ANNO QUINQUAGESIMO SEXTO

# GEORGII III. REGIS.

## *Cap.* lxiv.

An Act for improving the Port and Harbour of *Waterford*, and for other Purposes relating thereto. [20th *June* 1816.]

WHEREAS the Trade of the Port and City of *Waterford* has considerably increased, and the deepening, cleansing, and improving such Part of the River *Suir* as constitutes the Port and Harbour of *Waterford*, between *Bilberry Rock* and *Hook Tower*, including *Saint Catharine's*, commonly called *Saint John's Pill*, the Appointment of a Pilot Office and a Ballast Office in the said City and Port of *Waterford*, and the creating a Fund for defraying the Charges and Expences thereof respectively, would further tend to promote the Trade and Commerce of the said City; 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 the Directors General of Inland Navigation in *Ireland* for the Time being, *Cornelius Bolton*, *Harry Alcock*, *James Wallace*, *Michael Evelyn*, Sir *Nicholas Britiffe Skottowe* Knight, *Edmund Skottowe*, and *Cornelius Henry Bolton*, Members of the Common Council of the Corporation of the City of *Waterford*, the Right Honourable Sir *John Newport* Baronet, *Henry Holdsworth Hunt*, *John Harris*, *Jeremiah Ryan*, *Edward Courtenay*, *Richard Davis*, *Joseph Strangman*, *John Leonard*, *Robert Jacob*, *John Strangman*, *George Penrose Ridgway*, and *Francis Davis*, Members of the Commissioners.

the Corporation of the Chamber of Commerce of the City of *Waterford*, *Arthur Riall*, *David Malcomſon*, *James Morton*, *Robert Banfield*, and *Robert Grubb*, Merchants and Inhabitants of the Town of *Clonmell*, ſhall be and are hereby appointed and conſtituted Commiſſioners for the Purpoſes of this Act, and as ſuch ſhall have perpetual Succeſſion; and in caſe of the Death, Reſignation, or Removal of any of the ſaid Commiſſioners or their Succeſſors, being Members of the ſaid Two Corporations, it ſhall and may be lawful to and for the Mayor and Common Council of the Corporation of the ſaid City, and for the Chamber of Commerce aforeſaid, in their reſpective Corporations, to elect and appoint out of their reſpective Bodies a fit and proper Perſon or Perſons to be a Commiſſioner or Commiſſioners under this Act in the Room and Place of the Member or Members of each of the ſaid Corporations reſpectively ſo dying, reſigning, or removed; and in caſe of the Death, Reſignation, or Removal of any of the ſaid Commiſſioners or their Succeſſors, being Inhabitants of the Town of *Clonmell*, it ſhall and may be lawful to and for the ſurviving or remaining Commiſſioners of the Town of *Clonmell* to elect and appoint a fit and proper Perſon, being a reſident Inhabitant of the ſaid Town of *Clonmell*, to be a Commiſſioner under this Act in the Room or Place of any ſuch Commiſſioner ſo dying, reſigning, or being removed; and that ſuch Perſon or Perſons ſo from Time to Time elected and choſen ſhall be to all Intents and Purpoſes a Commiſſioner or Commiſſioners for carrying into Effect the Proviſions of this Act, in Manner provided thereby, as if herein named and appointed; and that ſuch Commiſſioners ſhall have full Power at all Time or Times hereafter to meet and aſſemble together whenever and whereſoever they may think proper for the Purpoſes of this Act, but that no Act ſhall be deemed to be an Act of the ſaid Commiſſioners unleſs there ſhall be at leaſt Seven of the ſaid Commiſſioners aſſembled preſent at the Time; and that the ſaid Commiſſioners hereinbefore named ſhall hold their Firſt Meeting within One Calendar Month from the paſſing of this Act; and that no Commiſſioner ſhall act as ſuch until he ſhall at ſome Meeting of the Commiſſioners under this Act take and ſubſcribe the following Oath or Affirmation:

Mode of filling up Vacancies, in caſes of Death, Reſignation, or Abſence of Commiſſioners.

Powers of Commiſſioners.

Firſt Meeting.

Oath or Affirmation to be taken by Commiſſioners.

'I *A. B.* do ſolemnly promiſe and ſwear, [*or* affirm, *as the Caſe may be*,] 'That I will to the beſt of my Judgment execute the Duties impoſed 'upon me under and by virtue of an Act paſſed in the Fifty-ſixth Year 'of the Reign of His Majeſty King *George* the Third, intituled *An Act* '*for improving the Port and Harbour of* Waterford, *and for other Pur*'*poſes relating thereto;* and without any Favour, Affection, or ſiniſter 'Motive whatſoever. So help me GOD.'

And that any ſucceeding Commiſſioner or Commiſſioners elected and appointed under this Act ſhall, before he or they ſhall proceed to act, take and ſubſcribe the ſame Oath or Affirmation, which Oath or Affirmation any Two or more of the Commiſſioners before named, or their Succeſſors, elected and appointed under this Act, be and are hereby empowered to adminiſter to each other, or to any Perſon elected and appointed a Commiſſioner under this Act; and ſuch Oath or Affirmation ſhall be entered in a Book to be kept particularly for that Purpoſe, to be ſubſcribed by the Perſon or Perſons taking or affirming the ſame; and any Perſon or Perſons refuſing or declining to take and ſubſcribe the ſaid Oath or Affirmation ſhall ceaſe to be a Commiſſioner, and a new Election ſhall take

Oath to be entered in a Book.

Any Perſon refuſing to take ſaid

place for a Perſon or Perſons to act in the Room of ſuch Perſon or Perſons ſo refuſing or declining to take the ſaid Oath or Affirmation; and at every Meeting of the ſaid Commiſſioners the Members preſent ſhall, before they proceed on other Buſineſs, elect a Chairman for ſuch Meeting, who ſhall vote in caſe the Numbers ſhall be equal on any Diviſion at the ſaid Meeting, but not otherwiſe. Oath ſhall ceaſe to be a Commiſſioner.

II. And be it further enacted, That if any of the Commiſſioners for executing this Act, (other than the ſaid Directors General of Inland Navigation), ſhall refuſe or neglect to attend at any of the Meetings held by the ſaid Commiſſioners for the Space of Three Calendar Months at any one Time, without Leave from the ſaid Commiſſioners previouſly obtained and entered on their Minutes, unleſs ſome ſatisfactory Excuſe for the Abſence of ſuch Commiſſioner who ſhall not have attended as aforeſaid ſhall be given in, admitted, and entered on the Minutes of the ſaid Commiſſioners, within Twenty-one Days after the Expiration of the ſaid Three Calendar Months, or unleſs ſuch Commiſſioner ſhall attend at ſome Meeting of the ſaid Commiſſioners within the ſaid Twenty-one Days, if any ſuch Meeting ſhall be held within that Time, and if not then, at their next Meeting, it ſhall and may be lawful to and for the ſaid reſpective Corporations of the ſaid City of *Waterford*, and of the Chamber of Commerce, or for the Merchants and Inhabitants of *Clonmell*, of whom the Commiſſioner ſo making Default ſhall have formed Part, to remove ſuch Commiſſioner reſpectively, if they ſhall think fit, and to re-elect the ſame Perſon, or to elect ſome other Member of the ſaid Corporations, or Inhabitant of *Clonmell* reſpectively, to be a Commiſſioner under this Act in the Room and Place of ſuch Commiſſioner ſo removed; and that no Commiſſioner belonging to either of the ſaid Corporations ſhall continue to be a Commiſſioner under this Act longer than he ſhall continue to be a Member of the ſaid Corporations reſpectively; and that no Commiſſioner under this Act, (not being a Director General of Inland Navigation) ſhall hold any Place or Office of Profit or Emolument under this Act; and if any ſuch Commiſſioner ſhall not continue to be a Member of the ſaid Corporations reſpectively, or if any ſuch Commiſſioner ſhall accept any Place or Office of Profit or Emolument under this Act, he ſhall no longer be a Commiſſioner from the Time he ceaſed to be a Member of ſuch Corporation, or from the Time of his Appointment and Acceptance of any ſuch Place or Office of Profit or Emolument under this Act, and the Corporation or Perſons, Merchants and Inhabitants of *Clonmell* aforeſaid, of whom ſuch Commiſſioner formed a Part, ſhall and they are hereby required to elect and appoint another Perſon, according to the Direction of this Act, in the Room and Place of the Perſon ſo ceaſing to be a Commiſſioner. Appointing new Commiſſioners in lieu of ſuch as do not attend, or otherwiſe.

III. And be it further enacted, That at the Expiration of every Third Year, to be computed from One Calendar Month after the paſſing of this Act, Four of the ſaid Commiſſioners elected by the ſaid Chamber of Commerce ſhall ceaſe to be Commiſſioners under this Act, and the ſaid Chamber of Commerce ſhall determine by Ballot or otherwiſe, as they ſhall think proper, the Names of the ſaid Four Commiſſioners to be removed, and ſhall elect Four Members of the ſaid Chamber of Commerce, to ſerve as Commiſſioners for the Purpoſes of this Act in the Room and Place of the ſaid Four Commiſſioners removed: Provided always, that nothing herein contained ſhall hinder or prevent the ſaid Four Commiſſioners, or any of them Four Commiſſioners choſen by Chamber of Commerce to be removed every Three Years.

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ſo removed, from being re-elected Commiſſioners, any Thing herein contained to the contrary notwithſtanding.

**Power to appoint Officers.**

IV. And be it further enacted, That the ſaid Commiſſioners ſhall, at ſuch Firſt Meeting or any ſubſequent Meeting, appoint whatever Officers, other than the Maſter Pilot, Deputy Maſter Pilots, and Pilots, they may deem neceſſary for the Execution of the ſeveral Purpoſes comprized in this Act, at fit and proper Salaries, to be paid out of the Duties that may ariſe under this Act payable to the ſaid Commiſſioners, and increaſe or diminiſh the ſaid Salaries from Time to Time, as the ſaid Commiſſioners ſhall deem reaſonable, and alſo from Time to Time, when it ſhall appear to the ſaid Commiſſioners that ſuch Officer or Officers or any of them have been guilty of any Neglect or improper Conduct, or that it ſhall become neceſſary to remove ſuch Officer or Officers, to elect other fit and proper Perſons in their Stead, as they the ſaid Commiſſioners ſhall think fit: Provided always, that no greater Salary than Three hundred Pounds a Year ſhall be paid to any ſuch Officer appointed by the ſaid Commiſſioners under this Act, and that the Amount of all Salaries to be paid to all ſuch Officers ſhall not exceed the Sum of One thouſand three hundred Pounds in the whole in any one Year.

**For making Bye Laws, and altering the ſame.**

V. And be it further enacted, That the ſaid Commiſſioners ſhall and may at ſuch Meeting, or any ſubſequent Meeting, make and ordain ſuch Rules, Orders, Bye-Laws, and Regulations for carrying into Effect the ſeveral Purpoſes of this Act, the Regulation and Conduct of the ſeveral Officers employed under the ſame, and the Application of the Revenues and Duties, and from Time to Time alter and change the ſame in ſuch Manner as they may deem adviſable: Provided always, that ſuch Bye-Law or Bye-Laws ſhall receive the Approbation of Two-thirds of the Commiſſioners preſent, and ſhall not be repugnant to this Act, or any of the Laws or Statutes of that Part of the United Kingdom called *Ireland*; and that the ſame ſhall not at any Time impoſe any greater Fine than Ten Pounds, and ſhall be regularly entered in a Book to be kept for that Purpoſe, ſigned by the ſeveral Commiſſioners who ſhall or may be preſent at the making, altering, or changing the ſame, and ſhall be affixed on ſome conſpicuous Part of the ſaid Harbour; and that no ſuch Bye-Law or Bye-Laws ſo to be made or changed, ſhall be valid unleſs Thirteen of the ſaid Commiſſioners ſhall be preſent at the Time, and that Six clear Days Notice in Writing of ſuch Intention to make, alter, or change ſuch Bye-Law or Bye-Laws has been regularly given to or left at the uſual Place of Abode of the ſeveral Commiſſioners aforeſaid, or their Succeſſors, previous to the making, altering, or changing the ſame.

**Lords of Treaſury empowered to advance a Sum not exceeding 10,000l. to be repaid with Intereſt.**

VI. And be it further enacted, That the Lords Commiſſioners of His Majeſty's Treaſury in *Ireland* ſhall be and they are hereby empowered to advance out of the Conſolidated Fund of *Ireland*, by way of Loan, unto the ſaid Directors General of Inland Navigation of *Ireland* and the ſaid Commiſſioners, ſuch Sum or Sums of Money, not exceeding Ten thouſand Pounds, at ſuch Rate of Intereſt, not exceeding Five Pounds *per Centum per Annum*, as to them may ſeem meet, to enable the ſaid Directors General and the ſaid Commiſſioners to complete the Works hereby intended to be done, which Sum ſo intended to be lent or advanced ſhall be repaid by the ſaid Commiſſioners out of and by the Duties impoſed or to be impoſed under

under and by virtue of this Act; in such Manner as the said Lords Commissioners of His Majesty's Treasury and the said Commissioners aforesaid shall or may for that Purpose arrange and determine.

Works to be executed by Money advanced out of the Consolidated Fund shall be under the sole Management of the Commissioners of Inland Navigation.

VII. And be it further enacted, That until the Works to be done and performed under this Act for improving the said Port and Harbour, and for making such other Improvements as are authorized by this Act, shall be fully executed and completed, the Management of all the said Works, and of all Persons to be employed in or appointed for the Execution thereof, and of all Matters and Things whatever relating to the said Works, so far as relates to the Employment or Expenditure of all and every or any Sum or Sums of Money which shall be advanced out of the said Consolidated Fund for the Purposes of this Act, shall be under the Superintendence and Direction of the said Directors General of Inland Navigation only, without any Interference, Control, or Direction by or from the other Commissioners appointed for executing this Act: Provided also, that the said Directors General of Inland Navigation shall be accountable for the said Expenditure before the Commissioners for auditing the Public Accounts in *Ireland*; and that when all the said Works shall be fully completed and carried into Execution, the same shall be vested in and shall be subject to the Direction, Control, and Management of all the Commissioners appointed by this Act, and their Successors, for the Purposes of this Act.

Rates.

VIII. And whereas a great and continual Expence will be required to carry on the Works necessary for improving and cleansing the said River *Suir* from the Points aforesaid, including *Saint Catharine's* or *Saint John's Pill* within the said Port and Harbour of *Waterford*, and making such other Improvements therein as may from Time to Time appear to the said Commissioners to be requisite; therefore, for the Purpose of raising Funds to defray the Expence of such Improvements as may from Time to Time be made or intended to be made by the said Commissioners or their Successors, and for the Repayment of any Sum or Sums of Money that shall or may be so as aforesaid lent or advanced, or that may at any Time hereafter be lent or advanced to the said Commissioners for the Purposes of this Act, be it further enacted, That from and after Thirty Days after the passing of this Act there shall be paid for the Use of the said Commissioners such Rates and Duties as the said Commissioners may from Time to Time appoint, not exceeding at any Time the Rates and Duties which are particularly described and set forth in the Schedule marked (A.) and to this Act annexed; which said Rates and Duties shall be and are hereby directed to be paid over and above all other Rates and Duties that are now payable for or in respect of any Ship or Vessel entering the Port or Harbour of *Waterford*.

Application of Rates.

IX. And be it further enacted, That the whole of the said Rates and Duties imposed as aforesaid, as they shall or may arise out of the Tonnage of such Ship or Ships, Vessel or Vessels, shall be applied to the Liquidation of the Money and Interest thereof, so as aforesaid to be borrowed from the Lords of His Majesty's Treasury; and after the Liquidation of the said Debts and the Interest, the said Rates and Duties shall be reduced to an Amount not exceeding the One Half of the Rates of Tonnage specified in the said Schedule, and be applied to such Improvements of the

River and Harbour of *Waterford*, and in such Manner as they the said Commissioners may appoint and determine, and to no other Use or Purpose whatsoever.

Until Payment of the Sum advanced out of the Consolidated Fund, the Duties in Schedule (A.) shall be collected by the Collectors of the Customs and paid into the Treasury.

X. Provided always, and be it enacted, That the Tonnage Rates and Duties granted and made payable by the Schedule marked (A.) to this Act annexed, shall be collected by the Collector or other Chief Officer of the Customs in the said Port and Harbour of *Waterford*, and that the said Duties shall from Time to Time be accounted for by the said Collector or other Chief Officer of Customs, and shall be by such Collector or Officer paid into the Receipt of His Majesty's Exchequer of *Ireland*, until such Time as all Sum and Sums of Money which shall have been advanced out of the said Consolidated Fund to the said Directors General of Inland Navigation and Commissioners under this Act, pursuant to the Provisions of this Act, together with Interest for the same at the Rate aforesaid, shall be fully paid and satisfied; and that when and as soon as all such Sums and Interest as aforesaid shall be fully paid and satisfied, the said Rates and Duties, or so much of them as shall be then payable, shall and may be collected and received by any Officer to be for that Purpose appointed by the Commissioners appointed by this Act, and to be applied to the Purposes of this Act; that is to say, to the Improvement of the Port and Harbour of *Waterford*.

For Appointment of Pilots.

XI. And whereas divers Accidents have happened to Vessels trading to and from the said City of *Waterford*, by the Incompetence of Persons taking Charge of Vessels as Pilots, which renders it necessary that there should be an Establishment of proper Persons to act as such in the said River and Harbour of *Waterford*; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood of the Most Glorious and Undivided Trinity, and of *Saint Clement*, in *Deptford Strond*, in the County of *Kent*, in that Part of the United Kingdom called *England*, commonly called *The Corporation of Trinity House of Deptford Strond*, from Time to Time to appoint One discreet and intelligent Person to the Office of Pilot Master, and any Number not exceeding Three discreet and intelligent Persons to the Office of Deputy Pilot Masters of the said Port, Harbour, and River of *Waterford*, and Parts adjacent, together with such other Number of competent Persons to act as Pilots, as they may from Time to Time deem necessary, who shall thereupon hold such Office respectively during the Pleasure of the said Corporation of Trinity House: Provided always, that the said Pilot Master shall, before entering on the Duties of the said Office, enter into Security by himself in the Sum of Six hundred Pounds, and Two other good and sufficient Persons as his Security or Securities, to be approved by the said Commissioners under this Act, by Bond or other Security to the said Commissioners, in the Sum of Three hundred Pounds each, and the said Deputy Pilot Masters in a like Bond or Security, in the Sum of Four hundred Pounds by themselves respectively, and Two other Securities in Two hundred Pounds each, conditioned for the true and faithful Discharge of his or their respective Duties, as Pilot Master or Deputy Pilot Masters respectively, and to abide by, perform, and fulfil all such Rules, Regulations, and Orders, as may be from Time to Time made or issued by the said Commissioners, or their Successors, the same not being contrary to the Laws of the United Kingdom,

for the Regulation and good Government of the ſaid Pilot Maſter, Deputy Pilot Maſters, or other Perſons appointed by the ſaid Corporation of Trinity Houſe to act as Pilots; and that ſuch Security when taken ſhall be as good and valid as if a particular Form of Security was herein ſet forth; and in caſe of the Miſconduct or wilful Neglect of the ſaid Perſon or Perſons to be appointed as aforeſaid, for the Pilotage of Veſſels in the ſeveral Duties impoſed or to be impoſed on them under this Act, ſuch Perſons appointed as aforeſaid ſhall, on Conviction thereof before any Juſtice of the Peace for the County or County of the ſaid City of *Waterford*, be committed to the Common Gaol of the ſaid County, or County of the ſaid City, for any Time not exceeding Three Months, and be rendered incapable of acting as a Pilot in and for the Port, Harbour, and River of *Waterford*, for any Space of Time the ſaid Commiſſioners may think proper.

Deputy Pilot Maſters and Pilots ſhall be examined by the Commiſſioners, and certified by them to the Trinity Houſe.

XII. Provided always, and be it enacted, That before any ſuch Appointment ſhall be made by the ſaid Corporation of Trinity Houſe of any Perſon to be a Deputy Pilot Maſter or Pilot within the ſaid Port, Harbour, and River of *Waterford*, the Commiſſioners under this Act, together with the Pilot Maſter to be appointed by the ſaid Corporation of Trinity Houſe as aforeſaid, ſhall examine all and every or any Perſons or Perſon who ſhall offer themſelves or himſelf as Candidates or Candidate for ſuch Office or Place of Deputy Pilot Maſter or Pilots, as to their Skill, Knowledge, and Sufficiency in Pilotage, within the ſaid Port, Harbour, and River; and the ſaid Commiſſioners and alſo the Pilot Maſter ſhall give to any ſuch Perſon or Perſons as they ſhall think fit and proper a Certificate under the Hands of the Chairman preſiding at ſuch Examination, and of the ſaid Pilot Maſter, ſignifying their Approbation of the Skill, Knowledge, and Sufficiency of ſuch Perſon or Perſons to become a Deputy Pilot Maſter or Pilot accordingly; and upon Production of ſuch Certificate to the ſaid Corporation of Trinity Houſe, it ſhall be lawful for the ſaid Corporation to nominate and appoint any one or more of ſuch Perſons to be a Deputy Pilot Maſter, or to be a Pilot within the ſaid Port, Harbour, and River, if the ſaid Corporation ſhall think fit and proper ſo to do; or in the Event of ſuch Perſon not being approved of, then to appoint ſome other Perſon, who ſhall have undergone ſuch Examination as above provided, to be ſuch Deputy Pilot Maſter or Pilot, as the Caſe may be, in the ſaid Port, Harbour, and River; and ſuch Perſon or Perſons ſhall be admitted by the Commiſſioners under this Act to act as ſuch Deputy Pilot Maſter or Pilot accordingly, ſuch Deputy Pilot Maſter firſt giving ſuch Security as by this Act is required.

Salaries of Pilot Maſters, their Deputies and Pilots.

XIII. And be it further enacted, That ſuch Pilot Maſter ſo to be elected as aforeſaid ſhall receive ſuch Salary, not exceeding the Rate of Three hundred Pounds *per Annum*; and ſuch Deputy Pilot Maſters ſhall receive ſuch Salaries not exceeding the Rate of Two hundred Pounds *per Annum*, for each ſuch Deputy Pilot Maſter; and all ſuch Pilots ſhall receive ſuch Salaries, not exceeding the Rate of Fifty Pounds *per Annum* for each ſuch Pilot, as the ſaid Corporation of Trinity Houſe under this Act ſhall from Time to Time direct and appoint, to be paid out of the Produce of the Rates ſpecified, mentioned, and contained in the Schedule (B.) to this Act annexed.

Commiſſioners empowered to ap-

XIV. And be it further enacted, That the ſaid Commiſſioners may and they are hereby authorized to provide and appoint ſuch Places and Stations for

point Stations for Pilots; and to provide Boats.

Penalty on Pilot Maſter neglecting Signals.

for the Rendezvous of the ſaid Pilot Maſter, Deputy Pilot Maſters, and Pilots, as to them may appear moſt advantageous for the Trade of the ſaid Port, Harbour, and River; and ſhall and they are hereby required to provide good and ſufficient Boats for the Purpoſe of piloting all Veſſels arriving at or ſailing from the ſaid Port, Harbour, and River; and in caſe the ſaid Pilot Maſter, Deputy Pilot Maſters, and other Perſons appointed as aforeſaid, ſhall at any Time or Times, upon due Signal given by any Maſter or Commander of any Veſſel ariving at or ſailing from the ſaid Port or Harbour, or at or from any of the Pilot Stations in the ſaid River, or within View thereof, wilfully neglect or omit within a reaſonable Time to provide a proper Pilot for the Pilotage of the ſaid Veſſel, ſuch Pilot Maſter, Deputy Pilot Maſter, or other Perſon having Charge of ſuch Station, ſhall, upon Conviction thereof before a Juſtice of the Peace in and for the County or County of the City of *Waterford*, upon a Summons duly iſſued for that Purpoſe, and which Summons the ſaid Juſtice of the Peace is hereby authorized and required to grant, the ſaid Summons to be ſerved Twenty-four Hours at leaſt before the hearing of the ſaid Complaint, at the Requeſt of ſuch Maſter of a Veſſel or other Perſon making ſuch Signal, or any other Perſon who may think proper to apply for the ſame, forfeit any Sum not exceeding Ten Pounds, at the Diſcretion of the ſaid Juſtice of the Peace, One Half thereof to be paid to the Proſecutor, and the other Half to and for the Uſe of the Fever Hoſpital of the City of *Waterford*, to be recovered as herein-after mentioned: Provided always, that at the Pilot Station in the City of *Waterford*, the Maſter or other Officer of any Veſſel outward-bound requiring a Pilot ſhall give Notice thereof in Writing Twenty-four Hours at leaſt before ſuch Pilot is required to take Charge of ſuch Veſſel, and that ſuch Notice be delivered at the ſaid Station between the Hours of Nine in the Morning and Four in the Afternoon.

No Perſon ſhall act as Pilot, unleſs appointed by the Trinity Houſe.

XV. And be it further enacted, That from and after Forty Days next after the paſſing of this Act, no Perſon ſhall offer himſelf as a Pilot, or take Charge of any Veſſel arriving at or ſailing from the ſaid Port, Harbour, and River of *Waterford*, ſave thoſe Perſons appointed for that Purpoſe by the Corporation of Trinity Houſe aforeſaid under this Act; and if any Perſon or Perſons ſhall ſo take Charge of any Veſſel arriving at or ſailing from the ſaid Port, Harbour, or River, ſuch Perſon or Perſons ſhall, upon Conviction thereof before any Juſtice of the Peace in and for the County or County of the City of *Waterford*, after ſuch Summons and Service aforeſaid, be committed to the Common Gaol of the ſaid County or County of the ſaid City for ſuch Time as ſuch Juſtice of the Peace ſhall adjudge, for any Time not exceeding Three Months: Provided always, that if any Perſon or Perſons who ſhall have taken Charge of any Veſſel arriving at the Harbour or Port of *Waterford*, at any other Place than the Mouth of the ſaid Harbour, ſhall, upon the Arrival of the ſaid Veſſel within the Headlands of the ſaid Harbour, deliver up the Charge of the ſaid Veſſel to a Pilot nominated and appointed by the ſaid Corporation of Trinity Houſe under the Authority of this Act, who may board or offer himſelf for that Purpoſe to ſuch Veſſel, that then and in that Caſe he ſhall not be liable to any Penalty under this Act.

Commiſſioners may order certain Sums of Money

XVI. And in order to enable the ſaid Commiſſioners and their Succeſſors to give due and ſufficient Encouragement to Perſons acting as Pilots as aforeſaid to be active and diligent in their Duties as ſuch, be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners and

and their Succeſſors aforeſaid to appoint any Sum or Sums of Money to be paid to ſuch ſuperannuated or ſickly Pilot or Pilots as they ſhall think proper; and to the Family or Families of any Pilot or Pilots who ſhall have been drowned, loſt, or diſabled in the Diſcharge of his or their Duty as ſuch; provided all ſuch Sums together ſhall not exceed in the whole Two hundred Pounds in any one Year; and alſo from Time to Time to grant and pay to any Pilot or Pilots, or other Perſon or Perſons, any Sum or Sums of Money they ſhall think ſuch Pilot or Pilots, or other Perſon or Perſons, may deſerve for any extraordinary Service or Services performed by him or them; all which Sums ſhall be paid out of the Payments, Rates, Duties, and Revenues which ſhall ariſe by this Act.

to be paid to ſuperannuated or ſickly Pilots; or may pay Pilots for extraordinary Services.

XVII. And be it further enacted, That if any Maſter or other Officer of any Veſſel arriving at or ſailing from the River, Harbour, or Port of *Waterford*, ſhall think fit or proper to employ one or more Boat or Boats, Boat's Crew or Boats' Crews, to aſſiſt in navigating the ſaid Veſſel, that then and in that Caſe the ſaid Boat or Boat's Crew ſhall be paid ſuch Remuneration for ſuch Services ſo performed as the ſaid Commiſſioners or their Succeſſors ſhall or may from Time to Time adjudge to be reaſonable.

If any Maſter of a Veſſel employ a Boat's Crew, Commiſſioners may remunerate them.

XVIII. And in order to provide a Fund for defraying the Expences of ſuch Pilot Eſtabliſhment, be it further enacted, That all and every the Maſter or other Perſons having the Command of any Veſſel arriving at or ſailing from the ſaid Harbour, Port, and River of *Waterford*, ſhall pay unto and for the Uſe of the ſaid Commiſſioners and their Succeſſors ſuch Rates of Pilotage, not exceeding the Rates laid down and defined in the Schedule marked (B.) hereunto annexed, as the ſaid Commiſſioners and their Succeſſors ſhall and may from Time to Time appoint and determine; and that the Maſter or Commander of every Veſſel entering the Port or River of *Waterford*, or clearing out of or making Entry at the Cuſtom Houſe of *Waterford*, in caſe he or they ſhall not employ a Pilot, ſhall be charged and be obliged to pay, for the Uſe of the ſaid Commiſſioners under this Act, before he or they ſhall be diſcharged, the Rates of Pilotage laid down and ſet forth in the Schedule marked (B.) to this Act annexed, to be paid at the Cuſtom Houſe of *Waterford*, or ſuch other Place in the ſaid City, and to ſuch Perſon as the ſaid Commiſſioners may direct or appoint.

For providing a Fund to defray Expences.

XIX. And whereas the Navigation and cleanſing of the ſaid Port and Harbour of *Waterford*, within the Points aforeſaid, would be ſtill more facilitated by the Eſtabliſhment of a Ballaſt Office in the ſaid City under proper Regulations, be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners and their Succeſſors under this Act to appoint a fit and proper Perſon to be Ballaſt Maſter of the ſaid Port and Harbour at ſuch Salary, not exceeding Three hundred Pounds *per Annum*, as they the ſaid Commiſſioners ſhall or may think proper; and to provide and keep from Time to Time a ſufficient Number of Lighters or Gabbards together, with ſufficient Workmen, Tools, and Engines for the raiſing of Ballaſt, in ſuch Place or Places as the ſaid Commiſſioners ſhall or may from Time to Time judge expedient for procuring the ſame, and ſhall furniſh all Ships and Veſſels wanting or requiring ſuch within the ſaid Port at the Rates ſpecified and ſet forth in the Schedule marked (C.)

For eſtabliſhing a Ballaſt Office, with proper Regulations.

to this Act annexed, within Twenty-four Hours after Notice in Writing shall be given so to do by the Commanders or Masters of such Ships or other Vessels, to the Person who shall from Time to Time act as Ballast Master under the said Commissioners, so as Wind and Weather shall permit the same to be done; and in case Wind or Weather shall not within the said Twenty-four Hours permit the same to be done, then the said Commissioners, or their proper Officer or Officers who shall act under them for that Purpose, shall furnish or cause to be furnished such Ballast to such Ships or Vessels respectively within Twenty-four Hours after Wind and Weather shall permit them so to do; such Ballast so to be provided as aforesaid to be brought to the Side or Sides of the Ship or Vessel which shall have Occasion for the same, by the Lighters or Gabbards so to be provided and kept by the said Commissioners as aforesaid, and thence immediately thrown into such Ships or Vessels by the Crews of such Ships or Vessels respectively: Provided always, that when and so soon as one or more Wharf or Wharfs, Quay or Quays, shall be provided or erected for the saving or storing of Ballast by the said Commissioners, and that there shall be a sufficient Quantity of Ballast in and upon such Wharf or Wharfs, Quay or Quays, for the supplying of any Ship or Vessel wanting the same, it shall and may be lawful to and for the said Commissioners, or their Officer or Officers to be appointed by them for that Purpose, to order and direct at their Discretion any Ship or Vessel requiring Ballast as aforesaid to go alongside such Wharf or Wharfs, Quay or Quays, and take in such Ballast from the Side or Sides thereof; in which Case the said Commissioners or their Officer or Officers shall not be obliged to furnish such Ship or Vessel with such Ballast in a Lighter or Gabbard.

Commissioners empowered to purchase or rent Ground for Ballast Wharfs.

XX. And be it further enacted, That it shall and may be lawful for the Commissioners under this Act to treat and agree with any Person who shall be seised of any Lands in Fee Simple, or who shall be entitled by Law to demise any Lands in Perpetuity, and who may be willing to sell or demise such Land or Ground to the said Commissioners for the Purchase or Lease of any such Plot or Plots of Ground, not exceeding in the whole the Quantity of One Acre; and to purchase or rent such Ground accordingly for the Purpose of building and erecting thereon any such Wharf and Quay, or Wharfs and Quays, for the saving or storing of Ballast, as may by the said Commissioners be judged necessary for such Purposes; and the Amount of such Purchase Money, and the Rent of such Lands, shall and may be defrayed by the said Commissioners out of the Produce of the Rates and Duties mentioned and specified in the Schedule marked (C.) to this Act annexed.

Commissioners to provide for the Discharge of Ballast.

XXI. And be it further enacted, That the said Commissioners, or the Officer or Officers, by them so as aforesaid appointed, shall likewise from Time to Time furnish or cause to be furnished, at the Rates specified in the aforesaid Schedule marked (C.) to this Act annexed, to the Commander or Master of any Ships or Vessels which shall from Time to Time arrive within the said Port and Harbour, laden wholly or in Part with Ballast, good and sufficient Lighters or Gabbards, with proper and sufficient Workmen and Tools, for the taking and carrying such Ballast from such Ships or Vessels, within Twenty-four Hours after Notice in Writing for that Purpose shall be given by such Commander or Master respectively at the Ballast Office of the said Commissioners in the said City of *Waterford*, if

Wind and Weather ſhall permit; and in caſe Wind or Weather ſhall not then permit the ſame, then within Twelve Hours after Wind and Weather ſhall permit them ſo to do: Provided always, that *Sunday* ſhall not be accounted any Part of the Twenty-four Hours or Twelve Hours aforeſaid; and provided alſo, that when and ſo ſoon as ſuch Wharf or Wharfs, Quay or Quays, ſhall be ſo provided, built, or erected, it ſhall and may be lawful to and for the ſaid Commiſſioners, or their Officer or Officers to be appointed by them for that Purpoſe, to order and direct at their Diſcretion any Ship or Veſſel requiring to diſcharge and unlade Ballaſt to diſcharge and unlade ſuch Ballaſt at and upon ſuch Wharf or Wharfs, Quay or Quays as aforeſaid, provided ſuch Ship or Veſſel can conveniently lay her Side to ſuch Wharf or Wharfs, Quay or Quays; in which Caſe the ſaid Commiſſioners or their ſaid Officer or Officers ſhall not be obliged to furniſh to the Commander or Maſter of any ſuch Ship or Veſſel any Lighter or Gabbard for the taking ſuch Ballaſt from ſuch Ship or Veſſel.

Penalty on Perſons refuſing to take out Ballaſt.

XXII. And to the End that ſuch Lighter or Gabbard as ſhall or may be employed in taking Ballaſt to, or taking Ballaſt from any Ship or Veſſel as aforeſaid reſpectively, ſhall not be longer detained in ſo doing than ſhall be neceſſary; be it further enacted, That in caſe the Crew of any Ship or Veſſel ſhall refuſe to take in or caſt out their Ballaſt, ſo as to occaſion any unreaſonable or unneceſſary Delay therein to any Lighter or Lighters, Gabbard or Gabbards which ſhall be employed under or by the ſaid Commiſſioners to bring Ballaſt to or take Ballaſt from ſuch Ships or Veſſels, then and in ſuch caſe the Commander or Maſter or other Officer of every ſuch Ship or Veſſel reſpectively, ſo cauſing ſuch Delay ſhall forfeit to the Uſe of the ſaid Commiſſioners any Sum not exceeding Two Shillings and Sixpence *per* Hour that ſuch Lighter or Lighters, Gabbard or Gabbards, ſhall have been ſo delayed by the ſaid Commander or Maſter, or other Officer reſpectively; which Fine ſhall be paid before the ſaid Ship or Veſſel ſhall be entitled to a Certificate as herein-after directed.

Penalty on taking Ballaſt from any Perſons or Places not duly appointed.

XXIII. And be it further enacted, That if any Maſter or Commander of any Ship or Veſſel which ſhall be in the ſaid Harbour, Port, or River ſhall take or permit or ſuffer to be taken into ſuch Ship or Veſſel any Ballaſt whatſoever from any Perſon or Perſons, ſave only from ſuch Perſon or Perſons as ſhall be thereunto appointed by the ſaid Commiſſioners, or ſhall permit or ſuffer any Ballaſt whatſoever to be taken from ſuch Ship or Veſſel, ſave only by ſuch Perſon or Perſons as ſhall be thereunto appointed as aforeſaid, or ſhall under Pretence of the ſame take in or put out of any Ship or Veſſel arriving at or ſailing from the Port or Harbour of *Waterford*, any Street Dirt, Coal Aſhes, Dung, Manure of any Kind, Stones, Gravel, or Rubbiſh, or Matters of the like Nature, without having firſt obtained from the Commiſſioners aforeſaid a Licence under their Hands and Seals for that Purpoſe, then not only ſuch Maſter or Commander, or other Officer, but alſo the Perſon or Perſons who ſhall deliver to or take from any ſuch Ship or Veſſel ſuch Ballaſt, Street Dirt, Coal Aſhes, Dung, Manure, Gravel, Stones, or Rubbiſh or Matters of ſuch like Nature as aforeſaid, ſhall for every ſuch Offence forfeit to the Uſe of the ſaid Commiſſioners and their Succeſſors any Sum not exceeding Twenty-five Pounds Sterling, to be recovered before a Juſtice of the Peace for the County or County of the ſaid City of *Waterford* in Manner by this Act preſcribed.

XXIV. And

Ballaſt to be taken out of the River or other Place as Commiſſioners may appoint.

XXIV. And be it further enacted, That all Ballaſt that ſhall from henceforth be put on board any Ship or Veſſel within the ſaid Harbour, purſuant to the Directions of this Act, ſhall be taken out of ſuch Part or Parts of the ſaid River and Harbour, or from ſuch other Place or Places as ſhall from Time to Time be directed by the ſaid Commiſſioners and their Succeſſors; and that no Ballaſt ſhall be carried or thrown out of any Ship to ſupply another; and that no Ballaſt ſhall be thrown out of any Ship or Veſſel, or Lighter, Gabbard, or Boat, into the ſaid River, upon pain of forfeiting for every of the ſaid Offences any Sum not exceeding Twenty-five Pounds Sterling, to be recovered before any Juſtice of the Peace in and for the County or County of the ſaid City of *Waterford*, in Manner herein-after directed, to and for the ſole Uſe of the ſaid Commiſſioners and their Succeſſors, to be applied to the Purpoſes of this Act; ſuch Penalty to be in lieu of any Fine or Penalty to be incurred for throwing Ballaſt into the River, contrary to the Proviſions of an Act paſſed in the Twenty-third and Twenty-fourth Years of His preſent Majeſty, intituled *An Act for better regulating the Police of the City of* Waterford: Provided always, that nothing herein contained ſhall extend or be conſtrued to extend to empower the ſaid Commiſſioners, or any Perſon or Perſons employed by or under them, to raiſe or carry away any Ballaſt, Stones, Gravel, Sand, or other Materials whatſoever, without the Conſent of the Owner or Owners thereof firſt had and obtained, or without making full Compenſation to ſuch Owner or Owners for the Value of ſuch Ballaſt, Stones, Sand, Gravel, or other Materials taken, and the Damage done by raiſing and carrying away the ſame; and in caſe the Parties ſhall not agree as to the Value of the Ballaſt, Stones, Sand, Gravel, or other Materials taken, and the Damage done, the ſame ſhall be aſſeſſed by Three ſubſtantial Houſeholders of the Neighbourhood, one to be named by each of the Parties, and the Third by the next or any neighbouring Juſtice of the Peace, who ſhall be ſworn to be Appraiſers of the Value of ſuch Ballaſt, Stones, Sand, Gravel, or other Materials, and Damage done by raiſing and taking away the ſame, and to make true Eſtimate thereof according to the beſt of their Skill and Judgment; and that it ſhall not be lawful for the ſaid Commiſſioners, or any Perſon or Perſons employed by or under them, to dig, raiſe, or carry away any Gravel, Stones, Sand, or other Materials from any Beach of a River or Sea Shore, whereby any Public Road or Defence to any Town or Embankment at the Side of any River may be injured.

No Ballaſt to be thrown into River.

No Ballaſt or Gravel to be taken without making Compenſation to the Owner.

Penalty on Perſons taking Ballaſt from Places other than directed.

XXV. And be it further enacted, That if the Maſter or Manager of any Lighter or Gabbard which ſhall be employed by the ſaid Commiſſioners and their Succeſſors to take up or dredge for Ballaſt in the ſaid River or Harbour, ſhall dredge for or take up any Ballaſt in or from any Part of the ſaid River or Harbour other than ſuch Part thereof as the ſaid Commiſſioners, or their Officer or Officers to be by them authorized for that Purpoſe, ſhall direct, ſuch Maſter or Manager ſhall forfeit for ſuch Offence the Sum of Forty Shillings, to be deducted out of ſuch Money as may be from Time to Time payable by the ſaid Commiſſioners to ſuch Maſter or Manager of ſuch Lighter or Gabbard, or the Crew thereof, for any Services done by him or them, or to be done by him or them, for ſuch Commiſſioners or their Succeſſors.

Ships or Veſſels not to be cleared or diſ-

XXVI. And in order to inſure the due Collection and Payment of the ſeveral Rates and Duties impoſed or to be impoſed under and by virtue of

of this Act, be it further enacted, That it shall not be lawful for the Officer or Officers of His Majesty's Custom-House of *Waterford* to clear or discharge any Ship or Ships, Vessel or Vessels outward-bound, or to permit any Ship or Vessel outward-bound to sail, until there shall be produced to such Officer or Officers a Certificate from the Officer or Officers hereafter to be appointed by the said Commissioners for the Collection of the several Duties imposed or to be imposed under this Act, of the Payment of the said several Duties or any of them; which Certificate such Officer or Officers so to be appointed by the said Commissioners, is or are hereby required to give on Payment of such Duties, without Fee or Reward, or Fraud or Delay, under the Penalty of Ten Pounds for any Refusal or Delay to grant the same, to be recovered before any Justice of the Peace for the County or County of the said City of *Waterford*, and levied in Manner directed by this Act.

charged till Payment of Duties.

XXVII. And be it further enacted, That in case such Ship or Ships, Vessel or Vessels shall be permitted to clear out as aforesaid, without having paid such Duties as aforesaid, the Officer or Officers of His Majesty's Custom-House who shall so permit such Ship or Ships, Vessel or Vessels, to clear out, shall for every Ship or Ships, Vessel or Vessels so permitted to clear out as aforesaid, forfeit to the Use of the said Commissioners and their Successors the Sum of Twenty Pounds Sterling, to be recovered before any Justice of the Peace as aforesaid, to be levied in Manner directed by this Act.

Penalty on Officers permitting Vessels to clear without Payment of Duties.

XXVIII. And to the End that no Commander or Master of any Ship or Ships, Vessel or Vessels, resorting to the said Port and Harbour of *Waterford*, shall be inconvenienced or his Voyage retarded by the Neglect of the Officer or Officers appointed by the said Commissioners or their Servants, through Want of having Ballast furnished to or taken from such Ship or Ships, Vessel or Vessels, be it further enacted, That in case the Ballast Master or Officers so to be appointed by the said Commissioners, his or their Servant or Servants, shall refuse or neglect to take of and from or bring Ballast to any Ship or Ships, Vessel or Vessels, in Manner herein-before provided, and at the respective Time appointed for doing thereof as aforesaid, the Master or Commander of such Ship or Vessel not having been directed as aforesaid to take in or put out such Ballast at such Wharf or Wharfs as aforesaid when erected as aforesaid, or if wanting Ballast, and that he shall be so ordered and directed and yet shall not be able to obtain such Ballast at such Wharf or Wharfs, that then and in any of the said Cases it shall and may be lawful to and for the Commander or Master of such Ship or Vessel at any Time after Notice in Writing of such Vessel wanting to take in or put out Ballast as aforesaid has been given at the said Office in Manner herein-before directed, to employ any Lighter or Lighters, Gabbard or Gabbards, for the doing thereof; and in every such Case, upon Oath, or in case of a Quaker upon Affirmation thereof, made before the Collector or other Chief Officer of the Customs for the said Port of *Waterford*, which Oath or Affirmation such Collector or other Chief Officer of the Customs is hereby empowered to administer, every such Master shall have his Discharge and Clearings out of the said Port, as if he had produced such Certificate of the Officer or Officers herein-before mentioned: Provided always, that the said Collector or other Officer of the Customs shall before he permit the said Vessel to clear out, give or cause to be given Three

For securing Ballast to be provided to Masters and Commanders.

Hours Notice in Writing at the leaſt to the ſaid Ballaſt Maſter of ſuch Oath or Affirmation having been made, in order that the ſaid Ballaſt Maſter may have it in his Power to diſprove the ſame.

Securing Attendance of Lighters, &c.

XXIX. And, to the End that the Lighters and Gabbards which ſhall be employed by the ſaid Ballaſt Office may give good and due Attendance to the Service of the ſaid Office, be it further enacted, That no Lighter or Lighters, Gabbard or Gabbards, taken into the Service of the ſaid Ballaſt Office, ſhall at any Time carry Goods, Wares, Merchandize or Manure of any Sort to or from any Ship or Ships, Veſſel or Veſſels, in, from, or to any one Place to any other Place in the ſaid Harbour or River, on Pain of forfeiting any Sum not exceeding Ten Pounds to the Perſon diſcovering the ſame, to be levied and recovered as herein-after directed.

Commiſſioners may alter Rates of Duties.

XXX. And be it further enacted, That the ſaid Commiſſioners be and they are hereby authorized and empowered from Time to Time as they may ſee fit, by any Bye-Law or Bye-Laws to that Effect, to alter or change the Rates of Duties appointed by this Act, and to affix other Rates, ſo as that the ſame ſhall not exceed the affixed Rates of Duties as ſpecified in the ſaid ſeveral Schedules herein referred to in any Reſpect.

No Perſon to ſell Ropes, Rigging, &c. without Licence from Commiſſioners.

XXXI. And be it further enacted, That from and after Thirty Days after the paſſing of this Act, it ſhall not be lawful for any Perſon or Perſons within the City of *Waterford*, or Liberties thereof, to buy or ſell or expoſe to Sale any old Ropes or old Rigging, or Ropes or Rigging that may have been uſed, unleſs ſuch Perſon or Perſons ſhall be thereunto licenſed by Writing under the Hands and Seals of Two Juſtices of the Peace of the ſaid City, which Licence ſhall be granted without Fee or Reward; and ſuch Licence ſhall be and remain in Force for the Space of Twelve Calendar Months from the Time of granting the ſame, and no longer: Provided always, that before the ſaid Juſtice ſhall grant any ſuch Licence to any Perſon or Perſons whatſoever, ſuch Perſon or Perſons ſhall, by himſelf and one other Perſon to be approved by the ſaid Commiſſioners, or any Three or more of them, enter into Security by joint and ſeveral Bond in the Penalty of Twenty Pounds, payable to the ſaid Commiſſioners, conditioned that ſuch Perſon or Perſons ſhall not and will not buy or ſell or expoſe to Sale any old Ropes or old Rigging, or any Ropes or Rigging which may have been made uſe of, which he ſhall have Reaſon to know or believe to have been ſtolen, and without having and obtaining from the Perſon or Perſons from whom ſuch Ropes or Rigging ſhall have been laſt bought, a Certificate under his Hand of the Manner in which the ſame came to his Hands, and from whom the ſame were bought, and alſo conditioned that all ſuch Ropes or Rigging as aforeſaid, as the Perſon or Perſons obtaining ſuch Licence ſhall buy, or ſell, or expoſe to Sale, ſhall be weighed at ſome of the Public Cranes in the ſaid City of *Waterford*, and that the ſame, together with the Name or Names of the Perſon or Perſons ſo buying or ſelling, or expoſing the ſame to Sale, ſhall be entered in the Books of the Keeper of the Crane where the ſame ſhall be weighed, which Entry the Keeper of ſuch Crane is hereby required to make under Penalty of any Sum not exceeding Ten Shillings Sterling for every Time he ſhall refuſe ſo to do to the Uſe of ſaid Commiſſioners, to be recovered in like Manner as the other Penalties under this Act.

Any Perſon buying or ſelling old Ropes, &c. to forfeit the ſame.

XXXII. And be it further enacted, That if any Perſon or Perſons ſhall buy or ſell or expoſe to Sale any old Ropes, Rigging, or Ropes or Rigging that have been uſed as aforeſaid, without being thereunto licenſed as aforeſaid, ſuch Perſon or Perſons ſhall forfeit, on being convicted thereof before a Juſtice of the Peace of the ſaid City, all ſuch Ropes or Rigging, which it ſhall be lawful for the ſaid Commiſſioners, or any of them, or any Officer or Officers employed by them, to ſeize, for the Uſe of the Fever Hoſpital in the ſaid City; and ſuch Perſon or Perſons ſhall, over and above the ſame, forfeit to the ſaid Commiſſioners any Sum not exceeding Ten Shillings, to be recovered in like Manner as other Penalties under this Act are directed to be recovered, and applied to the Purpoſes of this Act; and in caſe any Perſon or Perſons, having obtained ſuch Licences as aforeſaid, ſhall ſell or expoſe to Sale any ſuch Ropes or Rigging without being weighed as aforeſaid, and ſuch Entry made thereof as aforeſaid, every ſuch Perſon ſhall, over and beſides the Forfeiture of the Penalty of the Bond to be entered into by him as aforeſaid, forfeit to the ſaid Commiſſioners all ſuch Ropes and Rigging to be diſpoſed of as aforeſaid.

For Recovery of Fines and Penalties.

XXXIII. And be it further enacted, That all and every Fine or Fines, Penalty or Penalties impoſed by this Act, or by any Bye-Law made in purſuance thereof, except thoſe otherwiſe provided thereby, be and the ſame are hereby made recoverable before any Juſtice of the Peace in and for the County or County of the City of *Waterford*, within their reſpective Juriſdictions, upon due Summons iſſued by ſuch Juſtice of the Peace, which Summons he is hereby authorized and required to iſſue at the Requeſt of the Party ſueing for ſuch Fine or Fines, Penalty or Penalties, and to hear and determine in a ſummary Way reſpecting the ſame, and to make ſuch Order and Judgment thereon as to him ſhall ſeem meet, and to iſſue a Warrant or Warrants under his Hand and Seal, for the levying the ſame out of the Goods and Chattels of the Perſon or Perſons that ſhall or may be convicted before him for any of the Offences which he is hereby empowered to hear and determine, and for Want of Diſtreſs to commit the Perſon or Perſons ſo convicted before him to the Common Gaol of the ſaid City, for any Time not exceeding Three Months; ſuch Fines, if levied by Diſtreſs, to be paid to the Uſes and for the Purpoſes herein-before provided.

Power to Commiſſioners to adminiſter Oaths.

XXXIV. And be it further enacted, That the ſaid Commiſſioners and all Juſtices of the Peace be and they are hereby empowered to adminiſter Oaths and Affirmations to any Perſon or Perſons that they ſhall or may from Time to Time have Occaſion to examine in any Matter or Proceeding relative to this Act, and that in the hearing of all Complaints of Offences againſt this Act the Affirmation of a Quaker ſhall be admitted and taken as Evidence.

Penalty on Witneſſes not attending, &c.

XXXV. And be it further enacted, That if any Perſon or Perſons duly ſummoned as aforeſaid to be a Witneſs or Witneſſes, and give Teſtimony in any Matter or Proceedings relative to this Act, ſhall neglect or refuſe to appear before ſuch Juſtice or Juſtices of the Peace iſſuing ſuch Summons as aforeſaid, or appearing ſhall refuſe to make Oath or Affirmation as aforeſaid, or making ſuch Oath or Affirmation ſhall refuſe to anſwer ſuch Queſtions as ſhall be demanded of him or them touching the Matter in Queſtion, ſuch Perſon or Perſons ſo neglecting or refuſing ſhall for every

Time

Time he or they ſhall ſo offend forfeit any Sum not exceeding Five Pounds, to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant to be iſſued for that Purpoſe under the Hands and Seals of ſuch Juſtice or Juſtices of the Peace: Provided always, that this Act, or any Thing therein contained, ſhall not extend to charge any Perſons or Perſon with any Penalty, Forfeiture, or Puniſhment for any of the Offences or Breaches aforeſaid, unleſs the Perſon or Perſons ſo offending be complained of to ſome Juſtice or Juſtices of the Peace for the County or the County of the City of *Waterford*, in their reſpective Juriſdictions, within Three Months after ſuch Offence ſhall be committed, except as herein otherwiſe provided; any Thing in this Act contained to the contrary notwithſtanding.

Limitation of Actions.

XXXVI. And be it further enacted, That if any Action ſhall be brought or Suit commenced againſt any Perſon or Perſons for any Thing that ſhall be done in purſuance of this Act, or in relation to the Premiſes or any of them, ſuch Action or Suit ſhall be brought within Six Calendar Months after the Fact ſhall be alledged to have been done; and the Defendant or Defendants in ſuch Action may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if ſuch a Suit ſhall not be brought within the Time herein-before limited, then the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs in ſuch Action or Suit ſhall be nonſuited or ſuffer a Diſcontinuance thereof, or if a Verdict ſhall paſs againſt ſuch Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt ſuch Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have full Coſts.

Appeal to Quarter Seſſions.

XXXVII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for any Perſon or Perſons convicted before the ſaid Juſtice or Juſtices of any Offence or Offences againſt this Act, to appeal to the Juſtices of the Peace aſſembled at the next General Quarter Seſſions or General Seſſions to be holden for the ſaid County or County of the City of *Waterford*, on giving immediate Notice of ſuch Appeal, and finding ſufficient Security to the Satisfaction of the ſaid Juſtice or Juſtices, for being perſonally preſent at ſuch General Quarter Seſſions or General Seſſions, and for proſecuting the ſaid Appeal with Effect, and for abiding the Determination of the Court therein; and the Juſtices, at ſuch Seſſions are hereby authorized and required to hear and determine the Matter of ſuch Appeal in a ſummary Way, and to make ſuch Determination therein, and either to confirm or quaſh or annul the ſaid Conviction, and to award ſuch Coſts to either of the Parties or otherwiſe, as they the ſaid Juſtices ſhall judge proper; and all ſuch Determinations ſhall be final, binding, and concluſive to all Parties, to all Intents and Purpoſes whatſoever.

Accounts of Income and Expenditure to be publiſhed once a Year.

XXXVIII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby required once in every Year to publiſh in one or more Newſpaper circulated in the ſaid City of *Waterford* an Account ſhewing the Amount of their ſeveral Receipts and Diſburſements under the ſeparate Schedules to this Act annexed, with the Balances remaining in their Hands; and that they do tranſmit a like Account to the Commiſſioners for auditing the Public Accounts in *Ireland*.

XXXIX. And

Exempting King's Ships, &c. from Provisions of Act.

XXXIX. And be it further enacted, That no Ship or Vessel belonging to His Majesty, or in the Navy, Victualling, Transport, or Ordnance Service, or belonging to or in the Service of His Majesty's Customs or Excise or Post Office, shall be subject or liable to any Rates or Duties granted or imposed by this Act, or to any of the Provisions or Regulations therein contained, saving and except as to the Payment of Pilot Charges according to the Provisions of this Act, in respect of any Pilot taken or employed by any such Ship or Vessel.

Expences of Act.

XL. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to pay and reimburse themselves by and out of the First Rates, Duties, and Revenues which they shall receive by virtue of this Act, all such Costs and Expences as they shall be put to in the obtaining this Act.

Saving of Rights.

XLI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any Rights, Interest, Privileges, Franchises, or Authority of the King's Majesty, His Heirs or Successors, or of any Body Politic or Corporate, or of the Water Bailiff or Water Bailiffs of the said City of *Waterford*, or any other Person or Persons whatsoever, except as is in this Act specially provided and enacted.

Public Act.

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

## SCHEDULE (A.)

| | |
|---|---|
| For and upon every Ton of the Admeasurement of every Vessel reporting at the Custom House of Waterford, (Vessels Two-Thirds of whose Cargo shall be Coals, or Vessels arriving from any Port in Ireland and Foreign Vessels excepted) for each and every Voyage made to and from the said Port of Waterford - - | Not exceeding Sixpence British per Ton. |
| For and upon every Ton of the Admeasurement of every Vessel, Two-Thirds of whose Cargo shall be Coals, that shall report at the Custom House of Waterford, for each and every Voyage made to and from the said Port of Waterford - - - | Not exceeding Four-pence British per Ton. |
| For and upon every Ton of the Admeasurement of every Vessel arriving from any Port in Ireland, and reporting at the Custom House of Waterford, for each and every Voyage made to and from the said Port of Waterford - - - - | Not exceeding Three-pence British per Ton. |
| For and upon every Ton of the Admeasurement of Vessels of every Kind of any other Nation or Country except those of the United Kingdom of Great Britain and Ireland, and the Colonies, Islands, and Possessions thereunto belonging, reporting at the Custom House of Waterford, for each and every Voyage made to and from the said Port of Waterford - - - - - | Double the Rates chargeable upon British or Irish Vessels. |

# SCHEDULE (B.)

Every Veſſel entering the Harbour of Waterford between the 25th Day of March and 29th Day of September, which ſhall draw Twelve Feet Water or upwards, ſhall pay for every Foot of her Draught a Sum which ſhall not exceed the following Rates:

| Taking Pilots at the following Diſtances. | | Above Creden Head, and no further than Paſſage. | | To Chiek Point or Glaſs Houſe Reach, and no further. | | Above Glaſs Houſe Reach, or up to Waterford. | |
|---|---|---|---|---|---|---|---|
| Westward. | Eastward. | Veſſels of the United Kingdom of Great Britain and Ireland, and the Colonies, Iſlands, and Poſſeſſions thereunto belonging. | Veſſels of any other Nation. | Veſſels of the United Kingdom of Great Britain and Ireland, and the Colonies, Iſlands, and Poſſeſſions thereunto belonging. | Veſſels of any other Nation. | Veſſels of the United Kingdom of Great Britain and Ireland, and the Colonies, Iſlands, and Poſſeſſions, thereunto belonging. | Veſſels of any other Nation. |
| | | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
| Great Newtown Head - | Saltees - - - | 0 2 6 | 0 4 0 | 0 3 6 | 0 5 6 | 0 5 0 | 0 7 0 |
| Foilſkirt - - | Bag and Bun Head - | 0 2 2 | 0 3 6 | 0 3 2 | 0 5 0 | 0 4 8 | 0 6 6 |
| Below Duncannon, and nearer than Foilſkirt or Bag and Bun - - - - - - | | 0 1 10 | 0 3 0 | 0 2 10 | 0 4 6 | 0 4 4 | 0 6 0 |

Every Veſſel of the above Claſs entering ſaid Harbour between the 29th Day of September and 25th Day of March, ſhall pay per Foot of her Draught a Sum which ſhall not exceed the following Rates:

| | | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
|---|---|---|---|---|---|---|---|
| Great Newtown Head - | Saltees - - - | 0 3 0 | 0 4 6 | 0 4 0 | 0 6 0 | 0 5 6 | 0 7 6 |
| Foilſkirt - - | Bag and Bun Head - | 0 2 6 | 0 4 0 | 0 3 6 | 0 5 6 | 0 5 0 | 0 7 0 |
| Below Duncannon, and nearer than Foilſkirt or Bag and Bun - - - - - - | | 0 2 2 | 0 3 6 | 0 3 2 | 0 5 0 | 0 4 8 | 0 6 6 |

Every Veſſel entering ſaid Harbour between the 25th Day of March and 29th Day of September, which ſhall draw more than Six Feet and leſs than Twelve Feet Water, ſhall pay for every Foot of her Draught a Sum which ſhall not exceed the following Rates:

| | | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
|---|---|---|---|---|---|---|---|
| Great Newtown Head - | Saltees - - - | 0 2 0 | 0 3 6 | 0 2 9 | 0 4 6 | 0 4 2 | 0 6 0 |
| Foilſkirt - - | Bag and Bun Head - | 0 1 10 | 0 3 0 | 0 2 7 | 0 4 0 | 0 4 0 | 0 5 6 |
| Below Duncannon, and nearer than Foilſkirt or Bag and Bun - - - - - - | | 0 1 6 | 0 2 6 | 0 2 0 | 0 3 6 | 0 3 8 | 0 5 0 |

Every Veſſel of the above Claſs entering ſaid Harbour between the 29th Day of September and 25th Day of March, ſhall pay per Foot of her Draught a Sum which ſhall not exceed the following Rates:

| | | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
|---|---|---|---|---|---|---|---|
| Great Newtown Head - | Saltees - - - | 0 2 6 | 0 4 0 | 0 3 3 | 0 5 0 | 0 4 8 | 0 6 6 |
| Foilſkirt - - - | Bag and Bun Head - | 0 2 4 | 0 3 6 | 0 3 0 | 0 4 6 | 0 4 6 | 0 6 0 |
| Below Duncannon, and nearer than Foilſkirt or Bag and Bun - - - - - - | | 0 2 0 | 0 3 0 | 0 2 8 | 0 4 0 | 0 4 2 | 0 5 6 |

Schedule (B.) — *continued.*

Every Veſſel ſailing from the Harbour of Waterford between the 25th Day of March and 29th Day of September, which ſhall draw Twelve Feet Water or upwards, ſhall pay for every Foot of her Draught a Sum which ſhall not exceed the following Rates:

| Taking Pilots to the following Diſtances. | | From or between Paſſage and Creden Head. | | From or between Chiek Point, or Glaſs Houſe Reach, and Paſſage. | | From any Place above Glaſs Houſe Reach, and not above Waterford Quay. | |
|---|---|---|---|---|---|---|---|
| WESTWARD. | EASTWARD. | Veſſels of the United Kingdom of Great Britain and Ireland, and the Colonies, Iſlands, and Poſſeſſions thereunto belonging. | Veſſels of any other Nation. | Veſſels of the United Kingdom of Great Britain and Ireland, and the Colonies, Iſlands, and Poſſeſſions thereunto belonging. | Veſſels of any other Nation. | Veſſels of the United Kingdom of Great Britain and Ireland, and the Colonies, Iſlands, and Poſſeſſions thereunto belonging. | Veſſels of any other Nation. |
| | | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
| Great Newtown Head - | Saltees - - - | 0 2 6 | 0 4 0 | 0 3 6 | 0 5 6 | 0 5 0 | 0 7 0 |
| Foilſkirt - - | Bag and Bun Head - | 0 2 2 | 0 3 6 | 0 3 2 | 0 5 0 | 0 4 8 | 0 6 6 |
| To Sea, nearer than Foilſkirt or Bag and Bun - | | 0 1 10 | 0 3 0 | 0 2 10 | 0 4 6 | 0 4 4 | 0 6 0 |

Every Veſſel of the above Claſs ſailing from the ſaid Harbour between the 29th Day of September and the 25th Day of March, ſhall pay per Foot of her Draught a Sum which ſhall not exceed the following Rates:

| | | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
|---|---|---|---|---|---|---|---|
| Great Newtown Head - | Saltees - - - | 0 3 0 | 0 4 6 | 0 4 0 | 0 6 0 | 0 5 6 | 0 7 6 |
| Foilſkirt - - - | Bag and Bun Head - | 0 2 6 | 0 4 0 | 0 3 6 | 0 5 6 | 0 5 0 | 0 7 0 |
| To Sea, nearer than Foilſkirt or Bag and Bun | - | 0 2 2 | 0 3 6 | 0 3 2 | 0 5 0 | 0 4 8 | 0 6 6 |

Every Veſſel ſailing from the ſaid Harbour between the 25th Day of March and the 29th Day of September, which ſhall draw more than Six Feet and leſs than Twelve Feet Water, ſhall pay for every Foot of her Draught a Sum which ſhall not exceed the following Rates:

| | | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
|---|---|---|---|---|---|---|---|
| Great Newtown Head - | Saltees - - - | 0 2 0 | 0 3 6 | 0 2 9 | 0 4 6 | 0 4 2 | 0 6 0 |
| Foilſkirt - - - | Bag and Bun Head - | 0 1 10 | 0 3 0 | 0 2 7 | 0 4 0 | 0 4 0 | 0 5 6 |
| To Sea, nearer than Foilſkirt or Bag and Bun | - | 0 1 6 | 0 2 6 | 0 2 0 | 0 3 6 | 0 3 8 | 0 5 0 |

Every Veſſel of the above Claſs ſailing from ſaid Harbour between the 29th Day of September and 25th Day of March, ſhall pay per Foot of her Draught a Sum which ſhall not exceed the following Rates:

| | | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
|---|---|---|---|---|---|---|---|
| Great Newtown Head - | Saltees - - - | 0 2 6 | 0 4 0 | 0 3 3 | 0 5 0 | 0 4 8 | 0 6 6 |
| Foilſkirt - - - | Bag and Bun Head - | 0 2 4 | 0 3 6 | 0 3 0 | 0 4 6 | 0 4 6 | 0 6 0 |
| To Sea, nearer than Foilſkirt or Bag and Bun | - | 0 2 0 | 0 3 0 | 0 2 8 | 0 4 0 | 0 4 2 | 0 5 6 |

## SCHEDULE (C.)

| | If above the River or Pill of Kilmacow, and below the Cove. | If between the River or Pill of Kilmacow and the Cove. | |
|---|---|---|---|
| | | If by the Boats of the Ballaft Office. | If at the Ballaft Quay. |
| | £ s. d. | £ s. d. | £ s. d. |
| For and upon each and every Ton of Ballaft delivered or brought alongfide of any Veffel of the United Kingdom of Great Britain and Ireland, and the Colonies, Iflands, and Poffeffions thereunto belonging, a Sum not exceeding - - | 0 4 0 | 0 2 6 | 0 1 6 |
| For and upon each and every Ton of Ballaft delivered to or brought alongfide of any Veffel of any other Nation, a Sum not exceeding - - | 0 5 4 | 0 3 4 | 0 2 0 |
| For and upon each and every Ton of Ballaft difcharged or taken from any Veffel of the United Kingdom of Great Britain and Ireland, and the Colonies, Iflands, and Poffeffions thereunto belonging, a Sum not exceeding - - - | 0 3 0 | 0 2 0 | 0 1 0 |
| For and upon each and every Ton of Ballaft difcharged or taken from any Veffel of any other Nation, a Sum not exceeding - | 0 4 0 | 0 2 8 | 0 1 4 |
| The Rates fet forth in this Schedule are Britifh Sterling. | | | |

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