ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

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C A P. CVIII.

An Act to amend an Act passed in the First and Second Years of His present Majesty, for the Extension and Promotion of Public Works in *Ireland*. [20th *August* 1836.]

WHEREAS by an Act passed in the First and Second Years of His present Majesty's Reign, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, the 1 & 2 W. 4. c. 33.
Commissioners of His Majesty's Treasury are authorized and empowered to cause or direct to be made out from Time to Time, as might be necessary for the Purposes of the said Act, any Number of Exchequer Bills, the Amount whereof at any Time outstanding should not exceed in the whole the Sum of Five hundred thousand Pounds: And whereas Exchequer Bills to an Amount little short of the said Sum of Five hundred thousand Pounds have been issued and applied to the Purposes of the said Act: And whereas by an Act passed in the Third and Fourth Years of His Majesty's Reign, intituled *An Act for the Relief of the Owners of Tithes in* Ireland, *and for the* 3 & 4 W. 4. c. 100.
Amendment of an Act passed in the last Session of Parliament, intituled 'An Act to amend Three Acts passed respectively in the Fourth, 'Fifth, and in the Seventh and Eighth Years of the Reign of His 'late Majesty King George *the Fourth, providing for the establishing of Compositions for Tithes in* Ireland, *and to make such 'Compositions permanent,'* the said Commissioners of the Treasury were authorized and empowered to cause or direct other Exchequer Bills to be made out for any Sum or Sums of Money not exceeding in

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the whole the Sum of One million Pounds, to be applied to the Relief of the Owners of Tithes in *Ireland* in manner by the said last-recited Act directed: And whereas the Sum of Six hundred and thirty-five thousand seven hundred and twelve Pounds Fourteen Shillings and Eleven-pence, Part of the said Sum of One million Pounds, has been applied, pursuant to the said last-recited Act, to the Purposes thereof: And whereas, over and above the Sum required for the Purposes of the said last-recited Act, Exchequer Bills to the Amount herein-after mentioned, or thereabouts, were made out pursuant to the Provisions of the said last-recited Act, and delivered to the Teller of His Majesty's Exchequer in *Ireland*, in whose Custody the same now remain; and it is expedient that such Exchequer Bills, to an Amount not exceeding One hundred thousand Pounds, should, the same not being required for the Purposes of the said last-recited Act, be applied to the Purposes of the said first-recited Act: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That over and above and in addition to the Sum of Five hundred thousand Pounds to which the outstanding Loans or Advances to be made by the Commissioners for the Execution of the said recited Act for the Extension and Promotion of Public Works in *Ireland* were by such Act limited, it shall and may be lawful for the said Commissioners to make further Loans or Advances to an Amount not exceeding in the whole One hundred thousand Pounds, and for the Lords Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* to authorize and direct the Teller of His Majesty's Exchequer in *Ireland* to issue and deliver, upon the Warrant in Writing of the Commissioners for the Execution of the said Act, to the Person or Persons in such Warrant named, such of the Exchequer Bills made out in pursuance of the said recited Act of the Third and Fourth Years of His Majesty's Reign, for the Relief of the Owners of Tithes, as may now be in the Possession of the said Teller of the Exchequer, to an Amount not exceeding One hundred thousand Pounds, and such Exchequer Bills shall and may be applied accordingly to the Purposes of the said Act for the Extension and Promotion of Public Works, and of this Act, as if made and issued for such Purposes and under the Provisions of that Act.

In addition to the Sum of 500,000*l.* in Exchequer Bills made applicable for the Promotion of Public Works in Ireland by the first-recited Act 100,000*l.* of the Exchequer Bills made out under 3 & 4 W. 4. c. 100. may be so applied.

II. And be it enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Act for the Extension and Promotion of Public Works, in respect of the Loans or Advances to be made under Authority of that Act, and in respect of the Exchequer Bills to be issued for the Purposes of such Act, shall, so far as the same are applicable or shall not be varied by this Act, be applied and extend to the Loans and Advances to be made under this Act, and to the Exchequer Bills to be issued and applied as herein-before directed to the Purposes of the said Act and this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses and Provisoes were herein repeated and re-enacted, and made specially applicable thereto.

1 & 2 W. 4. c. 33. extended to Loans under this Act.

III. And

Advances may be made at such Rate of Interest as the Treasury shall appoint, not being less than 10*s.* per Cent. above the Interest on Exchequer Bills.

III. And be it enacted, That it shall and may be lawful for the said Commissioners for the Execution of the said Act for the Extension and Promotion of Public Works in *Ireland* to make any Loan or Advance upon Application duly made conformably to the Provisions of the said Act and this Act, and which may be approved of by the said Commissioners and by the Lords Commissioners of the Treasury, at such Rate of Interest, payable half-yearly, not less than Ten Shillings *per Centum per Annum* above the Rate of Interest on the Exchequer Bills which may be issued for the Purpose of providing for such Loan or Advance, as the said Lords Commissioners of the Treasury shall direct, any thing in the said recited Act requiring a different or higher Rate of Interest on any Loan or Advance to the contrary notwithstanding.

The Commissioners may receive and consider Applications without the Production of Estimates, &c. as required by the said Act;

IV. And whereas it is provided by the said recited Act that the Rules and Regulations to be established by the said Commissioners in respect of the Applications to be made to them thereunder shall contain Provisions requiring in all Cases the Production of such detailed Estimates, Maps, Plans, or Specifications as may be applicable to the Nature of the Work in respect whereof such Applications may be made: And whereas it may be convenient that the previous Preparation of such Estimates, Maps, Plans, or Specifications should be dispensed with in certain Cases; be it therefore enacted, That it shall be lawful for the said Commissioners to receive and take into their Consideration Applications made to them pursuant to the Provisions of the said Act or this Act, without the Production of the Estimates, Maps, Plans, and Specifications required by the said Act as aforesaid, in such Cases as they in their Discretion shall think fit to dispense with the Production of the same, and the said Commissioners shall amend the Regulations established by them as aforesaid accordingly; and it shall be lawful for the said Commissioners, if upon the Consideration of any such Application they shall so far approve of the same, to appoint and employ some competent Surveyor or Surveyors to inspect and survey and make the necessary Estimates, Maps, Plans, or Specifications of any Work referred to in such Application, and investigate the general Object, Utility, and Nature thereof, and report thereon to the said Commissioners, provided that the Party making such Application shall previously deposit, as the said Commissioners shall direct, a Sum adequate to defray the Expence attendant upon such Survey and Report, and the making such Maps, Plans, Specifications, or Estimates, and all attendant Expences.

and if they shall approve thereof, may appoint a Surveyor to inspect, survey, and report thereon, provided Applicants deposit Expence of such Survey, &c.

Commissioners may take Deposits or Transfers of the Shares, Stock, &c. of Public Companies as chief or collateral Security.

V. And be it enacted, That it shall be lawful for the said Commissioners for the Execution of the said Act, in the Place of such real or other Security or Securities as they are by the said Act empowered and directed to take and require, or as collateral thereto, to accept and take as Security for any Loan or Advance to be made under the Provisions of the said Act or this Act Deposits or Transfers of the Shares, Stock, Bonds, or Debentures of such public Companies as shall be approved by the said Lords Commissioners of the Treasury, in like Manner as by the said Act such Commissioners are empowered to accept and take Deposits or Transfers of Bank or Government Stock, Exchequer Bills, or *India* Bonds, and all such Deposits or Transfers of the

the Shares, Stock, Bonds, or Debentures of such public Companies so assigned, transferred, or deposited shall, in default of Payment of such Loan, with Interest due thereon, in the Manner directed and appointed by the said Commissioners for the Execution of the said Act, become and be absolutely vested in the said Commissioners or their Secretary, as the Case may be, and shall and may be sold and disposed of, or the Monies due or payable by virtue thereof shall and may be sued for in due Course of Law, in the Name of their Secretary for the Time being, for the Use of the said Commissioners.

Instead of Obligations to the King, Bonds may be made to the Secretary of Commissioners.

VI. And be it enacted, That, notwithstanding any thing in the said recited Act to the contrary, it shall not be necessary in any Case, except as herein-after mentioned, for any Party to whom any Loan shall be made in pursuance of the Provisions of the said recited Act and of this Act, or of either of them, to execute any Writing obligatory to our Sovereign Lord the King, but in lieu thereof any Party who would have been liable to execute any such Writing obligatory to our Sovereign Lord the King shall and is hereby required, before any Payment shall be made in respect of any Loan to be made under the Provisions of the said recited Act and of this Act, or of either of them, to make and enter into, or cause some sufficient Persons or Person, to the Satisfaction of the said Commissioners, to make and enter into, a Bond or Obligation in Writing to the Secretary for the Time being of the said Commissioners, together with a Warrant of Attorney for confessing Judgment thereon (the entering of which Judgment shall be in the Discretion of the said Commissioners), whereby the Obligors or Obligor therein named shall bind themselves, himself, or herself, their, his, or her Heirs, Executors, or Administrators, in such Penalty as the said Commissioners shall direct; and such Bond or Obligation shall be conditioned to be void if the Parties or Party to whom any Loan shall be made in pursuance of the Provisions of the said recited Act and of this Act, or either of them, shall apply or cause to be applied all the Money so to be advanced at such Times and in such Manner and for such Purposes as shall be specified in any Agreement which shall have been or shall hereafter be entered into between such Parties or Party and such Commissioners for that Purpose, and shall, so often as may be required by the said Commissioners, lay before them a Statement of the Application of the Money advanced, and of the Progress and State of the Work mentioned in such Agreement, and of such further Sums as may be necessary for the Completion thereof, together with all Contracts which may have been entered into with reference to the Execution of such Work, and all Accounts and Vouchers in any way relating thereto, and shall keep and perform all such other Covenants and Conditions as the said Commissioners shall prescribe and require to be inserted in such Bond or Obligation: Provided nevertheless, that if in any Case the Lords Commissioners of His Majesty's Treasury shall think fit to require that a Writing obligatory to our Sovereign Lord the King should be entered into by or by any sufficient Sureties or Surety on behalf of any Party by or on whose Behalf any Loan shall be applied for as aforesaid, then and in such Case the said Commissioners shall and they are hereby authorized to require from such Party, or sufficient Sureties or Surety, such Writing obligatory to our Sovereign Lord the King as is by the said recited

Bond to be made to the King when required by the Treasury.

Act directed to be taken; and all the Provisions contained in the said recited Act as to any Writing obligatory to our Sovereign Lord the King, and the Remedies for putting the same in force, shall be in full Force and Effect as against such Party, or Sureties or Surety, their, his, or her Heirs, Executors, Administrators, or Assigns, and their, his, or her Estate and Effects, any thing in this Act to the contrary notwithstanding.

Bond to be sued upon.

VII. And be it enacted, That so often as any Breach or Default shall be made in the Performance of all or any Part of the Condition of any Bond or Obligation which shall be entered into to the said Secretary under the Provisions of this Act, it shall be lawful for the said Commissioners from Time to Time at their Discretion to direct their Solicitor for the Time being to proceed against all or any of the Obligors or Obligor, his, her, or their Heirs, Executors, or Administrators, and upon Proof of any such Breach or Default the Jury shall award such Sum for Damages and Costs as they shall think fit, not exceeding the Penalty of the said Bond or Obligation; and such Sum so awarded, when levied, shall be paid into the Bank of *Ireland* to the Credit of the said Commissioners, to be applied by them for the Purposes of the said recited Act and of this Act: Provided always, that the said Commissioners shall and they are hereby authorized at any Time at their Discretion to direct against which of the Obligors in any such Bond, if there are more than One, Proceedings shall be from Time to Time taken on any such Bond or Obligation, and by Writing under their Hands and Seals, to be exhibited to the Barons of His Majesty's Court of Exchequer in *Dublin*, to direct any such Proceedings to be discontinued, quashed, or abated, and the same shall thereupon be discontinued, quashed, or abated.

Upon Performance of the Condition the Bond to be cancelled.

VIII. And be it enacted, That so soon as the Work in respect of which any such Bond or Obligation shall have been made to the said Secretary shall be completed, and the Conditions thereof fully satisfied, to the Satisfaction of the said Commissioners, it shall be lawful for the said Commissioners and they are hereby required, upon the Application of any Obligor therein named, to certify in Writing that the said Condition has been performed, and upon Production of such Certificate to the proper Officer of any of His Majesty's Courts in *Ireland* in which Judgment may have been entered upon such Bond or Obligation Satisfaction shall be entered upon the Record of such Judgment; and in case Judgment shall not have been entered up thereupon the said Bond or Obligation shall be delivered up by the Party holding the same to such Obligor to be cancelled, and shall be cancelled accordingly.

Grants may be made for Harbours, &c. on navigable Lakes and Rivers, in like Manner as on Coast Harbours, &c.

IX. And be it enacted, That it shall and may be lawful for the Commissioners for the Execution of the said Act to receive Applications and make Grants in aid of the Construction and Erection of small Harbours, Piers, and Quays on navigable Rivers and Lakes, on the same Terms and subject to the like Conditions and Regulations as to the Amount of such Grants, and all other Particulars, as by the said Act provided in respect of Applications and Grants in aid of the Construction and Erection of small Harbours, Piers, and Quays

on the Sea Coast of *Ireland*, and with the like Powers and Authorities in relation thereto, save as such Conditions and Regulations, Powers and Authorities, may be altered by this Act.

Power to levy Tolls.

X. And be it enacted, That when and so often as any Pier, Harbour, or Quay shall have been constructed, either wholly or in part, under the Provisions of the said recited Act or of this Act, or of either of them, it shall and may be lawful for the said Commissioners and they are hereby authorized to levy or cause to be levied and paid, for the Use of such Pier, Harbour, or Quay, such Tolls as the Lords Commissioners of His Majesty's Treasury shall from Time to Time approve of: Provided always, that the Amount of such Tolls shall not exceed the probable average annual Expence of maintaining and repairing such Pier, Harbour, or Quay, and of the contingent Expences to be incurred by the said Commissioners in relation thereto, and of the Amount of Interest at the Rate of not less than Five Pounds *per Centum per Annum* on the Capital, whether public or private, expended on such Work; and provided further, that in case it shall appear to the said Commissioners that it would promote the Public Advantage that a greater Amount of Tolls should be levied, under the Provisions of this Act, for the Use of any such Pier, Harbour, or Quay, or that such Tolls should be at any Time increased with a View of thereby creating a Fund for the Improvement of such Pier, Harbour, or Quay, it shall be lawful for the said Commissioners and they are hereby authorized to increase or to lower such Tolls to such Extent and for such Period as the said Commissioners shall from Time to Time direct, with the Approbation of the Lords Commissioners of His Majesty's Treasury.

Amount of Tolls.

Power to increase the Tolls for Improvements.

Power to let the Tolls.

XI. And be it enacted, That it shall be lawful for the said Commissioners, if they shall so think fit, by public Bidding, from Time to Time to let and from Time to Time to relet all or any of the Tolls payable under the Provisions of this Act, for Terms not exceeding Ten nor less than Five Years, on such Conditions and with such Security for Payment of the Rent reserved on such Lease as the said Commissioners shall think fit, and the Lords Commissioners of His Majesty's Treasury shall from Time to Time approve: Provided always, that every such Lease shall contain a Covenant on the Part of the Lessee or Lessees to keep such Work in repair (so far as the ordinary Wear and Tear of such Work may render necessary), and shall also contain a Power of Re-entry on the Nonpayment of such Rent, or Nonperformance of such Covenant for Repairs, within Three Calendar Months after the same shall become due, or after any Breach of any such Covenant, and a Power to such Commissioners at any Time to put an end thereto on giving Three Calendar Months Notice to the Lessees or Lessee thereof of an Intention so to do: Provided always, that nothing in this Act contained shall be construed to extend to or affect any Tolls already raiseable and payable or which shall hereafter be made raiseable or payable by virtue of the Provisions of any Act of Parliament passed before the passing of this Act.

Covenants in Leases.

Application of Tolls.

XII. And be it enacted, That the Tolls payable under the Provisions of this Act, or the Rent payable upon any Lease thereof, shall be

be applied in manner following; (that is to say,) first, in repairing and maintaining the Pier, Harbour, or Quay in respect of which such Tolls or Rent shall be payable; and, in the next place, in defraying all the contingent Expences of the said Commissioners in relation to such Work; and, in the next place, in paying Interest on the Capital, whether private or public, expended in the Execution of such Work, to the Parties entitled to receive the same, at a Rate not exceeding Five Pounds *per Centum per Annum*, so far as the same will extend; and the Surplus of such Tolls or Rent shall be in the meantime invested in Public or Government Securities, and suffered to accumulate so as to form a Fund for the future Improvement of such Work, and such Fund shall be applied for such Purpose, at such Time, and in such Manner as the said Commissioners shall from Time to Time direct, and the Lords Commissioners of His Majesty's Treasury shall from Time to Time appoint.

Power of enforcing Payment of Tolls.

XIII. And be it enacted, That it shall be lawful for the said Commissioners, in Cases in which such Tolls shall not be leased or let, and for the Lessees or Lessee of such Tolls if leased or let, from Time to Time to appoint sufficient Collectors and Officers or Agents for the Purpose of receiving the Tolls payable under this Act; and in case any Person liable to pay such Tolls shall refuse or neglect to pay the same, it shall be lawful for the said Commissioners, or for the Lessees or Lessee of the said Tolls, or their Officer or Agent or other Person to whom such Toll ought to have been paid, to seize the Vessel, Goods, Articles, and Things in respect of which such Tolls ought to have been paid wherever the same may be found, and to detain the same until such Tolls, together with the reasonable Cost and Expences of such Seizure and Detention, shall be paid; and if such Vessels, Goods, Articles, and Things shall not be redeemed within Twenty-one Days after the Seizure thereof, the same shall be appraised and sold, and, after deducting the Costs of such Seizure, Detention, and Sale, all such Sums as shall be due in respect of such Toll shall be satisfied thereout, and the Overplus paid to the Owner, in like Manner as the Law directs in Cases of Distress for Rent in arrear.

Commissioners may make such Bye Laws for Payment of Tolls and Use of such Piers, &c. as said Commissioners are enabled to do under 1 & 2 W. 4. c. 33. vesting the Powers of Directors General of Inland Navigation in such Commissioners.

XIV. And be it enacted, That it shall and may be lawful for the said Commissioners to make such Bye Laws, Rules, and Regulations for the Payment of Rates or Tolls in, and for the Use and Occupation of any such Pier, Harbour, or Quay, and the Preservation and safe Keeping of the same, such Bye Laws, Rules, and Regulations not being contrary to the Laws or Statutes of this Realm, as the Directors of General Inland Navigation in *Ireland* were enabled to make and establish under any Act or Acts for promoting Inland Navigation, or as the said Commissioners for the Promotion and Extension of Public Works in *Ireland* are now enabled to do under the Provisions of the said recited Act of the First and Second Years of His present Majesty's Reign, vesting the Powers and Authorities theretofore enjoyed by the said Directors General in the said Commissioners; and any Person or Persons guilty of any Breach of or offending against any such Bye Laws, Rules, or Regulations, shall and may be proceeded against, and shall incur a like Penalty or Forfeiture, to be levied and enforced in

in like Manner as in the Case of any Person offending against the Bye Laws, Rules, or Regulations at any Time made by the said Directors General or by the said Commissioners in respect of any Canal or Navigation.

Advances for Repair of Bridges may be made by Commissioners of Public Works.

XV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of Public Works, with the Consent and Approval of the Lords Commissioners of the Treasury, to make Advances under this Act or the Acts herein-before recited for the building, rebuilding, or repairing of Public Bridges on Lines of Turnpike Roads, provided the Repayment of such Advance be adequately secured upon the Tolls of such Turnpike Roads, or other adequate Security.

Treasury authorized to enlarge the Time for Payment of the Principal, and to reduce the Interest on existing and new Loans.

XVI. And be it enacted, That, notwithstanding any thing in the said recited Act or in this Act contained, in any Case in which any Loan or Advance for any Purpose has already been or shall be made, under the Provisions of the said recited Act and of this Act, or of either of them, to any Body, Company, or Party, on any Security whatever, to be repaid on any Terms whatever, either as to Principal or Interest, it shall and may be lawful for the Lords Commissioners of His Majesty's Treasury and they are hereby authorized at their Discretion, notwithstanding the Terms of any Agreement which may have been made or shall hereafter be made as to such Loan, to enlarge the Time within or to increase the Number of Instalments in which such Loan or any Part thereof shall be required to be repaid, or to reduce the Rate of Interest which shall be payable on such Loan or on any unpaid Part thereof; and every such Extension of Time or Reduction of the Rate of Interest, when made as aforesaid, shall be as valid and effectual as if the same had been Part of the Terms of such Loan or Advance, and as if all the Securities entered into in relation to such Loan had been entered into after such Extension of Time or Reduction of Interest had been made: Provided always, that the Interest shall in no Case be reduced to a Rate less than Ten Shillings *per Centum per Annum* above the Rate of Interest on the Exchequer Bills made out or issued for the Purpose of such Loan or Advance.

In existing Loans Treasury to have Power to dispense with or release from Liability to contribute towards the Completion of Works beyond the Estimate.

XVII. And be it enacted, That, any thing in the said recited Act to the contrary notwithstanding, it shall be lawful for the said Lords Commissioners of the Treasury to release and discharge, if they shall so think fit, any Party who under the Provisions of the said recited Act shall be liable to be called upon to contribute any Sum of Money for the Purpose of completing any Work in respect of which any Loan has been or shall be made, over and above or in addition to the Amount for which such Party subscribed or contracted to subscribe towards the Execution of any such Work; and that in any Loans which shall hereafter be made under the Provisions of the said recited Act and of this Act, or either of them, no such Liability shall be incurred unless the Lords Commissioners of His Majesty's Treasury shall so direct: Provided always, that it shall be lawful for the Lords Commissioners of His Majesty's Treasury, if they shall think fit, at any Time by any Writing under their Hands to declare that any Loan

which shall hereafter be made shall be made subject to such Liability to contribute being incurred, and at any Times or Time after such Liability shall have been incurred, if they shall so think fit, to release and discharge all or any of the Parties who shall be so liable to contribute from the Payment of the Whole or any Part of the Sums or Sum of Money which he, she, or they shall be so liable to contribute or pay; and in case the Lords Commissioners of His Majesty's Treasury shall think fit to make any such Declaration requiring such Liability to be undertaken, the said Commissioners for the Execution of the said recited Act and of this Act shall make such Loan upon such Condition that such Liability to contribute shall be incurred; and in case the said Lords Commissioners of His Majesty's Treasury shall subsequently release or discharge any Party from such Liability, every such Party shall from thenceforth be so released and discharged therefrom accordingly.

Securities to be taken in the Form set forth in the Schedule.

XVIII. And be it enacted, That every Mortgage, Assignment, or other Security (except the Writing obligatory herein-before mentioned) which is directed or required to be made in pursuance of the Provisions of the said recited Act and of this Act, or of either of them, for securing the Repayment of any Loan and Interest, may be made in such of the Forms set forth in the Schedule to this Act as shall be applicable thereto, or as near thereto as the Circumstances of the Case will admit; and that every Estate, Right, Title, Interest, Claim, and Remedy created by or which shall arise by virtue of such Mortgage, Assignment, or other Security, or by any Bond or Obligation in Writing to be executed to the Secretary of the said Commissioners under the Provisions of this Act, shall be vested in the Secretary for the Time being of the said Commissioners, without any Assignment or Transfer being executed to him.

Powers given to any Commissioners that may be appointed to report upon and survey the principal Lines best adapted for the Construction of Railways to enter Lands.

XIX. And be it enacted, That in case His Majesty shall think fit to issue a Commission deputing and appointing any Persons to consider and report upon the principal Lines of Communication in *Ireland*, with reference to the comparative Advantages and Facilities they afford for the Construction of Railways, with a view to ascertain the best Lines between any of the principal Places in *Ireland* which it may be desirable to connect by Railways, and for which Works Joint Stock Companies may be willing hereafter to apply to Parliament, it shall and may be lawful for such Persons and their Surveyors or Agents, for the Purpose of making such Survey as may be necessary to carry into effect such His Majesty's Commands and Instructions, to enter into and upon the Lands of any Person or Corporation whatsoever, and to survey and take Levels of the same or of any Part thereof, and to do and execute all Matters and Things necessary or convenient for making such Survey, such Persons doing as little Damage as may be in the Execution of the Powers to them by the said Commission and hereby granted, and making reasonable Satisfaction (if required) to the Owners of and other Persons interested in any such Lands which shall or may be in any way injured or damnified in or by the Execution of the Powers by the said Commission and hereby granted to such Persons; and this Act shall be sufficient to indemnify such Persons, and all Surveyors, Agents, or Persons acting in and

under the Orders of any of them, for what they or any of them shall do by virtue of the Powers by such Commission and hereby granted.

Penalty for preventing, such Commissioners or their Surveyors in making such Survey, &c.

XX. And be it enacted, That if any Person shall wilfully prevent, assault, or threaten to assault any such Commissioner, or any Surveyor or Agent acting in aid or under the Orders of any such Commissioner, pursuant to the Provisions herein-before contained, or shall wilfully destroy or injure any Surveyor's Instruments or Implements used for the Purpose of making such Survey as aforesaid, every Person so offending shall forfeit and pay for every such Offence, upon Conviction by the Oath of One credible Witness before any Two Justices of the Peace for the County wherein such Offence shall have been committed at Petty Sessions, such Sum not exceeding Ten Pounds as the said Justices shall think fit; and in case the same shall not be paid such Justices are hereby empowered and required to commit such Offender to any Gaol, Bridewell, or House of Correction for any Time not exceeding Three Months, or until such Forfeiture shall be paid.

Construction of Terms.

XXI. And be it enacted, That wherever the Lords Commissioners of the Treasury shall be named in this Act, the Provision shall be deemed to import and apply to any Three or more of them, or to the Lord High Treasurer when such Officer there shall be.

Act may be altered.

XXII. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed in the present Session of Parliament.

SCHE-

SCHEDULE to which the foregoing Act refers.

No. 1.

Form of Security by way of Mortgage or Assignment of any Freehold or Leasehold or Personal Estate, or by way of Deposit of any Title Deeds or Documents relating to any Freehold, Leasehold, or other Personal Estate.

WHEREAS by virtue of an Act passed in the First and Second Years of His present Majesty, intituled "An Act for the Extension and Promotion of Public Works in Ireland," and of an Act passed in the Year of His present Majesty, intituled [*here insert the Title of this Act*], the Commissioners for the Execution of the said Acts have agreed to lend and advance to us, *A.B.* [*here insert the Names of the Parties receiving the Loan or Advance, and the Sum, and the Terms on which it is made*]; it is therefore witnessed, that in pursuance of the said Agreement, and in consideration of the Sum of so agreed to be advanced as aforesaid, we the said *A.B.* [*here insert the Names of the Parties to the Agreement interested in the Work*] do assign [*here insert the Description of the Work*], together with all our Estate, Right, Title, and Interest therein, and we the said *A.B.* of [Principals], and *C.D.* of [Sureties], do for the like Consideration assign [*or* deposit, *as the Case may be*], [*here insert a Description of the Property intended to be assigned or deposited by way of Security*], together with all our respective Estates, Rights, Title, and Interest therein respectively, unto the Secretary of the Commissioners for the Extension and Promotion of Public Works in Ireland, to hold the same respectively in Trust for the said Commissioners and their Successors until the said Sum of and all Interest to become due thereon, shall be fully paid and satisfied, and until [*here insert such other Conditions as the Commissioners shall prescribe*], in pursuance of the Terms of the said Agreement. Given under our Hands this Day of in the Year of our Lord .

No. 2.

Form of Security by way of Bond or Obligation in Writing.

WHEREAS by virtue of an Act passed in the First and Second Years of His present Majesty, intituled "An Act for the Extension and Promotion of Public Works in Ireland," and of an Act passed in the Year of His present Majesty, intituled [*here insert the Title of this Act*], the Commissioners for the Execution of the said Acts have agreed to lend and advance to us, *A.B.* [*here* insert

insert the Names of the Parties receiving the Loan or Advance, and the Sum, and the Terms on which it is made]; it is therefore witnessed, that in pursuance of the said Agreement, and in consideration of the said Sum of Pounds so agreed to be advanced as aforesaid, we the said *A.B.* [*here insert the Names of the Parties to the Agreement interested in the Work*] do assign the said [*here insert the short Description of the Work*], together with all our Estate, Right, Title, and Interest therein, unto the Secretary of the Commissioners for the Extension and Promotion of Public Works in Ireland, to hold in Trust for the said Commissioners and their Successors until the said Sum of Pounds, and all Interest to become due thereon, shall be fully paid and satisfied, in pursuance of the Terms of the said Agreement; and for the like Consideration we *A. B.* of and *C. D.* of [*here insert the Names of all the Obligors*] are jointly and severally held and firmly bound to the said Secretary of the said Commissioners in Pounds, to be paid to him in Trust for the said Commissioners and their Successors, for which Payment we bind ourselves and each of us, and our and each of our Heirs, Executors, and Administrators, firmly by these Presents, sealed with our respective Seals, dated this Day of : Provided always, and the Condition of these Presents is, that if the said Sum of Pounds mentioned in the said Agreement of the Day of and all Interest to become due thereon, shall be fully paid and satisfied in pursuance of the Terms of the said Agreement, and if [*here insert such other Conditions as the Commissioners shall prescribe*], then these Presents shall be void, or else shall remain in full Force.

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