population: And whereas by a Charter of her late Majeſty Queen *Elizabeth*, made in the Thirtieth Year of her Reign, reciting former Charters of King *Edward* the Third and King *Edward* the Fourth, divers Powers, Privileges, Immunities, and Authorities were confirmed, granted, and given to the Sovereign, Burgeſſes, and Commonalty of the ſaid Town, and amongſt ſuch Powers, that the ſaid Sovereign ſhould have the Aſſize of Bread, and the Cuſtody and Aſſize of Meaſures and Weights, and all other Things to the Office of Clerk of the Market or of Meaſures and Weights belonging, to have and exerciſe, and the Tranſgreſſion and Defect thereof to puniſh, correct, and rectify for ever; and that the ſaid Sovereign ſhould be Eſcheator, Keeper of the Peace, or Admiral of the Town aforeſaid: And whereas ſuch Charters have been found inſufficient for ſeveral of the Purpoſes thereby intended, and it is deemed expedient for the Advantage and Benefit of the ſaid Sovereign, Burgeſſes, and Commonalty, and of the Inhabitants in general of the ſaid Town and its

Liberties, that ſo much of the ſaid Charters as relates to the Police of the ſaid Town and its Liberties, and its Markets, Port, Harbour, and Fiſheries, ſhould be extended, and that further and better Proviſion ſhould be made for thoſe Purpoſes: But ſuch ſeveral Purpoſes 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 King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, no Perſon ſhall make or bake for ſale, or ſell or expoſe to ſale any Bread in the ſaid Town and Liberties of *Kinſale*, unleſs ſuch Perſon ſhall firſt regiſter his or her Name and Place of Abode with the Town Clerk of the ſaid Town, and ſhall make and ſubſcribe the following Affidavit before the Sovereign of the ſaid Town:

Bakers to regiſter their Names and Abode.

Oath.

'I *A. B.* do ſwear, That I will not enter into any unlawful Combination 'to raiſe the Price of Bread, or of Corn, Meal or Flour, or to bake 'only a limited Quantity, or to deſiſt from baking; and that I will not 'knowingly make or bake for ſale, or ſell or expoſe to ſale, or procure 'to be made or baked for ſale, or ſold for my Uſe or Benefit, any Bread 'into which any other Ingredient or Mixture ſhall be put ſave only the 'genuine Flour or Meal of Corn, and Water, Salt, Barm, Leaven or 'Yeaſt, and Eggs and Milk.'

Oath to be depoſited with Town Clerk.

And depoſit the ſame with the ſaid Town Clerk, to be kept and filed by him in his Office.

Penalty on Baker omitting to comply as aforeſaid.

II. And be it further enacted, That if any Perſon ſhall, after the Time aforeſaid, neglect to regiſter and to take the ſaid Oath, and ſhall make or bake for ſale, or ſhall ſell or expoſe to ſale, or cauſe to be ſold any Bread within the ſaid Town and Liberties of *Kinſale*, without having firſt regiſtered his or her Name, and made the Affidavit as aforeſaid, he, ſhe, or they, ſhall forfeit all ſuch Bread ſo by him, her, or them, expoſed to ſale, and alſo the Sum of Ten Shillings for every Day he or ſhe ſhall make or bake for ſale or ſell or expoſe to ſale therein, any Bread without regiſtering his, her, or their Name, and making ſuch Affidavit, to be recovered and applied as is herein-after mentioned.

Loaves to be marked.

III. And be it further enacted, That every Perſon or Perſons who ſhall, from or after the Time aforeſaid, make or bake for ſale, or ſell or expoſe to ſale, within the ſaid Town and Liberties of *Kinſale*, any Sort of Bread made of the Flour of Wheat, ſhall from Time to Time cauſe to be fairly imprinted or marked on every Loaf of ſuch Bread, the Name of the Baker and the Quality of ſuch Bread, whether Houſehold or White, and the Weight thereof.

Penalty on Loaves not marked.

IV. And be it further enacted, That if any Perſon or Perſons ſhall after the Time aforeſaid make or bake for ſale, or ſell or expoſe to ſale any Loaf within the ſaid Town and Liberties of *Kinſale*, on which the real Name of the Perſon who baked ſuch Loaf ſhall not be marked as aforeſaid, or ſhall not be of the Weight mentioned thereon, he, ſhe, or they ſo offending, and being thereof convicted in the Manner herein mentioned, ſhall forfeit for every ſuch Offence the Sum of Ten Shillings, to be recovered and applied as herein is mentioned.

V. And

Sovereign may ſeize Bread not marked, or not Weight.

V. And be it further enacted, That from and after the Time aforeſaid, it ſhall and may be lawful for the Sovereign of the ſaid Town of *Kinſale* in Perſon, in the Day-time, to ſeize and take every Loaf of Bread which ſhall at any Time or Times be found in the Poſſeſſion of ſuch regiſtered Baker, or expoſed to ſale by any Perſon within the ſaid Town and Liberties, not marked as herein-before directed, or not of the Weight marked thereon; and then and in every ſuch Caſe all ſuch Bread ſhall be forfeited, and the ſame ſhall be given away to the Perſon informing, or to and amongſt the Poor of the ſaid Town and Liberties, or ſhall be in ſuch other Manner diſpoſed of as the ſaid Sovereign ſhall direct.

How to be diſpoſed of.

Search to be made for Ingredients making into Bread, and to weigh all made, &c.

VI. And be it further enacted, That from and after the Time aforeſaid, it ſhall and may be lawful to and for the ſaid Sovereign, at all Times hereafter, in the Day-time, to enter any Houſe, Outhouſe, Shop or other Place, belonging to any Perſon who ſhall make or bake for ſale, or who ſhall ſell or expoſe to ſale any Bread within the ſaid Town and Liberties, and there to ſearch and examine into the Ingredients which he ſhall find any ſuch Perſon uſing in making Bread, or which ſuch Perſon hath uſed in making Bread, and to view, weigh, and try all Bread which ſhall on ſuch Search be found; and if, on ſuch Search, any Dough or Bread ſhall be found deficient in the Goodneſs of the Materials of which it is made, or in the due working or baking thereof, or which being baked ſhall be of other Weight than one of thoſe herein-after mentioned, or not duly marked, or in which any Ingredients not herein allowed to be uſed ſhall be made uſe of, then and in every ſuch Caſe it ſhall and may be lawful for the ſaid Sovereign to ſeize ſuch Ingredients, Dough and Bread, and to diſpoſe of the ſame in ſuch Manner as he ſhall think fit; and every Perſon in whoſe Cuſtody ſuch Ingredients, Dough, or Bread ſhall be found, or who ſhall wilfully oppoſe, reſiſt, hinder or obſtruct any ſuch Search as aforeſaid, and be thereof convicted in Manner herein-mentioned, ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings, at the Diſcretion of the ſaid Sovereign, to be recovered and applied in Manner as herein directed.

Weight of Loaves to be marked.

VII. And be it further enacted, That all Bread which ſhall be baked by any ſuch Baker, or ſold or expoſed to ſale by him or her within the ſaid Town and Liberties, ſhall be made up in Loaves of the Weights following only, and none other; (that is to ſay), of the Weight of Twelve Pounds, or Nine Pounds, or Six Pounds, or Four Pounds, or Three Pounds, or Two Pounds, or One Pound, each Loaf; and the Weight reſpectively ſhall be marked thereon by a Figure, expreſſing the Number of Pounds as aforeſaid, in like Manner and under the like Penalties as are enacted hereby reſpecting the putting Bakers Names thereon.

Penalty for each Loaf made of other Weight.

VIII. And be it further enacted, That if any Baker or other Perſon ſhall bake, or make for ſale, or ſell or expoſe to ſale, within the ſaid Town and Liberties, any Bread which ſhall be of other Weights than one of thoſe afore-mentioned, and being thereof convicted as herein-after is directed, ſuch Baker or other Perſon ſhall forfeit the Sum of Five Shillings for every Loaf of ſuch Bread; the ſaid Penalty to be recovered and applied as herein-after is directed: Provided always, that ſuch Bread ſhall be weighed within Three Days after the ſame ſhall be baked or expoſed to ſale.

IX. Provided

Forfeitures incurred through wilful Neglect of Journeymen may be recovered from him.

IX. Provided always, and be it further enacted, That if any Perſon, who ſhall ſuffer any Forfeiture or Penalty under this Act as aforeſaid, ſhall ſatisfy the ſaid Sovereign, by the Oath of one credible Witneſs, that ſuch Forfeiture or Penalty was incurred through the wilful Neglect or Default of any Journeyman or Servant employed by him or her, ſuch Journeyman or Servant ſhall forfeit or pay ſuch Sum or Sums to his or her Employer, as he or ſhe ſhall be adjudged by the ſaid Sovereign to have ſuffered by ſuch wilful Neglect or Default.

Fee to the Town Clerk on each Regiſtry.

X. And be it further enacted, That it ſhall and may be lawful for the ſaid Town Clerk to aſk, demand, and receive, of and from each and every Perſon who ſhall as aforeſaid ſo regiſter his or her Name with him, the Sum of Three Shillings and Four-pence for his Trouble in drawing the foregoing Affidavit, filing the ſame, and on ſuch Regiſtry.

The Trial of Offences.

Recovery of Penalties.

Application thereof.

XI. And be it further enacted, That all Offences againſt the beforementioned Proviſions of this Act ſhall be tried in a ſummary way before the ſaid Sovereign; and the ſeveral Penalties and Forfeitures herein-before mentioned ſhall be recovered upon Conviction by the Confeſſion of the Parties, or by the Oath, or (if a Quaker) by the Affirmation of one credible Witneſs, before the ſaid Sovereign, and ſhall be levied, if not paid upon Conviction, by Diſtreſs upon the Goods and Chattels of the Offender by Warrant under the Hand and Seal of the ſaid Sovereign, and by the Sale thereof, returning the Overplus to the Owner; ſuch Fines and Forfeitures to be given to the Poor of the ſaid Town and Liberties, or to the Informer, in ſuch Manner and Proportion as the ſaid Sovereign ſhall direct, or it ſhall be lawful for the ſaid Sovereign, upon Non-payment thereof, upon Conviction to commit the Offender by Warrant under his Hand and Seal to the Gaol of the ſaid Town, for any Time not more than Two Calendar Months, or until ſaid Fine be paid.

Not to extend to French Rolls, &c.

XII. Provided always, That nothing herein-before contained ſhall be conſtrued to extend to French Rolls and Muffins, Bakers Cakes, Sweet Cakes, Penny Rolls, or Biſcuits.

Sovereign and Grand Jury of the Corporation to licenſe and fix Fares for Sedans, &c.

XIII. And whereas ſeveral Perſons have for ſome Years paſt kept Chairs or Sedans to ply for Hire within the ſaid Town of *Kinſale* and the Liberties thereto adjoining: And whereas the regulating the Rates and Fares of the ſaid Chairs or Sedans, and of the Owners and Carriers of the ſame, in the ſaidTown and Liberties, will prevent many Impoſitions being made on the Inhabitants of the ſaid Town and Liberties; be it therefore further enacted, That the Sovereign and Grand Jury of the Corporation of the ſaid Town, at any Court of D'Oyer Hundred to be holden therein, ſhall from henceforth have full Power from Time to Time to make, conſtitute and ordain ſuch Rules, Orders, Regulations and Bye Laws, for licenſing and for aſſeſſing and fixing the ſeveral Rates, Fares and Prices to be paid to the ſaid Carriers of the ſaid Chairs or Sedans, by the Day or Hour, or by the Set-down to or from any Part or Parts within the ſaid Town, or within the Liberties of the ſaid Town adjoining, and to adjudge the ſeveral Diſtances within the ſaid Town and Liberties, for which the ſaid Rates, Fares and Prices ſhall be paid, and for regulating the Conduct of ſuch Perſon or Perſons owning, keeping or carrying Chairs

Chairs or Sedans or plying for Hire therewith, within the said Town and Liberties, as to them shall seem meet.

also Coal Measurers, Porters, and Carriers.

XIV. And, for preventing of Frauds and Misconduct in and by Measurers, Porters, and Carmen of Coals in the said Town and Liberties of *Kinsale*, be it further enacted, That the said Sovereign and Grand Jury of the Corporation of the said Town, at any Court of D'Oyer Hundred to be holden therein, shall from thenceforth have full Power also from Time to Time to make, constitute and ordain such Rules, Orders, Regulations and Bye Laws for licensing and for assessing and fixing the Wages and Prices to be paid to and for regulating the Conduct of such Measurers, Porters and Carmen employed in the Measurement or Carriage of Coals, and of adjudging the several Distances for which such Wages and Prices shall be paid to them within the said Town and Liberties, as to them shall seem meet, which Rules, Orders, Regulations and Bye Laws, with respect to the said Owners and Carriers of Sedans or Chairs, and with respect to the said Measurers, Porters, and Carmen of Coals, shall be of the same Force and Efficacy as if herein particularly set forth and enacted.

Licences to be granted without Fee or Reward.

XV. Provided always, and be it further enacted, That any Licence which may be granted by virtue of this Act to the said Owners and Carriers of Chairs or Sedans, and to the said Measurers, Porters, and Carmen of Coals, shall be granted unto them respectively without any Fee or Reward whatsoever being required, accepted or taken from them for the same.

Breach of such Rules to be tried in a summary way.

XVI. And, for enforcing the due Observance and Performance of such Rules, Orders, Regulations and Bye Laws, be it further enacted, That the said Sovereign of the said Town of *Kinsale* shall from henceforth have full Power and absolute Authority, from Time to Time, of trying in a summary way, and of imposing such Fines and Penalties upon such Owners, Keepers or Carriers of Chairs or Sedans, and Measurers, Porters, and Carmen of Coals, for any Breach or Non-observance of any such Rules, Orders, Regulations, or Bye Laws, as to the said Sovereign and Grand Jury of the Corporation of the said Town, at any Court of D'Oyer Hundred to be holden therein from Time to Time shall seem meet, which said Fines and Penalties shall be recovered upon Conviction before the said Sovereign, by the Confession of the Parties or by the Oath, or if a Quaker, by the Affirmation of One credible Witness, and shall be levied, if not paid upon Conviction, by Distress upon the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the said Sovereign, and by Sale thereof, returning the Overplus to the Owner; or it shall be lawful for the said Sovereign, upon Nonpayment thereof upon Conviction, to commit the Offender by Warrant under his Hand and Seal to the Gaol of the said Town, for any Time not exceeding Two Calendar Months, or until the said Fine be paid.

Limitation of Fines.

XVII. Provided always, and be it further enacted, That such Fine, Penalty or Forfeiture, to be imposed on the Owner, Keeper, or Carrier of Chairs or Sedans, or on the Measurer, Porter, or Carmen of Coals in the said Town and Liberties, for each and every Offence against or for any

any one Breach or Non-obſervance of any ſuch Rules, Orders, Regulations, or Bye Laws, ſhall not in any one Inſtance exceed the Sum of Forty Shillings; and provided that the ſaid Rates, Fares and Prices, and ſaid Rules, Orders, Regulations and Bye Laws, ſhall be publicly poſted on the Door of the Court Houſe of *Kinſale*, and in ſuch other Places as the ſaid Sovereign and Grand Jury ſhall appoint, and to commence in Operation from the Time herein-after mentioned.

Fares, Orders, and Bye Laws to be publicly poſted.

Fines to be paid to the Chamberlain of Kinſale for paving Streets.

XVIII. And provided alſo, and be it further enacted, That the ſaid ſeveral laſt-mentioned Penalties ſhall be paid over to the Chamberlain of the ſaid Town of *Kinſale*, to be diſpoſed of by the Sovereign and Grand Jury of the Corporation of the ſaid Town, for the ſole Purpoſe and Purpoſes of paving and keeping in Repair the Streets, Lanes, Paſſages, Avenues and Roads of the ſaid Town of *Kinſale*, and the Liberties thereof; and the ſaid Sovereign and Grand Jury are hereby authorized and required to apply the ſaid Fines for the ſole Purpoſes aforeſaid, and for no other Uſe, Intent or Purpoſe whatſoever.

Meaſuring Coals for Sale on board the Veſſel diſcontinued.

XIX. And whereas the filling of the Barrel and the meaſuring of Coals for Sale in the Holds of Veſſels, as now practiſed in the Port and Harbour of the ſaid Town of *Kinſale*, is very diſadvantageous to the Inhabitants of the ſaid Town and its Liberties, and it would be more beneficial for them if ſuch Practice was diſcontinued and another Method of Meaſurement thereof introduced; be it therefore further enacted, That henceforward the ſaid Practice ſhall be and the ſame is hereby diſcontinued, and that no Barrel of Coals ſhall be filled or meaſured for Sale in the Hold or on board of any Ship, Brig, Sloop, Lighter Boat or other Veſſel in the Port or Harbour aforeſaid.

Penalty on each Barrel ſo meaſured on board for Sale.

XX. And be it further enacted, That if the Owner or Proprietor of any Coals, or the Maſter, Mate, or any of the Crew of any Ship, Brig, Sloop, Lighter, Boat or other Veſſel, ſhall hereafter fill or meaſure or cauſe or permit to be filled or meaſured, any Barrel or Barrels of Coals for ſale in the Hold or on board of any ſuch Ship, Brig, Sloop, Lighter, Boat or other Veſſel within the ſaid Port and Harbour of the ſaid Town of *Kinſale*, he, ſhe, or they ſo offending, and being thereof convicted in the Manner herein-after mentioned, ſhall, for every Barrel of Coals ſo filled or meaſured for ſale, forfeit the Sum of Ten Shillings, to be recovered and applied as herein-after is mentioned.

The Trial of ſuch Offences.

XXI. And be it further enacted, That all Offences with reſpect to meaſuring the ſaid Coals in the Holds or on board of Veſſels, ſhall be tried in a ſummary way before the ſaid Sovereign; and the ſaid Penalty and Forfeiture of Ten Shillings ſhall be recovered upon Conviction before the ſaid Sovereign, by the Confeſſion of the Parties, or by the Oath, or if a Quaker, by the Affirmation of One credible Witneſs before the ſaid Sovereign; and ſhall be levied, if not paid upon Conviction, by Diſtreſs upon the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the ſaid Sovereign, and by the Sale thereof, returning the Overplus to the Owner, ſuch Fine and Forfeiture to be given to the Poor of the ſaid Town and Liberties, or to the Informer, in ſuch Manner and Proportion as the ſaid Sovereign ſhall direct; and if ſaid Fine be not immediately paid upon Conviction, it ſhall be lawul for the ſaid Sovereign to commit

commit the Offender, by Warrant under his Hand and Seal, to the Gaol of the ſaid Town for any Time not exceeding Two Calendar Months, or until ſuch Fine be paid.

Coals for Sale to be meaſured on ſhore.

XXII. And, for the Benefit and Advantage of the Inhabitants of the ſaid Town and Liberties of *Kinſale*, be it further enacted, That in future all Coals brought for Sale into the Port or Harbour of the ſaid Town, ſhall be filled into the Barrel and meaſured therein on ſhore to the Purchaſer or Purchaſers thereof; and that the Sovereign and Grand Jury of the Corporation of the ſaid Town, at any Court of D'Oyer Hundred to be holden therein, ſhall from henceforth have full Power, from Time to Time, to make, conſtitute, ordain and appoint ſuch Rules, Orders, Regulations and Bye Laws, for fixing, altering and regulating the Method of ſo meaſuring the ſaid Coals on ſhore as to them ſhall ſeem meet, which Rules, Orders, Regulations and Bye Laws, ſhall be of the ſame Force and Efficacy as if herein particularly ſet forth and enacted.

Offences to be tried in a ſummary way.

XXIII. And, for compelling the due Obſervance and Performance of ſuch laſt-mentioned Rules, Orders, Regulations, and Bye Laws, be it further enacted, That the ſaid Sovereign of the ſaid Town of *Kinſale* ſhall from henceforth have full Power and abſolute Authority, from Time to Time, of trying in a ſummary way, and of impoſing ſuch Fine and Penalty upon each Trangreſſor, for any of ſuch Rules, Orders, Regulations and Bye Laws, as to the ſaid Sovereign and Grand Jury of the Corporation of the ſaid Town, at any Court of D'Oyer Hundred to be holden therein, from Time to Time, ſhall ſeem meet; which ſaid Fines and Penalties ſhall be recovered upon Conviction before the ſaid Sovereign, by the Confeſſion of the Parties or by the Oath, or if a Quaker, by the Affirmation of One credible Witneſs, and ſhall be levied, if not paid upon Conviction, by Diſtreſs upon the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the ſaid Sovereign, and by Sale thereof, returning the Overplus to the Owner; or it ſhall be lawful for the ſaid Sovereign, upon Non-payment thereof upon Conviction, to commit the Offender by Warrant under his Hand and Seal to the Gaol of the ſaid Town, for any Time not exceeding Two Calendar Months, or until ſaid Fine be paid.

Limitation of Fine, &c.

XXIV. Provided always, and be it further enacted, That ſuch Fine, Penalty or Forfeiture, for each Tranſgreſſion of any of ſuch laſt mentioned Rules, Orders, Regulations and Bye Laws, ſhall not in any one Inſtance exceed Forty Shillings; and provided alſo, that the ſame ſhall be paid over to the Chamberlain, and be diſpoſed of by the ſaid Sovereign and Grand Jury of the Corporation of the ſaid Town, for ſuch Uſes and Purpoſes as is herein-before directed with reſpect to paving and keeping in Repair the Streets, Lanes, Paſſages, Avenues and Roads of the ſaid Town of *Kinſale* and its Liberties.

Penalty on trawling or fiſhing with ſunken Seans in the Harbour;

XXV. And whereas the Practices of trawling and of fiſhing with ſunken Seans or Nets, carried on in the ſaid Port and Harbour of the ſaid Town of *Kinſale* tends to the great Injury of the Fiſhery thereof; be it therefore further enacted, That if any Perſon or Perſons ſhall from henceforth take or deſtroy any Fiſh whatſoever (Oyſters excepted) in the ſaid Port, Harbour or River of *Kinſale*, inſide *Prebane Point* on the Eaſt, and *Dudley's Point* on the

the West of the Entrance of the said Harbour, by trawling, or with sunken Seans or Nets, such Person or Persons shall, on due Proof thereof by the Confession of the Parties, or by the Oath, or if a Quaker, by the Affirmation of one credible Witness, made before the said Sovereign of *Kinsale*, upon Conviction before him, forfeit the Sum of Ten Pounds, together with the Boat or Vessel which shall be employed in such trawling or fishing with sunken Seans or Nets, and all her Tackle, Apparel, Furniture, Sails and Rigging, together with such Fishing Trawls, Seans, Nets, Warps and Geer made use of in such trawling and fishing, One Moiety of the said Sum of Ten Pounds, and One Moiety of the Money that may arise by the Sale of such forfeited Boat or Vessel and of her Tackle, Apparel, Furniture, Sails, Rigging, Fishing Trawls, Seans, Nets, Warps and Geer, to go to the Use of the Poor of the said Town and Liberties of *Kinsale*, and the other Moiety of each to go to the Use of such Person or Persons as shall first sue for the same.

The Sovereign to grant his Warrant to seize such Boat, &c.

XXVI. And, for the more effectual bringing to Justice such Person or Persons as shall be guilty of the said Offences of trawling or fishing with sunken Seans or Nets in the said Port, Harbour or River of *Kinsale*, within the Limits aforesaid, be it further enacted, That the Sovereign of the said Town of *Kinsale* shall, from Time to Time, as Occasion shall require issue his Warrant, directed to the Water Bailiff of the said Town, or his Deputy or Deputies, or to any other special Officer or Officers by him to be appointed for that Purpose, requiring him or them to seize, arrest and attach, and take into his or their Custody any Boat or Vessel that he or they or any of them shall find trawling, or with sunken Seans or Nets fishing for Fish (Oysters only excepted) in the said Port, Harbour or River of *Kinsale*, within the Limits aforesaid, and to carry the said Boat or Vessel, and all her Tackle, Apparel, Furniture, Sails and Rigging, together with her Fishing Trawls, Seans, Nets, Warps and Geer, to some convenient Place within the said Harbour, there to be detained until the cause of Seizure shall be determined pursuant to the Meaning hereof; and to bring the several Persons that shall be found trawling or fishing with sunken Seans or Ners in such Boat or Vessel before the said Sovereign, in order to have the said Matters heard and determined, according to the true Intent and Meaning hereof; and that the said Sovereign shall have Power on the Conviction of the Parties for such trawling or fishing with sunken Seans or Nets, to commit the Person, not paying his Proportion of the said Penalty, to the Gaol of the said Town of *Kinsale* for the Payment thereof, such Imprisonment not to exceed Two Calendar Months.

Rules for the Fisheries, &c. to be made by the Sovereign and Grand Jury of the Corporation.

XXVII. And, for regulating and properly conducting and preventing Injury to the said Port, Harbour, and River of *Kinsale*, within the Limits aforesaid, by the Sean and other Modes of fishing and drudging for Oysters therein, and the throwing out Ballast from, and the taking Ballast into the Vessels resorting to the same; be it further enacted, That the Sovereign and Grand Jury of the Corporation of the said Town, at any Court of D'Oyer Hundred to be holden therein, shall from henceforth have full Power, from Time to Time, to make, constitute and ordain such Rules, Orders, Regulations and Bye Laws for the regulating and properly conducting of the Sean and other Modes of fishing, and the drudging for Oysters in the said Port, Harbour and River of *Kinsale*, within

the Limits aforesaid, and for the regulating and properly conducting the throwing out Ballast from, and the taking Ballast into, the Vessels resorting thereto, as to them shall seem meet; which Rules, Orders, Regulations, and Bye Laws shall be of the same Force and Efficacy, as if herein particularly set forth and enacted.

Transgression of such Rules to be tried in a summary way.

XXVIII. And, for compelling the due Observance and Performance of such last mentioned Rules, Orders, Regulations and Bye Laws, be it further enacted, That the said Sovereign of the said Town of *Kinsale* shall from henceforth have full Power and absolute Authority, from Time to Time, of trying, in a summary way, and of imposing such Fine and Penalty upon each Offender against any of such Rules, Orders, Regulations and Bye Laws, as to the said Sovereign and Grand Jury of the Corporation of the said Town, at any Court of D'Oyer Hundred to be holden therein from Time to Time, shall seem meet; which said Fines and Penalties shall be recovered upon Conviction before the said Sovereign, by the Confession of the Parties, or by the Oath, or if a Quaker, by the Affirmation of one credible Witness, and shall be levied, if not paid upon Conviction, by Distress upon the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the said Sovereign, and by the Sale thereof, returning the Overplus to the Owner; or it shall be lawful for the said Sovereign, upon Nonpayment thereof upon Conviction, to commit the Offender by Warrant under his Hand and Seal to the Gaol of the said Town, for any Term not exceeding Two Calendar Months, or until such Fine be paid.

Fines to be paid to the Chamberlain.

XXIX. Provided always, and be it further enacted, That such Fine, Penalty or Forfeiture, for each Transgression of any of such last-mentioned Rules, Orders, Regulations and Bye Laws, shall not, in any one Instance, exceed Forty Shillings; and provided also, that the same shall be paid over to the Chamberlain, and be disposed of by the said Sovereign and Grand Jury of the Corporation of the said Town, for such Uses and Purposes as is herein-before directed with respect to paving and keeping in Repair the Streets, Lanes, Avenues, Passages and Roads of the said Town of *Kinsale*, and the Liberties thereof.

For preventing Annoyances.

XXX. And whereas many Encroachments are frequently made, and Nuisances erected in the several Streets, Quays, Lanes and Passages in the said Town of *Kinsale*, and on the Roads and Avenues in the Suburbs thereof, to the great Annoyance of the Inhabitants of the said Town and its Liberties; be it therefore further enacted, That from henceforth it shall and may be lawful to and for the said Sovereign of the said Town of *Kinsale*, by and with the Advice and Consent of the said Grand Jury of the Corporation of the said Town, to remove all Encroachments or Nuisances which shall be made in erecting Doors or Steps, or by any other Means projecting into the Streets, Lanes or Passages of the said Town; and also to remove all Encroachments, which shall be made on any Road, Passage or Avenue in the Suburbs thereof, by delivering an Order in Writing to the respective Tenants and Occupiers of the respective Houses in the said Town, and of the Grounds, Lands and Fields in the Suburbs thereof, signed by the said Sovereign, setting forth and directing how and in what Manner all such Doors, Steps and other Encroachments shall be altered, or in what Manner set back; or it shall and may be lawful to and for the said Sovereign to remove all Encroachments

or Nuiſances which ſhall be made of Shop Windows, Window Shutters, Frames, Signs, Sign Irons, Poſts, Spouts, Pent Houſes, Sheds or Standings, in or upon ſuch Streets, Lanes or Paſſages in the ſaid Town; and in caſe the reſpective Proprietors, Tenants and Occupiers of ſuch Houſes, Shops, Grounds, Lands and Fields, ſhall refuſe or neglect to comply with ſuch Directions of the ſaid Sovereign, or refuſe to remove, or cauſe to be removed, all ſuch Encroachments and Nuiſances or any of them, for the Space of Thirty-one Days after ſuch Order as aforeſaid, in ſuch Caſe it ſhall and may be then lawful for the ſaid Sovereign to employ Workmen, and to alter, remove and take away the ſame, and to compel the ſaid Proprietors, Tenants or Occupiers, to pay all the Charges thereof, by Diſtreſs and Sale of their Goods and Chattels, to be levied by Warrant under the Hand and Seal of the ſaid Sovereign.

XXXI. And whereas the ſeveral Streets, Quays, Allies, Lanes, Yards, Paſſages or Avenues, and other Places, within the ſaid Town of *Kinſale* and the Precincts thereof, are not properly paved, and it would tend to the free Intercourſe, Health and Safety of the ſeveral Inhabitants thereof, and of all Perſons paſſing into and through the ſame, if the ſaid Streets, Quays, Allies, Lanes, Yards, Paſſages or Avenues, and other Places were properly raiſed, pitched, levelled, planned, laid down, paved, flagged, altered or repaired; be it therefore further enacted, That from henceforth it ſhall and may be lawful to and for the Sovereign and the Grand Jury of the Corporation of the ſaid Town of *Kinſale*, from Time to Time to order and direct how and in what Manner and with what Materials all or any of the Streets, Quays, Allies, Lanes, Yards, Paſſages or Avenues, and other Places which now are or hereafter ſhall be in the ſaid Town and the Precincts thereof, ſhall be raiſed, pitched, levelled, planned, laid down, paved, flagged, altered or repaired; and for that Purpoſe that it ſhall and may be lawful to and for the ſaid Sovereign and Grand Jury to alter or remove any Steps or other Obſtructions whatſoever, which now are or hereafter ſhall be in the ſaid Streets, Quays, Allies, Lanes, Yards, Paſſages, Avenues or other Places; and alſo that they ſhall be and they are hereby empowered from Time to Time to order and direct how and in what Manner the ſaid Streets, Quays, Allies, Lanes, Yards, Paſſages, Avenues, or other Places ſhall be cleanſed, and the Soil, Filth and Dirt thereof moved, carried away and diſpoſed of.

The Sovereign and Grand Jury of the Corporation to order the planning, laying down and paving the Streets, &c.

XXXII. And whereas large Quantities of Rubbiſh, Lime, Stones, Bricks, Timber, and Materials for building, are frequently laid down in the Streets, Lanes, Paſſages and Avenues, of the ſaid Town of *Kinſale*, and ſuffered to remain therein for a long Time, by means whereof the Inhabitants of the ſaid Town are much annnoyed; for Remedy whereof, be it further enacted, That if any Perſon ſhall hereafter lay down, or cauſe to be laid down, any Rubbiſh, Lime, Stones, Bricks, Timber or any Materials for building in any of the ſaid Streets, Lanes, Paſſages or Avenues, and ſhall keep the ſame, or cauſe or permit the ſame to be kept therein, for any Space of Time longer than Twenty-four Hours, unleſs the ſame ſhall be within a Paling or other Incloſure, to be ſpecified in a written Licence to be granted and ſigned by and at the Option of the ſaid Sovereign of *Kinſale*, ſuch Perſon ſhall, on due Proof thereof, by the Confeſſion of the Parties or by the Oath, or if a Quaker, by the Affirmation of One credible Witneſs made before the ſaid Sovereign, forfeit the Sum of Twenty Shillings for

Rubbiſh, &c. not to be kept longer than 24 Hours in the Streets, etc.

every

every such Offence, the same to be levied, if not paid upon Conviction before him, by Distress upon the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the said Sovereign, and by the Sale thereof, returning the Overplus to the Owner, one Moiety of such Penalty to be given to the Poor of the said Town and Liberties, and the other Moiety thereof to the Informer; and it shall be lawful for the said Sovereign upon Non-payment thereof upon Conviction, to commit the Offender, by Warrant under his Hand and Seal to the Gaol of the said Town, for any Time not exceeding Fourteen Days, or until the said Fine be paid.

Dirt, etc. not to be left in the Streets, etc.

XXXIII. And whereas large Quantities of Dirt, Coal Ashes, Horse-dung and Manure, are frequently laid down in the Streets, Lanes, Passages and Avenues of the said Town of *Kinsale*, and suffered to remain therein for a long Time, to the great Annoyance of the Inhabitants thereof; for Remedy whereof, be it further enacted, That from henceforth no Person whatsoever carrying out, or causing to be carried out, of any House, Yard, Cellar, Court, Lane, Alley, or other Place whatsoever, any Dirt, Coal Ashes, Horse-dung or Manure, shall lay down, or cause the same to be laid down, in any of the Streets, Lanes, Passages or Avenues of the said Town, but such Person shall have a Cart, or some other fit and proper Conveyance, ready at his or her Door of said House, Yard, Cellar, Lane, Alley or other Place, in which to load said Dirt, Coal Ashes, Horse-dung or Manure, and shall immediately so remove and carry away, or cause to be removed and carried away, the same from thence, under the Penalty and Forfeiture of Ten Shillings for every such Offence, the said Penalty to be recovered before the said Sovereign from the Person or Persons so offending, on due Proof thereof by the Confession of the Parties, or by the Oath, or if a Quaker by the Affirmation of one credible Witness, made before the said Sovereign of *Kinsale*; the same to be levied, if not paid upon Conviction, by Distress upon the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the said Sovereign, and by the Sale thereof, returning the Overplus to the Owner; one Moiety of such Penalty to be given to the Poor of the said Town and Liberties, and the other Moiety thereof to the Informer; and it shall be lawful for the Sovereign, upon Non-payment thereof upon Conviction, and he is hereby required to commit the Offender by Warrant under his Hand and Seal to the Gaol of the said Town, for any Time not exceeding Fourteen Days, or until the said Fine be paid.

Penalty on Riding on Car, etc. without a Guide, or driving any Horse improperly through the Streets, etc.

XXXIV. And be it further enacted, That if any Person driving any Car, Dray or Cart through any of the Streets, Highways, Passages or Lanes in the said Town of *Kinsale*, or the Liberties thereof, shall ride upon such Car, Dray or Cart, not having some Person on foot to guide the same, or shall drive or lead the same in such Manner as to endanger the Lives or Limbs of the Passengers; and that if any Person shall drive any Horse, Gelding, or Mule, carrying a Back Load, through any of the said Streets, Highways, Passages or Lanes, in such Manner as to endanger the Safety of the Passengers, it shall and may be lawful to and for any Person or Persons, on view of any Driver or Drivers, Leader or Leaders of any Horse, Gelding, Mule, Car, Dray or Cart offending herein, to seize upon such Driver, Leader, Horse, Gelding, Mule, Car, Dray or Cart, and bring the same before the Sovereign of the said Town; and that every Offender, being thereof convicted before the said Sovereign, on the

View

View before the ſaid Sovereign, or by Confeſſion of the Party, or the Oath, or if a Quaker by the Affirmation of One or more credible Witneſs or Witneſſes, ſhall for every ſuch Offence forfeit any Sum not exceeding the Sum of Twenty Shillings, to be levied by Diſtreſs and Sale of the ſaid Horſe, Gelding, Mule, Car, Dray or Cart, if belonging to the Offender, or of any other Goods or Chattels belonging to him, by Warrant under the Hand and Seal of the ſaid Sovereign, returning the Overplus to the Owner, One Moiety of ſuch Forfeiture to be given to the Poor of the ſaid Town and Liberties, and the other Moiety thereof to the Informer; or the Perſon ſo offending ſhall be ſent to the Gaol of the ſaid Town, there to be confined for any Time not exceeding Three Weeks, if the Perſon ſo offending ſhall not have paid the ſaid Fine within Twenty four Hours after he is arreſted for ſaid Offence,

Markets or any of them may be removed,

XXXV. And whereas the preſent Shambles, Stalls and Buildings, uſed as Markets in the ſaid Town of *Kinſale*, are the Property of the ſaid Sovereign, Burgeſſes and Commonalty: And whereas many of the Markets, and particularly thoſe for Cattle, Fowls, Vegetables, and ſalted Proviſions, at the ſaid Town of *Kinſale*, are now holden in its public Streets and Paſſages, to the great Annoyance of its Inhabitants: And whereas it may be expedient that all the ſaid Markets, or ſome of them, ſhould be removed to more commodious and convenient Situations: Be it therefore further enacted, That from henceforth it ſhall and may be lawful to and for the ſaid Sovereign and the Grand Jury of the Corporation of the ſaid Town of *Kinſale*, from Time to Time to order and direct that the ſaid Markets, or any of them, ſhall be removed from and be no longer held in any Place, Paſſage, Situation or Street, where they are now uſually held in the ſaid Town, and to fix and appoint ſuch convenient Place or Places in the ſaid Town as they ſhall deem fit, where only the ſaid Markets or any of them ſhall be held in the ſaid Town.

Notice of any Removal of Markets to be given publicly.

XXXVI. And be it further enacted, That it ſhall and may be lawful to and for the Sovereign and the Grand Jury of the Corporation of the ſaid Town of *Kinſale*, from Time to Time, as ſoon as ſuch Shambles, Stalls, Buildings and Grounds, as they may deem ſufficient for any new Market or Markets, have been erected by them or otherwiſe provided, to cauſe written or printed Notices thereof, ſigned by the Sovereign, to be publickly poſted on ſuch Places in the ſaid Town and Liberties as to them may ſeem ſufficient, which Notices are to ſpecify their Direction, that, from a certain Day to be therein mentioned, not leſs than one Calendar Month from the Date of ſuch Notice, the Markets, or any Market of the ſaid Town, are or is to be removed to the particular Place or Places therein mentioned, and ſhall be no longer held where they were before holden in the ſaid Town.

Penalty for expoſing Cattle, Meat, etc. in any Place but the Markets.

XXXVII. And be it further enacted, That if after the Day in ſuch Notice ſpecified, any Perſon ſhall ſell or expoſe to ſale, or cauſe to be ſold or expoſed to ſale any Cattle, Sheep, Swine, Butchers Meat, Fiſh, Fowl, Vegetables, Grain, Potatoes, or other Proviſions, in any of the open Streets, Quays, Lanes or Paſſages of the ſaid Town of *Kinſale*, or in any other Place therein, ſave the Place or Places ſo to be appointed wherein the Market or Markets thereof ſhall be holden, ſuch Perſon ſhall for every ſuch Offence, being thereof convicted before the ſaid Sovereign, on the View before the ſaid Sovereign, or by the Confeſſion of the Party, or the Oath, or if a Quaker the Affirmation

tion of One or more credible Witneſs or Witneſſes, forfeit any Sums not exceeding the Sum of Five Pounds, to be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the ſaid Sovereign, returning the Overplus to the Owner. One Moiety of ſuch Forfeiture to be given to the Informer, and the other Moiety thereof ſhall be paid over to the Chamberlain of the ſaid Town, for ſuch Uſes and Purpoſes as is herein-before directed with reſpect to paving and keeping in Repair the Streets, Lanes, Paſſages, Avenues and Roads of the ſaid Town of *Kinſale* and the Liberties thereof, and for none other Purpoſe whatſoever; and all ſuch Cattle, Sheep, Swine, Butchers Meat, Fiſh, Fowl, Vegetables, Grain, Potatoes, or other Proviſions, ſo ſold or expoſed to ſale, ſhall alſo be forfeited, and ſhall be ſeized by the ſaid Sovereign, or by any Perſon duly authorized by Warrant under his Hand and Seal, and ſhall be diſtributed and diſpoſed of by him amongſt and for the Uſe of the Poor of the ſaid Town and Liberties of *Kinſale*.

The Sovereign and Grand Jury of Corporation to make Bye Laws for the Regulation of the Markets;

XXXVIII. And, for the proper Regulation and the duly conducting of the ſaid Markets of the ſaid Town of *Kinſale*, be it further enacted, That it ſhall and may be lawful to and for the Sovereign and the Grand Jury of the Corporation of the ſaid Town, at any Court of D'Over Hundred to be holden therein, from Time to Time to make, conſtitute, ordain and appoint ſuch Rules, Orders, Regulations and Bye Laws, for the proper Regulation and the duly conducting of the ſeveral Markets of the ſaid Town of *Kinſale*, as to them ſhall ſeem expedient, which Rules, Orders, Regulations and Bye Laws, ſhall be of the ſame Force and Efficacy as if herein particularly ſet forth and enacted.

who may fine Offenders;

XXXIX. And, for enforcing the due Obſervance and Performance of ſuch laſt mentioned Rules, Orders, Regulations and Bye Laws, be it further enacted, That the ſaid Sovereign of the ſaid Town of *Kinſale* ſhall from henceforth have full Power and abſolute Authority, from Time to Time, of trying in a ſummary Way, and of impoſing ſuch Fine and Penalty upon each Tranſgreſſor of any of ſuch Rules, Orders, Regulations and Bye Laws, as to the ſaid Sovereign and Grand Jury of the Corporation of the ſaid Town, at any Court of D'Over Hundred to be holden therein from Time to Time ſhall ſeem meet, which ſaid Fines and Penalties ſhall be recovered upon Conviction before the ſaid Sovereign, by the Confeſſion of the Parties, or by the Oath, or if a *Quaker* by the Affirmation of One credible Witneſs, and ſhall be levied, if not paid on Conviction, by Diſtreſs upon the Goods and Chattels of the Offender by Warrant under the Hand and Seal of the ſaid Sovereign, and by the Sale thereof, returning the Overplus to the Owner; or it ſhall be lawful for the ſaid Sovereign, upon Nonpayment thereof upon Conviction, to commit the Offender by Warrant under his Hand and Seal, to the Gaol of the ſaid Town, for any Time not exceeding Two Calendar Months, or until the ſaid Fine be paid.

ſo as no ſuch Fine ſhall exceed Forty Shillings.

XL. Provided always, That ſuch Fine, Penalty or Forfeiture, for each Tranſgreſſion of any of ſuch laſt-mentioned Rules, Orders, Regulations and Bye Laws, ſhall not, in any one Inſtance, exceed Forty Shillings; and provided alſo, that the ſame ſhall be paid over to the Chamberlain, and be diſpoſed of by the Sovereign and Grand Jury of the Corporation of the ſaid Town, for ſuch Uſes and Purpoſes as is herein-before directed with

respect to paving and keeping in Repair the Streets, Lanes, Passages, Avenues and Roads of the said Town and Liberties of *Kinsale*, and for no other Purpose whatsoever.

Notice of any Rule, &c. made by the Sovereign and Grand Jury of Corporation to be publicly posted;

XLI. And be it further enacted, That it shall and may be lawful to and for the Sovereign and the Grand Jury of the Corporation of the said Town of *Kinsale*, and they are hereby required from Time to Time, when and as often as they shall make, constitute, ordain, or regulate any Rule, Order, Regulation or Bye Law, by virtue of this Act, at any Court of D'Oyer Hundred to be holden in the said Town, to cause written or printed Notices of their Intention of making such Rule, Order, Regulation or Bye Law, signed by the Sovereign, to be publickly posted on the Door of the Court-house, and in such Places in the said Town and Liberties as to them may seem sufficient, at least Fourteen clear Days previous to the then next Assizes of the County of *Cork*.

and not to be of force till One Month after such Posting.

XLII. Provided always, That no such Rule, Order, Regulation or Bye Law, shall operate or be of Force until the same shall previously be approved of, ratified, and signed by the then next going Judges of Assize for the *Munster* Circuit at *Cork*, after the same shall be made, constituted, ordained, or regulated, and also until from and after the Expiration of One Calendar Month from the Date and public posting of such written or printed Notices on the Places and in Manner aforesaid, signed by the Sovereign, and containing a Copy of such Rule, Order, Regulation, or Bye Law, so ratified by the said Judges of Assize.

Sovereign to hear and determine Debts under Forty Shillings, in a summary Way;

XLIII. And whereas the Power hitherto immemorially exercised by the Sovereign of the said Town of *Kinsale*, of determining Causes in all Small Debts, between Party and Party, under the Value of Twenty Shillings, has been of great Use; and it will be of still greater Advantage to the Inhabitants of the said Town and its Liberties, if the Power and Authority of the said Sovereign be extended to the Determination of Causes, in all Small Debts between Party and Party, within the said Town and Liberties, under the Value of Forty Shillings; be it therefore further enacted, That in all Times hereafter, the Sovereign of the said Town of *Kinsale* shall have full Power and Authority to hear and finally determine, in a summary Way, Causes in all Small Debts between Party and Party, within the said Town and Liberties, under the Value of Forty Shillings; and moreover shall for ever hereafter use, have, and exercise all the Powers, Authorities and Jurisdictions, in the hearing and determining such Small Debt Causes, which the President of the Court of Conscience in the City of *Dublin* now has, exercises, and enjoys, or heretofore had, exercised, or enjoyed.

with such Powers, etc. as the President of the Court of Conscience in Dublin enjoys.

Process returnable in Fourteen Days against Body or Goods for Sums decreed, etc.

XLIV. And be it further enacted, That it shall and may be lawful to and for the said Sovereign to issue Process, from Time to Time, in the Nature of an Execution or Executions, returnable in Fourteen Days from the Teste of such Process, against the Body or Goods of the Defendant or Defendants, in case of a Decree against such Defendant or Defendants, for the Recovery of all such Sums so decreed, which Execution or Executions the Serjeants at Mace and the Serjeant of the Liberties of the said Town, or either of them, to whom the same may be directed, shall be bound hereby to execute accordingly.

XLV. And

XLV. Provided always, and be it further enacted, That no ſuch Cauſe ſhall be heard or Decree pronounced, until it ſhall be proved upon Oath before the ſaid Sovereign, by ſome Perſon of the Age of Sixteen Years and upwards, that the Defendant, or one of his or her Family, were ſerved at their Place of Abode with a Summons in Writing or printed, Twenty-four Hours at the leaſt previous to the hearing and determining of ſuch Cauſe. No Cauſe heard unleſs Proof on Oath of Summons ſerved on Defendant 24 Hours before.

XLVI. Provided alſo, and be it further enacted, That the Oath or Affirmation of the Plaintiff in ſuch Cauſe of the Debt being due, or of the Service of ſuch Summons, ſhall not alone be concluſive Evidence for him or her againſt ſuch Defendant. Plaintiff's Oath not concluſive againſt Defendant.

XLVII. And provided alſo, and be it further enacted, That no Perſon ſhall be confined by virtue of any Warrant, Commitment or Execution, in the Gaol of the ſaid Town of *Kinſale*, by the ſaid Sovereign under ſuch Power and Authority, for any Debts not exceeding in the whole the Sum of Twenty Shillings, longer than One Calendar Month, to be computed from the Firſt Day of ſuch Commitment; and that no Perſon ſhall be longer confined by the Authority aforeſaid, for any Debts exceeding Twenty Shillings and under Forty Shillings, than the Term of Two Calendar Months, to be computed as above; and that from and after the reſpective Determinations of ſuch Confinements, the Debt or Debts for which ſuch Perſon or Perſons ſhall have been ſo confined, ſhall be totally diſcharged to all Intents and Purpoſes, as if ſuch Debtor or Debtors had actually paid the ſame. Time of Confinement for Debt.

XLVIII. And be it further enacted, That the ſeveral Fees and Sums of Money herein-after limited and expreſſed, and no other, ſhall be taken by the ſaid Sovereign or his Clerk, and by the Serjeants at Mace, and the Serjeant of the Liberties of the ſaid Town of *Kinſale*, for their reſpective Services, in the hearing and determining ſuch Small Debt Cauſes, and in the recovering and levying the Sums decreed and adjudged due thereon, and by the Gaoler of the ſaid Town of *Kinſale*, upon the Commitment of any Defendant to the Gaol of the ſaid Town in Execution, upon any Decree made in any ſuch Small Debt Cauſe; that is to ſay, Fees to be taken by Officers of Court of Conſcience.

The SOVEREIGN or his CLERK's FEES:

	s.	*d.*
For entering every Cauſe	0	8
For every Summons	1	0
For every Summons for the Attendance of not more than Two Witneſſes	1	0
For calling the Plaintiff or Defendant before the Court	0	3
For entering an Appearance	0	6
For a Nonſuit on the Plaintiff's not appearing	1	0
For paying Money into the Court	1	0
For every Hearing	1	0
For a Copy of every Order upon a Hearing, and of every Judgement of Nonſuit	1	0
For an Execution	2	6
For acknowledging Satisfaction in Part	0	4
For acknowledging Satisfaction in full	0	9
For every Search	0	3
For Swearing every Witneſs	0	3

The SERJEANT's FEES:

	s.	d.
For ſerving every Summons, Order or Subpœna, and making Return thereof to the Court - - - - -	0	8
For calling the Plaintiff or Defendant before the Court - - -	0	2
For executing every Attachment or Execution againſt Goods or Body, on Debts not exceeding Fifteen Shillings - - - -	1	0
Above Fifteen Shillings and not exceeding Twenty Shillings -	1	6
Above Twenty Shillings - - - - - - -	2	6

The GAOLER's FEES:

Upon the Commitment of any Defendant for any Debt not exceeding Twenty Shillings - - - - - -	2	6
And upon the Commitment of any Defendant for any Debt exceeding Twenty Shillings - - - - - -	3	6

Fines and Recognizances, etc.

XLIX. And whereas the ſeveral Fines and Recognizances impoſed and forfeited at the Court of Record, and at the Court of the General Seſſions of the Peace and General Gaol Delivery, and at the ſeveral Adjournments thereof reſpectively, from Time immemorial, holden in and for the Town and Liberties of *Kinſale* aforeſaid, have been eſtreated and returned from the ſaid reſpective Courts of Record and Seſſions unto the ſaid Sovereign and Grand Jury of the Corporation of the ſaid Town, at the Court of D'Oyer Hundred holden therein, conſiſting of the ſaid Sovereign, Burgeſſes, and Commonalty, to whom ſuch Fines and Recognizances are granted by the ſaid recited Charters: And whereas Doubts have ariſen by whom Proceſs ought to be iſſued for the levying thereof, and to whom the ſame ought to be directed: And whereas the ſaid Court of Record from Time immemorial holden for the ſaid Town and Liberties of *Kinſale* before the ſaid Sovereign, is of great Advantage to the Inhabitants thereof: And whereas great Delays and Inconveniences attend the Suitors of the ſaid Court of Record of the ſaid Town and Liberties, by the Non-attendance of Jurors and Witneſſes thereat; be it therefore further enacted, That from henceforth it ſhall and may be lawful for the Sovereign of the ſaid Town of *Kinſale*, preſiding in the ſaid Court of Record, to impoſe a Fine, not exceeding Five Pounds, on any Juror that ſhall be legally ſummoned to attend the ſaid Court of Record, and ſhall neglect or refuſe to appear purſuant to the ſaid Summons, and for whom no ſufficient Excuſe ſhall be laid before the Court; and that it ſhall and may be lawful to and for the ſaid Sovereign as aforeſaid, to impoſe ſuch Fine or Fines, not exceeding Five Pounds, as in his Diſcretion he ſhall think fit, on any Witneſs that ſhall be legally ſummoned to attend the ſaid Court of Record, and ſhall refuſe or neglect to appear purſuant to the ſaid Summons, and for whom no ſufficient Excuſe ſhall be laid before the Court; and that it ſhall and may be lawful to and for the ſaid Sovereign, after the ſaid Fines ſhall be ſo eſtreated and returned as aforeſaid, to iſſue, under his Hand and Seal, Proceſs from Time to Time in the Nature of an Execution, directed to the Serjeants at Mace, and the Serjeant of the Liberties of the ſaid Town, or to any or either

either of them, to levy the said Fines off of the Goods and Chattels of the Person or Persons named in such Estreats, and from whom the same ought to be levied; and the same, when levied, to pay over to the Chamberlain of the said Town, to be disposed of by the Sovereign and Grand Jury of the Corporation of the said Town, for the sole Purpose and Purposes of paving and keeping in Repair the Streets, Lanes, Passages, Avenues and Roads of the said Town and Liberties; and the said Sovereign and Grand Jury are hereby authorized and required to apply said Fines for the sole Purposes aforesaid, and for no other Use, Intent, or Purpose whatsoever.

No Juror obliged to serve above Three Times in one Year.

L. Provided always, and be it further enacted, That no Person shall be obliged to serve as a Juror at the said Court of Record more than Three Times in any one Year; any Thing herein contained to the contrary notwithstanding.

No Juror to be challenged for want of Freehold, etc.

LI. And whereas it has been found that a sufficient Number of Freeholders cannot easily be had in said Town, qualified to act as Jurors of the Court of Record of the said Town, whereby the Trials of Causes in the said Court are much retarded, to the great Loss and Delay of the Parties concerned: And whereas there are Numbers of wealthy Inhabitants in the said Town who have not Freeholds; be it therefore further enacted, That from henceforth the Want of Freehold shall not be a legal or sufficient Objection or Challenge for any Person summoned to be a Juror in the said Court; but that any Person possessed of or worth the Sum of Fifty Pounds Sterling over and above all his just Debts, shall be qualified to be impannelled and sworn as a Juror in the said Court, as if such Person had a sufficient Freehold.

Immemorial Custom of proceeding by Attachment forth of the said Court of Record confirmed.

LII. And whereas from Time immemorial, by the established Usage and Custom of proceeding by Attachment against the Goods and Chattels of Defendants in the Court of Record of the said Town of *Kinsale*, for the Recovery of Debts, Dues, and Demands, the Goods and Chattels taken under such Attachments were held in Custody by the Water Bailiff, Serjeants at Mace or Serjeant of the Liberties of the said Town, until the Defendant entered good and sufficient Special Bail in the said Court of Record to pay what should be adjudged to the Plaintiff on the Trial of the Cause: And whereas the said Custom of proceeding in the said Court of Record by Attachment hath been found highly beneficial and of the greatest Utility to the Merchants, Traders, and Inhabitants of the said Town and Liberties (as well as to many others of His Majesty's Subjects), and hath tended to the Establishment of Public Credit in the said Town and Liberties; be it therefore further enacted, That the said Custom of proceeding in the said Court of Record in the said Town of *Kinsale* by Attachment be and the same is hereby fully and absolutely confirmed and established.

The Recorder and Deputy Recorder may preside with the Sovereign in the said Court of Record.

LIII. And whereas it hath been customary for the said Sovereign of the Town of *Kinsale* aforesaid by himself to hold the said Court of Record thereof, and to preside alone therein, and it would tend to the great Utility and Benefit of the Suitors of the said Court if the Recorder of the said Town and the Deputy Recorder thereof, both or either of them, were authorized to preside with the said Sovereign therein; be it therefore further enacted, That from henceforth it shall and may be lawful to and for the Recorder and the Deputy Recorder of the said Town

of *Kinsale*, both or either of them being Barristers of not less than Three Years standing, to preside with the Sovereign of the said Town, in holding the said Court of Record thereof; and that all and every Act and Acts made, done, and pronounced in the said Court of Record, by and before the said Sovereign, Recorder, and Deputy Recorder, or by and before the said Sovereign and Recorder, or by and before the said Sovereign and Deputy Recorder, shall be as effectual and valid, to all Intents and Purposes whatsoever, as if made, done, and pronounced therein before the said Sovereign only, as is and hath been accustomed; and further, that all Affidavits which have been heretofore used to be made before the said Sovereign, touching and relative to the Debt and Cause of Action and Residence of the Defendant or Defendants, or to the Cause of Bail in any such Action, shall and may be made before the said Recorder, or before the said Deputy Recorder, whether the said Affidavit be required by the Custom of the said Court, or by any Statute in that Case made and provided.

Power given of adjourning the said Court of Record from Day to Day.

LIV. And be it further enacted, That it shall and may be lawful from henceforth to and for the said Sovereign, Recorder, and Deputy Recorder, as they or he shall happen respectively to preside in the said Court of Record, to adjourn the said Court from Day to Day, or to such Day or Days as they or he shall respectively think necessary and see expedient for the Dispatch of the Business of the said Court; any Custom, Law, or Usage to the contrary in anywise notwithstanding.

Sovereign of Kinsale to hold Court of Record, etc. as heretofore.

LV. Provided always, and be it further enacted, That nothing herein contained shall be deemed, construed, or taken to prevent or hinder the said Sovereign of the Town of *Kinsale* aforesaid from holding the said Court of Record thereof, and presiding therein by himself alone, or at any Adjournment thereof, or from doing the Business and Duty thereof, as fully and effectually to all Intents and Purposes, as he might or could have done before the passing of this Act.

Penalty on Grand or Petit Juror not attending the General Sessions, etc.

LVI. And whereas many notorious Offenders, charged with Riots, Routs, Rescues, Assaults, and other flagrant Breaches of the King's Peace, often escape just and speedy Punishment, by the irregular Attendance of the Persons returned by the first Serjeant at Mace to serve as Grand Jurors and Petit Jurors at the said Courts of the General Sessions of the Peace and General Gaol Delivery, and the several Adjournments thereof held in and for the Town and Liberties of *Kinsale* aforesaid, and by the Non-attendance of Witnesses at the said Sessions; be it therefore further enacted, That from henceforth it shall and may be lawful to and for the Sovereign, Recorder, or Deputy Recorder, and Associate Justices at every General Sessions of the Peace and General Gaol Delivery, or at any Adjournment thereof, from Time to Time to be held in and for the said Town and Liberties, to impose a Fine not exceeding Five Pounds Sterling on any Grand Juror or Petit Juror that shall be legally summoned to attend the said General Sessions of the Peace, or any Adjournment thereof, and shall refuse or neglect to appear pursuant to the said Summons, and for whom no sufficient Excuse shall be laid before the Court; and that it shall and may be lawful to and for the said Sovereign, Recorder or Deputy Recorder, and Associate Justices, at said Sessions or Adjournment thereof, to impose such Fine or Fines not exceeding Five Pounds, as in

their Diſcretion they ſhall think fit, on any Witneſs that ſhall be legally ſummoned to attend the ſaid General Seſſions of the Peace, or any Adjournment thereof, and ſhall refuſe or neglect to appear purſuant to the ſaid Summons, and for whom no ſufficient Excuſe ſhall be laid before the Court; and that it ſhall and may be lawful to and for the ſaid Sovereign, after the ſaid Fines ſhall be ſo eſtreated and returned as aforeſaid, to iſſue, under his Hand and Seal, Proceſs from Time to Time in the Nature of an Execution, directed to the Serjeants at Mace and the Serjeant of the Liberties of ſaid Town, or to any or either of them, to levy the ſaid Fine or Fines off of the Goods and Chattels of the Perſon or Perſons named in ſuch Eſtreats, and from whom the ſame ought to be levied, and the ſame, when ſo levied, to pay over to the Chamberlain of the ſaid Town, to be diſpoſed of by the Sovereign and Grand Jury of the Corporation of the ſaid Town, for the ſole Purpoſe and Purpoſes of paving and keeping in Repair the Streets, Lanes, Paſſages, Avenues and Roads of the ſaid Town and Liberties; and the ſaid Sovereign and Grand Jury are hereby authorized and required to apply ſaid Fines for the ſole Purpoſes aforeſaid, and for no other Uſe, Intent, or Purpoſe whatſoever.

No Perſon to be obliged to ſerve as a Grand Juror more than Twice a Year.

LVII. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be obliged to ſerve as a Grand Juror or Grand Jurors at the ſeveral General Seſſions of the Peace and General Gaol Delivery to be holden in and for the ſaid Town and Liberties of *Kinſale*, more than Twice in any one Year; any Thing herein contained to the contrary in anywiſe notwithſtanding.

All Recognizances forfeited, and all Fines impoſed at the ſaid Seſſions, &c.

LVIII. And whereas many Recognizances entered into before the ſaid Sovereign become forfeited at the ſaid Courts of the General Seſſions of the Peace and General Gaol Delivery, and the ſeveral Adjournments thereof held in and for the Town and Liberties of *Kinſale* aforeſaid, by the Non-appearance of Proſecutors bound by ſuch Recognizances to proſecute, and by the Non-attendance of Traverſers bound by ſuch Recognizances to abide their Trials at ſuch Seſſions, and alſo by the Non-attendance at ſuch Seſſions of various other Perſons bound by ſuch Recognizances to appear and anſwer any Charges which may be preferred againſt them thereat: And whereas many other Fines are impoſed at the ſaid Court of Seſſions, for Contempt of Court and for other Cauſes; be it therefore further enacted, That from henceforth it ſhall and may be lawful to and for the ſaid Sovereign, after the ſaid Recognizances and Fines ſhall be ſo eſtreated and returned as aforeſaid, to iſſue from Time to Time, under his Hand and Seal, Proceſs in the Nature of an Execution, directed to the Serjeants at Mace and the Serjeant of the Liberties of the ſaid Town, or to any or either of them, to levy the ſaid Fines and Recognizances off of the Goods and Chattels of the Perſon or Perſons named in ſuch Eſtreats, and from whom the ſame ought to be levied, and the ſame, when ſo levied, to pay over to the Chamberlain of the ſaid Town, to be diſpoſed of by the Sovereign and Grand Jury of the Corporation of the ſaid Town, for the ſole Purpoſe and Purpoſes of paving and keeping in Repair the Streets, Lanes, Paſſages, Avenues and Roads of the ſaid Town and Liberties; and the ſaid Sovereign and Grand Jury are hereby authorized and required to apply the ſaid Fines and Recognizances for the

the ſole Purpoſes aforeſaid, and for no other Uſe, Intent, or Purpoſe whatſoever.

Not to affect the Right of Sovereign and Grand Jury to remit Fines, &c.

LIX. Provided always, and be it further enacted, That nothing herein contained ſhall in any Manner affect the Right of the ſaid Sovereign and Grand Jury of the Corporation of the ſaid Town of *Kinſale*, at any Court of D'Oyer Hundred to be holden therein, remitting or reducing ſuch Fine or Fines; Recognizance or Recognizances, but that they may have and exerciſe ſuch Right and Power of remitting or reducing ſuch Fines or Recognizances as they uſually have done; any Thing herein contained to the contrary notwithſtanding.

Proceedings for Offences againſt this Act, to be brought within Three Months.

LX. And be it further enacted, That no Perſon or Perſons ſhall be ſubject or liable to the Payment of any of the Fines or Penalties to be impoſed by the ſaid Sovereign upon Conviction before him in a ſummary Way by virtue of this Act, or by virtue of any Rule, Order, Regulation or Bye Law made in purſuance of this Act, for any Offence or Offences againſt the ſame reſpectively, unleſs ſome Information or Complaint ſhall be made before the ſaid Sovereign reſpecting ſuch Offence or Offences, within Three Calendar Months next after ſuch Offence ſhall be committed.

Penalty on falſe Swearing.

LXI. And be it further enacted, That if any Perſon or Perſons ſhall wilfully, falſely, and corruptly take any Oath or Affirmation in purſuance of this Act, or in purſuance of any Rule, Order, Regulation or Bye Law, to be made by virtue of this Act, and be thereof lawfully convicted by Verdict, or upon his, her, or their Confeſſion, he, ſhe, or they ſo offending ſhall for every ſuch Offence incur and ſuffer ſuch Penalties, Pains, and Diſabilities as Perſons convicted of wilful and corrupt Perjury are, by any of the Laws now of force, in that Part of the United Kingdom called *Ireland*, liable unto; or if any Perſon or Perſons ſhall corruptly and wilfully procure or ſuborn any other Perſon to take ſuch falſe Oath or Affirmation, and the Perſon or Perſons ſo procuring or ſuborning ſhall be thereof convicted, or upon his, her, or their Confeſſion, every Perſon ſo offending, by being ſo procured or ſuborned, ſhall for every ſuch Offence incur and ſuffer ſuch Penalties, Forfeitures, Pains, and Diſabilities, as Perſons convicted of Subornation of Perjury are by any of the Laws now of force, in that Part of the United Kingdom called *Ireland*, liable unto.

The Sovereign may adminiſter all Oaths purſuant to this Act.

LXII. And be it further enacted, That the Sovereign of the ſaid Town of *Kinſale* ſhall have Power, and he is hereby authorized and required, to adminiſter all and every Oath and Oaths, Affirmation and Affirmations preſcribed or directed by or to be taken in purſuance of this Act, or which ſhall or may be neceſſary for carrying this Act into Execution, or for trying and determining all and every Complaint and Complaints for any Matter or Thing done or alledged to be done againſt any of the Proviſions or Regulations herein contained, or againſt any Rule, Order, Regulation or Bye Law to be made, conſtituted, ordained, and appointed by the Sovereign and Grand Jury of the Corporation of the ſaid Town, at any Court of D'Oyer Hundred to be holden therein, purſuant to the Proviſions herein contained.

LXIII. And

For compelling the Attendance of Witneſſes, &c.

LXIII. And be it further enacted, That if any Perſon ſhall be duly ſummoned as a Witneſs by the ſaid Sovereign to give Evidence before him, touching any Matter of Fact contained in any Information or Complaint for any Offence againſt this Act, or againſt any Rule, Order, Regulation, or Bye Law made in purſuance thereof, whether on the Part of the Proſecutors, or of the Perſon or Perſons complained of, and ſhall refuſe or neglect to appear at the Time and Place to be for that Purpoſe appointed in the ſaid Summons, without a reaſonable Excuſe for ſuch his, her, or their Refuſal or Neglect, to be approved of by the ſaid Sovereign, or appearing before him ſhall refuſe to be examined upon Oath (or ſolemn Affirmation being a *Quaker*) and give Evidence before the ſaid Sovereign, then and in either of the ſaid Caſes every ſuch Perſon ſhall forfeit for every ſuch Offence any Sum not exceeding Five Pounds; ſuch Fine, if not immediately paid, to be levied by Diſtreſs upon the Goods and Chattels of every ſuch Perſon ſo forfeiting or incurring the ſame, by Warrant under the Hand and Seal of the ſaid Sovereign, and by the Sale thereof, returning the Overplus to the Owner; ſuch Fine to be given to the Poor of the ſaid Town and Liberties as the ſaid Sovereign ſhall direct; or it ſhall be lawful for the ſaid Sovereign, upon Non-payment thereof, to commit every ſuch Perſon by Warrant under his Hand and Seal to the Gaol of the ſaid Town, for any Time not exceeding One Calendar Month, or until ſaid Fine be paid.

Coſts and Charges to be levied with the Fine, &c.

LXIV. And be it further enacted, That the Coſts and Charges of making every Diſtreſs, and of keeping and ſelling the ſame by virtue of this Act, or by virtue of any Rule, Order, Regulation, or Bye Law to be made in purſuance of this Act (ſuch Coſts and Charges to be aſſeſſed by and aſcertained at the Diſcretion of the ſaid Sovereign of the ſaid Town of *Kinſale*), ſhall be levied and recovered with and over and above the Amount of the Fine, Penalty, or Forfeiture incurred, and ſhall be deducted previouſly to the Overplus (if any there ſhall remain) being returned to the Owner or Owners of ſuch Goods or Chattels as may be ſo diſtrained, kept, and ſold.

LXV. And, for the more eaſy Conviction of Offenders againſt this Act, and againſt any Rule, Order, Regulation, or Bye Law to be made in purſuance of this Act, be it further enacted, That the ſaid Sovereign of the ſaid Town of *Kinſale*, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, and againſt any Rule, Order, Regulation, or Bye Law to be made in purſuance of this Act, ſhall and may cauſe the Conviction to be drawn up in the Words or to the Effect following; (that is to ſay),

Form of Conviction.

Town of Kinſale, to wit. } ‘BE it remembered, That on the Day of in the Year of the Reign of ‘His preſent Majeſty King and in the Year of our Lord ‘ is or are [*as the Caſe may be*] convicted before me ‘ Sovereign of the ſaid Town of *Kinſale*, by ‘virtue of an Act of Parliament made in the Forty-ninth Year of ‘the Reign of His Majeſty King *George* the Third, intituled, [*here inſert ‘the Title of this Act*] of [*here ſpecify the Offence, and the Time and ‘Place when and where the ſame was committed*] contrary to the ſaid Act ‘ [*or*,

'[*or, as the Case shall be,*] contrary to a certain Rule, Order, Regulation, 'or Bye Law, made in pursuance of this Act, by the Sovereign and the 'Grand Jury of the Corporation of the said Town of *Kinsale*, at a Court 'of D'Oyer Hundred, holden therein, on the Day of 'for which Offence I adjudge the said 'to have forfeited the Sum of 'Sterling. Given under my Hand and Seal the Day and Year first above 'written.

'Sovereign of *Kinsale*.'
(Seal.)

Distress not to be unlawful for Want of Form, &c.

LXVI. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, or by virtue of any Rule, Order, Regulation, or Bye Law to be made in pursuance of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account or by reason of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done or committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity or other Proceeding, unless Notice in Writing be given to the said Sovereign Fourteen Days before such Action shall be brought or commenced of such intended Action for such Irregularity, by the Attorney for the Plaintiff, specifying the Cause of Action, nor shall the Plaintiff or Plaintiffs recover in such Case, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to have been committed, any such Irregularity before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into such Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Orders and Judgements shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for want of Form, &c.

LXVII. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be void, quashed, or vacated for Want of Form, or be removed by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record in *Dublin* or elsewhere; any Law or Statute to the contrary notwithstanding.

Limitation of Actions.

LXVIII. And be it further enacted, That no Action, Suit, or Information shall be commenced against any Person or Persons for any Thing done or to be done in pursuance of this Act, or in Execution of the Powers and Authorities thereof, until Fourteen Days Notice thereof shall be first given in Writing to the Person or Persons against whom such Action is intended to be brought, signed by the Plaintiff or Plaintiffs, nor at any Time whatsoever after sufficient Satisfaction, or Tender thereof, shall have

have been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed, for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and in caſe there ſhall be a Continuation of Damages, then not after Six Calendar Months next after the doing or committing ſuch Damage ſhall ceaſe, and not otherwiſe; and all ſuch Actions and Suits ſhall be laid and tried in the County of *Cork* and not in any other County or Place, and the Defendant or Defendants in every ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, at any Trial or Trials which ſhall be had thereupon; and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought was done in purſuance and by the Authority of this Act; and if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall happen that ſuch Action or Suit was brought before Fourteen Days Notice thereof was given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid, or if any ſuch Action or Suit ſhall not be commenced within the Time herein-before for that Purpoſe limited, or ſhall be laid or brought in any ohter County or Place than as aforeſaid, then the Jury ſhall find a Verdict or Verdicts for the Defendant or Defendants; and if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions after the Defendant or Defendants ſhall have appeared, or if Judgement ſhall be given for the Defendant or Defendants, or if upon Demurrer or otherwiſe Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or may have for his, her, or their Coſts in any other Caſes by Law.

Perſons aggrieved may appeal to the next Seſſions of Kinſale.

LXIX. Provided always, and be it further enacted, That it ſhall and may be lawful for any Perſon convicted before the ſaid Sovereign of *Kinſale* in a ſummary Way of any Offence againſt this Statute, or againſt any Rule, Order, Regulation, or Bye Law to be made under the Authority of the ſame, to appeal to the next General Seſſions of the Peace and General Gaol Delivery, to be holden in and for the ſaid Town of *Kinſale* and its Liberties, before the ſaid Sovereign, Recorder or Deputy Recorder, and Aſſociate Juſtices, ſuch Perſons ſo convicted entering into a Recognizance before the ſaid Sovereign, with Two ſufficient Securities, to be bound in the Sum of Ten Pounds Sterling each, conditioned that the Perſon ſo convicted ſhall appear at ſuch General Seſſions and General Gaol Delivery, and abide by the Judgement of the ſaid Court for ſuch Offence on ſuch Appeal; and in caſe ſuch Judgement of the ſaid Sovereign ſhall be affirmed at the ſaid Court of Seſſions, ſuch Two Sureties, or one of them, ſhall pay, over and above the Forfeiture adjudged by the ſaid Sovereign, the uſual and legal Fees unto ſuch of the Officers of the ſaid Court of Seſſions as ſhall be entitled to receive the ſame, and as ſhall be adjudged by the ſaid Court of Seſſions to them on the Trial of the ſaid Appeal; and moreover ſhall pay unto the Proſecutor, over and above the Forfeiture adjudged by the ſaid Sovereign, ſuch Coſts and reaſonable Charges as the ſaid Court of Seſſions ſhall think fit, to make Amends to ſuch Proſecutor for the Trouble and Expences he ſhall be at and put to in attending ſuch Appeal.

LXX. And

Public Act.

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

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