



ANNO SEXTO

GEORGIIV. REGIS.



Cap. lxi.

An Act for the Erection of a Bridge across the River Shannon at or near *Athlunkard*, and for making Approaches thereto. [20th May 1825.]

WHEREAS the City of *Limerick*, and the Wealth and Importance thereof, and the Liberties thereof, are, by the Extension of Commerce, considerably increased, and are likely to increase: And whereas there is no direct Communication or Passage from the Northern Parts of the Counties of *Clare* and *Galway* into the said City for Goods, Cattle, Carriages, or Travellers: And whereas it is desirable that a new Bridge should be erected over the River *Shannon*, at or near *Athlunkard*, connecting the Eastern Parts of the County of *Clare* with the City of *Limerick*, and that a public Road should be made to correspond at each Side of the said intended Bridge: And whereas it would be highly beneficial to the Inhabitants of the said City and the Liberties thereof, and of the Counties of *Limerick*, *Galway*, and *Clare*, if the said intended Bridge should be built and constructed in manner herein-after mentioned; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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 Sir *Edward O'Brien* Baronet, the Right Honourable *William Vesey Fitzgerald*, the Honourable *Richard Fitzgibbon*, *Standish O'Grady*, *Thomas Spring Rice*,

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Appointing
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Bridge, &c.

[Local.]

the Right Honourable *John Ormsby Vandeleur*, Sir *Hugh Dillon Massey* Baronet, Sir *Augustine Fitzgerald* Baronet, *William Thomas Monsell*, *Thomas Arthur*, *Thomas Jackson*, *Donatus O'Brien*, *George O'Callaghan*, Major General *Richard Bourke*, *William Cansbon Purdon*, *Thomas Browne*, *Daniel Barrington*, *Samuel Bindon*, *John Browne*, *Francis Gore*, *Thomas Westropp*, *Henry O'Donnell*, *Philip M'Adam*, *Richard Kenny*, *Poole Gabbett*, *William Crilley*, *Robert Westropp*, *Joseph Gabbett*, *Simon George Purdon*, *William Howley*, *Thomas O'Reilly*, *John Kelly*, *John Lee*, *Jonas Morris*, and *James Fisher*, and their Successors, to be elected in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for the Execution of this Act, with full Power and Authority for designing, making, erecting, and building one Bridge of Stone, Timber, or Iron, over the said River *Shannon*, near *Atblunkard*, in the County of *Clare*, and for making convenient Streets, Roads, and Approaches thereto, and of opening a direct Communication from *Newtown Perry* in the Liberties of *Limerick* with the said Bridge on one Side thereof, and from *Parteen*, in the County of *Clare*, with the said Bridge on the other Side thereof; and it shall be lawful to and for the said Commissioners, and their Successors, to design, assign, lay out, and appoint, in what Manner, of what Dimensions, and in what precise Site such Bridge shall be built, and from Time to Time to design, assign, and lay out such Streets, Roads, and Approaches to the said Bridge, conformable to the above Directions; and upon such Plans, and of such Dimensions respectively, as the said Commissioners shall think proper.

Power to appoint additional Commissioners.

II. And be it further enacted, That it shall be lawful for the said Commissioners, at their First Meeting to be held as herein directed, or at any subsequent Meeting to be held for that Purpose (of which subsequent Meeting, and of the Purpose whereof, Ten Days Notice shall be given in the Newspapers published in the said City of *Limerick*), to elect and appoint any Number of Persons, not exceeding Ten in the whole, to be Commissioners for executing this Act, in addition to the Commissioners hereby appointed; and such Commissioners so to be elected and appointed shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed by this Act.

Qualification of Commissioners.

III. And be it further enacted, That no Person hereafter to be elected shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall, in his own Right or in Right of his Wife, be possessed of or in the Receipt of, the Rents, Issues, and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or possessed of a Personal Estate alone, or Real and Personal Estate together, of the Amount or Value of Four thousand Pounds, above Reprizes, or unless he be Heir Apparent of a Person possessed of or in the Receipt of the Rents, Issues, and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of Two hundred Pounds above Reprizes; and if any Person not qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath herein-after mentioned, or being a Quaker, not having made and subscribed the Affirmation herein-after mentioned, shall nevertheless presume to act as a Commissioner in the Execution of this Act,

every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall inform or sue for the same, the same to be recovered in any of His Majesty's Courts of Record at *Dublin*, or elsewhere, by Action of Debt or on the Case, wherein no Essoign, Protection, or Wager of Law, or more than one Imparance, shall be allowed; and the Person so prosecuted shall prove that he is qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecution than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts which shall have been done by any such Person touching the Execution of this Act, previous to his being convicted of or a Verdict given against him for the Offence before mentioned, shall, notwithstanding such Conviction or Verdict, be as valid and effectual as if such Person had been duly qualified to act as a Commissioner according to the Directions of this Act.

IV. Provided always, and be it further enacted, That no Person hereafter to be elected shall be capable of acting as a Commissioner in the Execution of this Act (save and except in administering the Oath or Affirmation following to the other Commissioners), until he shall have taken and subscribed the Oath or Affirmation following before any Two or more of the Commissioners, who are hereby authorized to administer the same; (that is to say),

[*A. B.* do swear [or, being one of the People called *Quakers*, do solemnly, sincerely, and truly affirm and declare], That I am truly and *bona fide*, in my own Right, or in the Right of my Wife [as the Case may be], possessed of or in the Receipt of the Rents, Issues, and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred Pounds above Reprizes; [or am Heir Apparent of _____ who, to the best of my Knowledge and Belief, is seised and possessed of or in the Receipt of the Rents, Issues, and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments, of the clear yearly Value of Two hundred Pounds above Reprizes, or am possessed of a Personal Estate alone, or of a Real and Personal Estate together, to the Amount or Value of Four thousand Pounds after the Payment of all my just Debts]. So help me GOD.

of the Oath of
Commissioner's
Oath.

(Except that in case of any of the People called *Quakers*, the Words 'So help me God' are to be omitted.)

V. And be it further enacted, That no Person or Persons to be appointed a Commissioner for putting this Act into Execution, who shall have or accept any Place or Office of Profit arising out of or by reason of any Tolls by this Act granted, or who shall be interested or concerned in any Contract or Contracts, or a Lessee or Lessees, Farmer or Farmers of the Tolls granted by this Act, shall be capable of acting as a Commissioner in the Execution of this Act during the Time of his or their Enjoyment of such Place of Profit as aforesaid.

Persons
holding any
Places of
Profit not to
act as Com-
missioners.

VI. And be it further enacted, That it shall be lawful for the Commissioners for the Execution of this Act from Time to Time, and at all Times hereafter, to meet and assemble, whensoever and wheresoever within the said City of *Limerick* they may think proper, for any of the Purposes

Meetings of
Commis-
sioners.

Purposes in this Act; and that unless otherwise specially provided, all Powers and Authorities by this Act granted to the said Commissioners shall and may be exercised by the major Part of the Commissioners who shall attend at any Meeting holden in pursuance of this Act, the whole Number of the Commissioners present at such Meeting not being less than Five; and all the Acts, Orders, and Proceedings of the major Part of such Commissioners present at any such Meeting for any Purpose whatsoever, shall have the same Force and Effect as if the same were made or done by all the said Commissioners for the Time being; and at every Meeting of the said Commissioners a Chairman shall and may be appointed, and when and as often as it shall happen that there shall be an Equality of Votes on any Question, including the Vote of the Chairman, then and in every such Case the Chairman shall have and he is hereby empowered to give One additional decisive or casting Vote: Provided nevertheless, that if such Chairman so appointed shall leave or quit such Meeting before the Adjournment of the same, then and in such Case the remaining Commissioners present at such Meeting, not being less than Five, shall and may nominate and appoint another Chairman, being a Commissioner present at such Meeting, to replace the said former Chairman, and to preside at such Meeting as aforesaid, during the Remainder of the Time of such Meeting, until the same shall be adjourned.

Books to be kept.

VII. And be it further enacted, That the Commissioners for the Execution of this Act shall cause to be provided and kept a proper Book and Books, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all such Commissioners as shall be present at the several Meetings; and all Entries in such Books, being signed by the Chairman then present, shall be deemed Originals; and the said Entries or Copies thereof respectively, duly attested by the Clerk of the said Commissioners for the Time being, and proved to have been compared with the Originals, and to be true Copies respectively, shall be allowed to be read as Evidence in all Causes, Prosecutions, Suits, and Actions, and shall be deemed and taken to be, to all Intents and Purposes, good Evidence of all Matters required to be inserted therein, and of all Acts and Proceedings of the said Commissioners, touching and concerning any thing done in pursuance of this Act, whether the Commissioners under this Act shall be Parties in such Cause, Prosecution, Action, or Suit; or not; and such Book shall at all Meetings of the said Commissioners, and at all other reasonable Times, be kept open and liable to the Inspection of all and every the Commissioners, and that any of the said Commissioners shall and may have and take Copies thereof.

Powers of Commissioners to give Orders for Expence and to appoint Officers.

VIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time, when and as often as they shall think necessary or expedient, at any such Meeting, to give and sign Orders for the Payment of all Expenditures which they shall deem and judge to be necessary for carrying into Execution the Purposes of this Act, and to elect and appoint any Treasurer or Treasurers, Clerk or Clerks, Surveyor or Surveyors, Receiver or Receivers, Collector or Collectors, and all such other Officers and Servants, as they shall think fit and proper for the Execution of the several Matters necessary in the Execution

cution of this Act, and to establish such Salaries and Allowances to be paid to all such Officers, and every of them respectively, as to the said Commissioners shall seem fit and reasonable, and the same to increase and diminish from Time to Time, as to them shall seem reasonable; and also from Time to Time, as often as it shall appear fit to the Commissioners for the Time being, to remove such Officers, or any of them; and to elect such others in their Stead as they shall think fit.

IX. And be it further enacted, That no Person who shall be a Commissioner under this Act shall, during the Time he shall be such Commissioner, hold any Place or Office of Profit or Emolument connected with the Execution of this Act, or enter into any Contract with the said Commissioners, or be Surety for any Person contracting with the said Commissioners; and if any Person being such Commissioner shall accept any Place or Office under this Act, or shall enter into or be concerned or interested in any Contract, or shall be Surety for any Person contracting with the said Commissioners, such Person shall cease to be a Commissioner from the Time of his Appointment to and Acceptance of such Place or Office, or of his entering into or being concerned in such Contract, or becoming Surety for any Person contracting with the said Commissioners, as the Case may be.

Commissioners not to hold Office or Employment under the Board, or be concerned in Contracts.

X. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby required, to take such sufficient Security from their Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, or other Officer or Officers to be appointed for the Purposes of this Act, for the due and faithful Execution of their respective Offices, as the said Commissioners shall think fit and proper; and that no such Treasurer, Receiver, Collector, or other Officer, shall be permitted to enter upon such their Office respectively, until they shall have given such Security.

Security to be taken from Treasurer.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who may be appointed to act as Clerk to the Commissioners in the Execution of this Act, or any Partner of any such Clerk, or the Clerk or Clerks of or any Person in the Service or Employ of such Clerk, to be the Treasurer for the Purposes of this Act, nor to continue or appoint the Person who may be appointed Treasurer, or any Partner of any such Treasurer, or the Clerk or Clerks of or any Person in the Service or Employ of such Treasurer, to be the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or Clerks of or other Person in the Service or Employ of such Clerk, shall act as Treasurer, or if any Person being the Partner of any such Treasurer, or the Clerk or Clerks of or other Person in the Service or Employ of such Treasurer, shall act as Clerk in the Execution of this Act, or if any Person being Treasurer shall hold any Place or Office of Profit or Trust under the said Commissioners, other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's superior Courts of Record in *Dublin*, by Action of

Treasurer not to be Clerk, and vice versa.

Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoin, Protection, or Wager of Law, nor than one Imparance, shall be allowed.

Accounts to
be kept.

XII. And be it further enacted, That every Treasurer to be appointed by the said Commissioners shall and he is hereby required and directed to keep distinct Accounts of the Monies by him received and paid for and on account of the said Commissioners, and from Time to Time, by and out of the Monies in his Hands, to pay and discharge all such Sum and Sums of Money as the said Commissioners at any of their Meetings shall from Time to Time direct and appoint.

Officers to
account with
Commis-
sioners.

XIII. And be it further enacted, That every such Treasurer, Clerk, Surveyor, Receiver, Collector, or other Officer so to be appointed, shall, as often as they shall be thereunto required by the said Commissioners, render and deliver to the said Commissioners, or to such Persons as they shall appoint, distinct, true, and perfect Accounts in Writing, signed with their own Hands respectively, of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by such Officer or Person respectively received by virtue of such Appointment, or for or on account of the said Commissioners, and how much thereof hath been paid and applied, and for what Purpose or Purposes, together with proper and legal Receipts and Vouchers for such Payments respectively, and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they the said Commissioners shall from Time to Time direct and appoint; and if any such Officer or Person so appointed as aforesaid shall not render and deliver, signed with his own Hand, all and every such Statement and Accounts within a reasonable Time after he shall have been thereunto required as aforesaid, or shall not produce and deliver up the Receipts and Vouchers relating to all Monies received and paid by him or them, or shall not pay the Monies received or in his Hands to such Commissioners, or to such Person as the said Commissioners shall direct or appoint, or shall not deliver up to such Commissioners, or to any other Person or Persons whom they shall appoint, all Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, within Forty-eight Hours next after he or they shall be required so to do, by a Notice in Writing, signed by the Clerk of the said Commissioners, and delivered to and left at the last or usual Place of Abode of such Officer or Officers, then and in such Case it shall be lawful for the said Commissioners, and they are hereby required, authorized, and empowered, to bring or cause to be brought any Action or Actions against any such Officer or Officers so neglecting or refusing as aforesaid, for the Recovery of the Money that shall be in the Hands of such Officer or Officers, or against the Person or Persons having become Surety for him or them; or it shall be lawful for such Commissioners, or any other Person whom they shall direct and appoint for that Purpose, to make Complaint of any such Refusal or Neglect as aforesaid to the Mayor of the said City of *Limerick*, or any One Justice of the Peace for the County of the said City, or to any One Justice of the Peace for the County, County of a City or Town, Borough, or Place, wherein such Officer so neglecting or refusing shall be or reside; and thereupon it shall be lawful for such Mayor or Justice of the Peace, and he is hereby

authorized and empowered; by Warrant under his Hand and Seal, to cause such Officer or Officers so neglecting or refusing, and against whom such Complaint shall be made, to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, or upon the Testimony of any credible Witness or Witnesses of the People called *Quakers* upon Affirmation, which Oath or Affirmation such Mayor or Justice is hereby empowered to administer, it shall appear to such Justice that any of the Monies that shall have been received by any such Officer or Person shall remain due from any such Officer or Person, then it shall be lawful for such Mayor or Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Money, and all Costs, Charges, and Expences incurred and to be incurred by such Complainant, to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively; and if no Goods or Chattels of such Officer and Person can be found sufficient to answer and satisfy the said Money, and the full Costs, Charges, and Expences of distraining, removing, and selling the said Goods, Chattels, and other Effects, and all such Costs and Charges as aforesaid, or if it shall in manner aforesaid appear to such Mayor or Justice of the Peace that such Officers or Persons shall not have rendered such perfect and true Accounts signed as aforesaid, or shall have detained any Receipts or Vouchers, Documents, Books, Papers, or Writings as aforesaid, then and in each and every of such Cases such Mayor or Justice shall commit every such Offender to the Common Gaol or House of Correction of the County, County of the City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall have rendered, signed, and delivered as aforesaid such true and perfect Accounts as aforesaid, and shall have delivered as aforesaid all Receipts and Vouchers relating thereto, and shall have paid all such Monies remaining in his Hands, or shall have compounded with the said Commissioners for all such Money to their Satisfaction, and shall have paid the Amount of such Composition in such Manner as they shall approve, and which Composition the said Commissioners are hereby empowered to make and accept, or until he shall have delivered all such Books, Papers, and Writings aforesaid in his Custody or Power; or shall have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no such Officer or Person so committed as aforesaid shall be detained and kept in Prison by virtue of any such Warrant for any longer Space of Time than Three Calendar Months.

XIV. Provided always, and be it enacted, That no Prosecution, nor any Commitment, Action, or other Proceeding of or against any Treasurer or other Officer by the said Commissioners, shall in any Manner acquit, release, or discharge any Security, which shall or may have been accepted by or given to or for the said Commissioners, for the due and faithful Execution of the Duties of any Office or Appointment, or for the due and punctual Payment and Application of the Monies received by any such Treasurer or Officer in pursuance or by virtue of any such Office or Appointment, or for the proper Observance and Performance of the Duties enjoined on any such Treasurer or other Officer by virtue of this Act, nor shall acquit, release, or discharge in any manner any Person or

Persons

Proceedings
against Prin-
cipals not to
release Sure-
ties.

Persons who shall have become bound as Surety for or in behalf of such Treasurer or other Officer to the said Commissioners.

Accounts to be kept and published.

XV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, and laid out and expended under this Act, and the several Articles, Matters, and Things for which any Sum of Money shall be disbursed, laid out, and paid; and in the Month of *May* in every Year to print, publish, and circulate in the said City, an Account of the Sums received and expended in each Year; which Book or Books shall at all seasonable Times be open to the Inspection of every Commissioner without Fee or Reward; and any such Commissioner shall or may take Copies of or Extracts from any such Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit any such Commissioner to inspect the same, or to take such Copies or Extracts therefrom as aforesaid, or shall not print, publish, and circulate such annual Account as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Fifty Pounds, to be levied and recovered in manner by this Act directed.

Bridge, &c. vested in the Commissioners.

XVI. And be it further enacted, That the Right and Property of and in the said Bridge, and of, and in the Toll House, Gate, and Bars, and all Posts, Rails, and Fences to be erected, set up, and provided in, upon, or near the said Bridge, or any of them, under and by virtue of this Act, and of the Materials which shall be from Time to Time gotten or provided for erecting, building, making, maintaining, and repairing the same, all other Materials, Articles, and Things which shall be purchased, collected, or provided for the Purposes of this Act; shall be and the same are hereby respectively vested in the said Commissioners and their Successors; and they are hereby empowered and authorized to bring or cause to be brought any Action or Actions, and to prefer and prosecute One or more Indictment or Indictments against any Person or Persons who shall steal, take, carry away, or damage the same, or any of them, or any Part thereof, or disturb them in the Possession thereof; and in such Actions and Bills of Indictment respectively, it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or concerning which such Action or Actions shall be brought, or Bill or Bills of Indictment be preferred, is or are the Property of "The Commissioners for the building *Athlunkard* Bridge," without particularly naming or specifying the Name or Names of all or any of the said Commissioners.

How Commissioners may be sued.

XVII. And be it further enacted, That the said Commissioners shall and may sue and be sued in the Name of any one of the said Commissioners, or of their Treasurer or Clerk for the Time being; and that no Action or Suit which may be brought by or against the said Commissioners, or any of them, in relation to this Act, in the Name of any one of the said Commissioners, or of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of such Commissioner, Treasurer,

Treasurer or Clerk, or by the Act of such Commissioner, Treasurer, or Clerk, without the Consent of the said Commissioners; but one of the said Commissioners, or the Treasurer or Clerk for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, in every such Action or Suit, as the Case may be: Provided always, that all and every such Commissioner, Treasurer or Clerk, shall be reimbursed, out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences, as he or they shall be put unto or become charged or chargeable with by reason of his or their being so made Plaintiff or Defendant, or Plaintiffs or Defendants as aforesaid; and no such Commissioner, Treasurer, or Clerk shall be personally accountable or liable to the Payment of the same, unless such Action or Suit shall arise in consequence of his or their own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Commissioners.

XVIII. And be it further enacted, That it shall not be necessary in any Action or Suit to be brought or commenced by or against any of the said Commissioners, or their Treasurer or Clerk, to prove the Appointment of such Commissioner, Treasurer, or Clerk.

In Actions not necessary to prove Appointments of Officers.

XIX. And be it further enacted, That it shall and may be lawful to and for the Commissioners for the Execution of this Act, and they are hereby authorized and empowered, for the Purposes in this Act mentioned, or any of them, to purchase, pursuant to the Provisions hereinafter contained, any Lands, Grounds, Messuages, Tenements, or Hereditaments whatever, which the said Commissioners shall deem it expedient to purchase or make use of for or towards any of the Purposes in this Act mentioned.

Commissioners may purchase Lands.

XX. And whereas Maps or Plans respectively, describing the Lines of the said Bridge and Roads heretofore directed to be made, and the Lands through which such Bridge and Roads are to be carried, together with Books of Reference, containing List of the Names of the Owners and Occupiers of such Lands, have been deposited with the Clerks of the Peace for the said City and County of the City of *Limerick* and County of *Clare*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the Clerks of the Peace for the said City and County of the City of *Limerick* and County of *Clare*, to the End that all Persons may at all reasonable Times have liberty to inspect and peruse the same, and take Copies and Extracts therefrom, at their Will and Pleasure, paying to such Clerks of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts; and the Commissioners in making such Roads shall not deviate more than One hundred Yards from the respective Lines described in the said Maps or Plans without the Consent in Writing of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands, Grounds, or Premises such Roads shall be made.

Maps, &c. deposited at the Office of the Clerks of the Peace to remain there for Inspection.

XXI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners to set out and make the said Roads into, across, or over the several Lands and Hereditaments of any Person or Persons, Body or Bodies, who is or are or may be Owner or Owners,

Roads may be made according to the Plan notwithstanding Errors.

[Local.]

Occupier

Occupier or Occupiers of Lands and Hereditaments over which the same is or are set out and described in the said Map or Plan as aforesaid, or in the said Schedule, although such Lands or Hereditaments, or the Name or Names of such Person or Persons, Body or Bodies, may happen to be erroneously described, omitted, or mis-stated in the Map, Plan, or List or Schedule respectively, in case it shall appear to any Two or more Justices of the Peace for the County (in which the same respectively are situated), and be certified in Writing under their Hands, that such Error or Omission proceeded from Mistake.

Houses, &c.
not to be injured.

XXII. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not extend, or be construed to extend, to empower or authorize the said Commissioners in making the said Roads to pull or take down, injure or damage, any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained; (except such as are comprized and described in the Schedule to this Act annexed).

Commissioners not to purchase Buildings, &c. after Five Years.

XXIII. And be it further enacted, That in case the Commissioners shall not purchase such Houses and other Premises within the Space of Five Years from the passing of this Act, then and in each Case it shall not be lawful for the said Commissioners to purchase any of the said Houses or other Premises so remaining unpurchased, without the Consent in Writing of the Owners thereof first had and obtained.

All Persons and Bodies Politic, &c. empowered to convey Lands.

XXIV. And be it further enacted, That it shall be lawful for any Owner or Proprietor, and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, Feoffees in Trust, Executors, Administrators, Guardians, and other Trustees whomsoever, or any other Person or Persons, not only for or on behalf of themselves, but also for or on behalf of any Infants, Females Covert, Cestuique Trusts, and for all and every other Person and Persons whomsoever, who are or shall be seised or possessed of or interested in any Lands, Grounds, Messuages, Tenements, or Hereditaments, either for their own Use or Benefit, or for the Use of or in Trust for such Person or Persons as aforesaid, to contract and agree with the Commissioners for the Execution of this Act to sell and convey, or to demise to them, all or any such Lands and Hereditaments, or any Part or Parts thereof which may be required for the Purposes of this Act, and to contract and agree for the Recompence and Satisfaction to be made for any Damage or Loss that may be sustained by any such Persons or Corporations respectively by the building of the said Bridge, or the making such Streets, Roads, and Approaches thereto, as Occasion shall be and require; and all Contracts, Sales, and Conveyances which shall be so made, shall be valid and effectual in the Law to all Intents and Purposes, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary notwithstanding; and all such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, Feoffees in Trust, Executors, Administrators,

Administrators, Guardians, and Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

XXV. And be it further enacted, That if any such Owner, Proprietor, Occupier, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, Feoffees in Trust, Executors, Administrators, Guardians or Trustees, or any other Person or Persons interested in any of the Lands, Grounds, Messuages, Tenements, or Hereditaments mentioned and specified in the Schedule annexed to this Act, upon Notice to him, her, or them given in Writing, or left at the Dwelling House or Houses, or Place or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of the Lands, Grounds, Messuages, Tenements, or Hereditaments so to be used or taken or damaged for the Purposes of this Act, shall, by the Space of Six Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be hindered from treating, then and in every such Case it shall and may be lawful to and for the said Commissioners, and they are hereby empowered, authorized, and directed, from Time to Time to issue a Warrant or Warrants, or Precept or Precepts, to the Sheriffs of the County of the City of *Limerick*; or if either of the said Sheriffs shall be interested in the Lands, Grounds, Messuages, Tenements, or Hereditaments then intended to be purchased, or any of them, or any Part thereof, then to the other of the said Sheriffs, or if both the said Sheriffs shall be so interested then to any other Person or Persons not being a Commissioner or Commissioners or interested as aforesaid, who are hereby authorized, directed, and required accordingly to summon, return, and impanel respectively a competent Number of substantial Persons to serve on Juries, not less than Thirty-six or more than Sixty; out of which Persons so qualified, summoned, returned, and impanelled, a Jury of Twenty-four Persons shall be drawn by some Persons to be by the said Commissioners appointed, in such Manner as Juries for the Trial of Issues joined in His Majesty's Four Courts in *Dublin*, by an Act made in *Ireland* in the Twenty-ninth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better regulating of Juries in Ireland*, are directed to be drawn, which Persons so summoned and returned and impanelled as aforesaid are hereby required to come and appear before the said Commissioners, at such Time and in such Place, within the County of the City of *Limerick*, as in such Warrant or Warrants, or Precept or Precepts, shall be directed and appointed, and to attend the said Commissioners from Day to Day and Hour to Hour and Place to Place, within the said County of the City of *Limerick*, until discharged by them; and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at liberty to challenge the Array.

If they neglect to agree, a Jury to be called to value the Premises.

29 G. 2. (1.)

XXVI. And be it further enacted, That in all Cases of Trials by Jurors before the said Commissioners, or where, after the Appearance of a full Jury, it shall so happen, either by means of Challenge or otherwise,

When Deficiency of Jurors, others to be impanelled.

wise, that there shall be a Default of Twelve Jurors for such Trial, it shall and may be lawful to and for the said Commissioners to issue their Precept as aforesaid, commanding the Person or Persons to whom the same shall be directed as aforesaid, to impanel from Time to Time so many other Persons as shall make up a full Jury of Twelve, which Persons so to be impanelled shall be added to the former Panel, and all Parties interested in such Trials shall have their Challenges to the Jurors so added to the former Panel, as if they had been originally summoned; and the said Commissioners are hereby authorized, empowered, and directed, by Summons or Summonses from Time to Time, as Occasion may require, to call before them all and every Person and Persons whatsoever, who shall be thought proper and necessary as Witness or Witnesses, and to examine them on their Oath or Oaths touching or concerning the Premises, which Oath any one of the said Commissioners is hereby authorized, empowered, and directed to administer; and the said Commissioners, if they shall think fit, shall and may authorize and require the said Jury, or any Six or more of them, to view the Lands, Grounds, Messuages, Tenements, or Hereditaments then intended to be valued, or any Part or Parts thereof; and the said Commissioners shall have Power to adjourn such Meeting from Day to Day and Place to Place as Occasion shall require, and to command such Juries and Witnesses and Parties to attend until the Business for which they shall be summoned by virtue of this Act shall be concluded; and the said Jury shall upon their Oaths fairly, truly, and impartially enquire of the Value of such Lands, Grounds, Messuages, Tenements, or Hereditaments, and of the respective Estates, Right, Title, Term, and Interest of every Person or Persons seised or possessed thereof, or interested therein, or of or on any Part thereof, or of any Estates, Rights, Titles, Terms, and Interests therein, or what Loss or Damages will or may be sustained by, and what Recompence or Satisfaction ought to be made to any Owner, Proprietor, or Occupiers of, or other Person or Persons interested in any Lands, Grounds, Messuages, Tenements, or Hereditaments, for the Purposes of this Act, and shall assess or award the Sum or Sums to be paid to every such Person or Persons for the Purchase of such of their respective Estates, Rights, Titles, Terms, and Interests therein, or as a Recompence for any such Loss or Damage; and if it shall not be made appear to the said Jurors what Person or Persons is or are entitled to the respective Estates, Rights, Titles, and Interests which may be subsisting therein respectively, then it shall and may be lawful to and for the said Jury to enquire and ascertain and find the Value of such Lands, Grounds, Messuages, Tenements, or Hereditaments, or any of them, as of an Estate in Fee Simple, without specifying the Person or Persons entitled to the same, or ascertain and find the Value of any Estate or Interest therein, or the Amount of Recompence or Satisfaction for Damages which shall be claimed or shall appear to the said Commissioners, without specifying the Person or Persons entitled to the same respectively; and every such Judgment respectively of such Commissioners shall be fairly written on Parchment, and signed by Seven of the Commissioners at the least, and shall be entered on the Rolls in His Majesty's High Court of Chancery in *Ireland*; and such Entries respectively, or true Copies thereof, shall be deemed and taken in all Courts of Law and Equity to be good, full, and sufficient Evidence of the several Matters therein set forth, and also of the due Performance of all previous Matters necessary under this Act to the

Validity

Judgment to
be enrolled
in the Court
of Chancery.

Validity thereof, and shall in all Cases, whether in or out of Court, be taken and received as such Evidence accordingly; and after the said Jury shall have enquired of, ascertained, and settled the Value of such Lands and Premises, or the Amount of such Damage and Recompence, the said Commissioners shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to such Owners, Occupiers, or Proprietors of or other Persons interested in the said Lands or Hereditaments, according to such Verdict or Inquisition of the said Jury; and such Verdict or Inquisition and Judgment, Order and Determination, so had and made, shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever claiming or to claim in Possession, Reversion, or Remainder, in Fee or in Tail, General or Special, or for Life or Lives, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, and Persons under any Disability whatsoever, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all Persons whomsoever.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to impose any reasonable Fine, not exceeding Ten Pounds, upon the Sheriffs, their Deputy or Deputies, Bailiffs or Agents respectively, and on all Persons to whom any Precept shall be directed as aforesaid, who shall make Default in the Premises, and on any Person or Persons summoned and returned upon such Jury as aforesaid who shall not appear, or who appearing shall refuse to be sworn, or to give his or their Verdict, or who shall in any other Manner wilfully neglect his or their Duty, contrary to the true Intent and Meaning of this Act, having no reasonable Excuse to be allowed by the said Commissioners, and also on any Witness or Witnesses who shall not attend, being duly summoned to give Evidence as aforesaid, or who shall appear and refuse to give Evidence, and from Time to Time to levy such Fine or Fines, by virtue of any Warrant under the Seal of the said Commissioners, by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering to him or them the Overplus, after such Penalty and Costs, and Charges of such Distress and Sale, shall have been deducted; and all such Fines so recovered shall be applied towards the Purposes of this Act.

Fines may be imposed on Jurors and Witnesses.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to discharge such Juries as shall be returned to try any Matters before them as aforesaid, and from Time to Time to issue a new Warrant or Precept for the Return of a new Jury or new Juries in manner herein-before directed; and all and singular the Regulations in this Act contained shall be applied to the Proceedings under such further or other Warrant or Precept, as fully and effectually as the same are applicable to the Warrant or Precept first issued by the said Commissioners.

Commissioners may discharge Juries.

XXIX. And be it further enacted, That all Persons who shall in any Examination, to be taken upon Oath by virtue of this Act, wilfully and corruptly give false Evidence, or otherwise forswear themselves respectively before such Jury or any Justice of the Peace, acting as such in the Execution of this Act, shall be deemed guilty of Perjury, and shall upon

Persons swearing falsely may be indicted for Perjury.

[Local.]

16 F

Conviction

How Expences of Juries shall be paid.

Conviction thereof be subject to the same Pains and Penalties as Persons guilty of Perjury are or shall from Time to Time be by the Laws subject and liable to.

XXX. And be it further enacted, That in any Case in which any Jury shall give or deliver a Verdict for more Money as a Recompence for the Right, Interest, or Property of any Person or Persons in any Lands, Grounds, Messuages, Tenements, or Hereditaments, or for any Loss or Damage to be by him or them sustained, than what shall have been offered by the Commissioners for the Execution of this Act, or their Treasurer, Clerk, Surveyor, or other known Agent, before the summoning and returning of the Jury, as a Recompence and Satisfaction for any Right, Interest, Property, Loss, or Damage as aforesaid, then and in such Case the Costs and Expences of summoning the said Jury, and summoning and maintaining Witnesses, shall be borne and paid by the Treasurer to the said Commissioners out of any Money to arise by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Six Days after the same shall be demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Commissioners, or of any of the Goods or Chattels of the said Commissioners in Possession of the Treasurer to the said Commissioners, under a Warrant to be issued for that Purpose by the Mayor of the City of *Limerick*, or by any Justice of the Peace for the County of the said City, which Warrant any such Mayor or Justice is hereby authorized and empowered to issue under his Hand and Seal, on Application made to him for that Purpose by the Party or Persons entitled to receive such Costs and Expences; but if such Jury shall give in and deliver a Verdict of Assessment for no more or for less Money than shall have been offered by or on behalf of the said Commissioners as aforesaid, before the summoning and returning of the said Jury, as a Recompence or Satisfaction for any such Right, Interest, Property, Loss, or Damage as aforesaid, then the full Costs and Expences of summoning the said Jury, and summoning and maintaining the said Witnesses, and all Expences attending the hearing and determining of such Difference, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; which said Costs and Expences having been ascertained and settled by the Mayor of the City of *Limerick*, or by some Justice of the Peace for the County of the said City, not personally interested in the Matter in question, who is hereby required to examine and settle the same at a Time and Place to be by him appointed for the Parties interested therein to attend him for that Purpose, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a Payment and Tender of the whole Sum or Sums so adjudged and assessed, or otherwise such Costs and Expences, in case the same be not paid upon Demand after being so ascertained and settled as aforesaid, shall and may be recovered by the Treasurer to the Commissioners by such Ways and Means as are hereinafter provided for the Recovery of the Penalties and Forfeitures imposed by virtue of this Act: Provided always, that in all Cases where any Valuation shall have been had or made as aforesaid, by reason of the said Commissioners not knowing

knowing or not being able to find the Person or Persons entitled to any such Premises, then and in such Case all such Expences shall be borne and paid by the said Commissioners out of the Money to be raised or received under and by virtue of this Act.

XXXI. And be it further enacted, That every Sum of Money or Re-compence to be agreed for or assessed and ascertained by the Verdict of a Jury as aforesaid, shall be paid to the Parties or Persons respectively entitled thereto, or to his, her, or their Agent or Agents; and upon Payment thereof, or upon depositing the same in the Bank of *Ireland* under the Direction of the Court of Chancery in manner by this Act directed, and after Six Days Notice given to such Parties or Persons, or to his, her, or their Agent or Agents, or left at his, her, or their Place or Places of Abode, or with the Tenant in Possession of the Lands or Hereditaments in question, such Lands or Hereditaments shall be used and taken for the Purposes of this Act, and shall to all Intents and Purposes become and be vested in the Commissioners for the Execution of this Act, for the Purposes of this Act, and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title to such Lands and Hereditaments.

On Payment of the Purchase Money Premises to be taken for the Purposes of this Act.

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XXXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, Messuages, Tenements, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, as herein before mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the *Athlunkard* Bridge Commissioners, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, if the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Grounds, Messuages, Tenements, or Hereditaments shall so desire, in or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Lands, Tenements, Grounds, Hereditaments, or Premises, or affecting other Lands, Grounds, Messuages, Tenements, or Hereditaments standing settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Grounds, Messuages, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Grounds, Messuages, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said

Application of Compensation Money if amounting to or exceeding 200/.

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Court

Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Government Stock; and in the meantime, and until the said Stock shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce thereof shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Lands, Tenements, Grounds, Hereditaments, or Premises so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less than 200l. and amounting to 20l.

XXXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Messuages, Lands, Tenements, Grounds, Hereditaments, or Premises, or for any other Matter, Right, or Interest purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any other Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Grounds, Messuages, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, to be paid into the Bank of *Ireland*, in the Name and with the Privity of the said Accountant General of the Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the Commissioners appointed under this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where under 20l.

XXXIV. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, Messuages, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out a good Title, &c. Purchase Money to be paid into the Bank.

XXXV. And be it further enacted, That in case the Person or Persons to whom any such Sum or Sums of Money shall be so ordered to be paid as aforesaid, for the Purchase of any Lands, Grounds, Messuages, Tenements, or Hereditaments, or for any Recompence or Compensation for Damages under and by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction

Satisfaction of the said Commissioners, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Grounds, Messuages, Tenements, or Hereditaments be not known or discovered, or if by reason of Disputes or Differences, or for Defect of Evidence, it shall not appear to the said Commissioners or Jury what Person or Persons is or are entitled to the Premises in question, then and in every such Case it shall be lawful for the said Commissioners to order the said Sum or Sums so awarded to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Grounds, Messuages, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, upon the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds in *Ireland*, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Titles or Interest, of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Ireland*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XXXVI. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Grounds, Messuages, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Grounds, Messuages, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Government Stock to be purchased with any such Money, or to the Dividends or Interest of any such Stock, the Person or Persons who shall have been in Possession of such Lands, Grounds, Messuages, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Grounds, Messuages, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of the Stock to be purchased with such Money, and also the Capital of such Stock, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Grounds, Messuages, Tenements, or Hereditaments, or to some Estate or Interest therein.

In case of disputed Titles, the Persons in Possession to be deemed lawfully entitled.

Court may order reasonable Expences to be paid by Commissioners.

XXXVII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the Commissioners for the Execution of this Act, out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

Form of Conveyance.

XXXVIII. And be it further enacted, That all Sales, Conveyances, and Assurances of all Lands, Grounds, Messuages, Tenements, or Hereditaments, to be made to the said Commissioners and their Successors, shall be made in the Form or to the Effect following; (that is to say),

‘ I [or we, as the Case may be] of _____ in consideration of the
 ‘ Sum of _____ to me [or us] paid by the Commis-
 ‘ sioners for building *Athlunkard* Bridge, do hereby grant and release
 ‘ [or assign, as the Case may be] to the said Commissioners and their
 ‘ Successors, all [here describe the Premises to be conveyed] and all my
 ‘ [or our] Right, Title, and Interest in and to the same, and every Part
 ‘ thereof, to hold to the said Commissioners and their Successors, for
 ‘ ever [or as the Case may be], during all the Remainder of my [or our]
 ‘ Term, Estate, and Interest in the said Premises. In Witness whereof
 ‘ I [or we] have hereunto set my Hand and Seal [or our Hands and
 ‘ Seals] this _____ Day of _____ in the Year of
 ‘ our Lord _____

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, as to and against the Person and Persons making the same, and his, her, or their Cestuique Trusts, and all other Persons claiming or to claim by, from, under, or in Trust for him, her, or them respectively, or in Remainder, Reversion, or Expectancy as aforesaid; and the same shall be deemed and construed to bar the Dower and Dowery of the Wife and Wives of such Person and Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Power to contract for or rent Stone Quarries, &c.

XXXIX. And be it further enacted, That it shall and may be lawful to and for the Commissioners for the Execution of this Act from Time to Time, and at all Times hereafter, to contract and agree with, or to employ any Person or Persons to contract and agree with, the Owner or Owners of any Stone Quarries or Quarry, or of any Lands containing any Stone Quarry

Quarry or Quarries, for the Purchase or renting the same respectively, for the Purpose of getting Stone from and out of the same to be used for the Purposes of this Act, and shall and may pay the Purchase or Consideration Money, or Rents for such Quarries, or Lands containing Quarries; to be so purchased or rented as aforesaid, with and out of any Monies to be raised by virtue of this Act; and shall and may, if necessary for procuring or obtaining such Lands or Quarries respectively, have and use all and every the Powers given by this Act with respect to the contracting and agreeing for and purchasing and valuing of any Lands, Grounds, Messuages, Tenements, or Hereditaments for the Purposes of this Act.

XL. And be it further enacted; That it shall be lawful for the Commissioners for the Execution of this Act, and they are hereby authorized and empowered, from Time to Time to contract with any Person or Persons for doing and performing all or any of the Works hereby authorized or directed to be done or performed, in such Manner, and under such Penalties for the due Performances of such Contracts, as the said Commissioners shall think fit; and every such Contract shall be good, valid, and binding, as well upon the said Commissioners as upon the other Party or Parties; and in case any Person or Persons, who shall enter into any Contract or Contracts with the said Commissioners, shall at any Time be guilty of any Breach or Nonperformance thereof, or of any Stipulations or Agreements therein, it shall and may be lawful to and for the said Commissioners, in case they shall deem it proper and expedient, to declare such Contract or Contracts to be null and void accordingly; or it shall and may be lawful to and for the said Commissioners to compound for such Sum or Sums of Money with the Person or Persons who shall have so entered into such Contract and Contracts, and for all Costs, Charges, and Expences which shall be occasioned thereby, as to them the said Commissioners shall appear proper and expedient; and it shall and may be lawful to and for the said Commissioners to sue for and recover the full Penalty and Penalties contained and expressed in such Contract or Contracts, or in any Bond or Bonds given and executed for the due Performance of such Contract or Contracts, by Action of Debt in any of His Majesty's superior Courts of Record in *Dublin*, in which Action no Essoign, Protection, or Wager of Law, nor more than one Imparance, shall be allowed.

Commis-
sioners may
contract for
Execution
of Works.

XLI. And whereas by an Act made in the Third Year of the Reign of His present Majesty, intituled *An Act to authorize the further Advance of Money out of the Consolidated Fund for the Completion of Works of a public Nature, and for the Encouragement of the Fisheries in Ireland*, it is among other Things enacted, that it shall and may be lawful for the Commissioners for the Execution of the said Act, and the Acts therein recited, by and with the Consent and Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to direct any Advance of Money to be made under the said Acts in aid of any public Works whatever in *Ireland*, or for the Purpose of commencing, carrying on, or completing of any public Roads, Railways, Bridges, Canals, Navigations, Embankments, Drainages, Harbours, or Churches, or any public Works whatever in *Ireland*, or for the making or executing of any Work whatever, whether of a public or private Nature, in *Ireland*, either upon such

3 G. 4. c. 112.

Real

Commis-
sioners un-
der this Act
may apply
for Advances
under recited
Act, and
mortgage or
assign the
Rates, &c.
for securing
Payment of
the Principal
and Interest.

Such Mort-
gages and
Assignments
to have the
Preference
over any
other Mort-
gages, &c.
under this
Act.

Real or Personal Securities as in the said Acts are mentioned, or upon Mortgage or Assignment of any Rates, Rents, Tolls or Profits, or of any expected Rates, Rents, Tolls or Profits, of any such public or private Works, in all Cases in which it shall appear to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* that any such Rates, Rents, Tolls or Profits, or any expected Rates, Rents, Tolls or Profits, shall or may be sufficient to pay Interest on such Advance, and the Principal Money so advanced, at or within any such Time or Times, and by any such Instalments as the Commissioners for the Execution of the said Acts, with the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, may think proper in any Case to direct and appoint, and as shall be specified in the Security to be given, or in the Mortgage or Assignment to be made of such Rates, Rents, Tolls or Profits, or expected Rates, Rents, Tolls or Profits; and although the Whole, or any Part of the estimated Expences of any such public Works, shall not be subscribed for or deposited or vested in any Public Fund; be it enacted, That at any Time after passing of this Act it shall and may be lawful for the Commissioners for the Execution of this Act for the Time being to apply to the Commissioners for the Execution of the said Act, and the several Acts therein recited, for the Advance of any Sum or Sums of Money upon the Security of the Tolls, Rates, and Duties expected to arise and be payable, or which shall arise and be payable under this Act; and in case the Commissioners for the Execution of the said recited Acts shall think fit to direct any Sum or Sums to be advanced for the Purposes of this Act, under the Regulations and Conditions of the said recited Act, it shall be lawful for the Commissioners for the Execution of this Act to mortgage or assign all or any of the Rates, Tolls, or Duties expected to arise and be payable, or which shall arise or be payable under this Act, to the Commissioners for the Execution of the said recited Acts, as a Security for the Payment of the Interest and Principal of any Sum or Sums so to be advanced, at or within any such Time or Times, and by any such Instalments, as the Commissioners for the Execution of the said recited Acts, with the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall think proper to direct and appoint, and as shall be specified in such Mortgage or Assignment, pursuant to the Regulations contained in the said recited Act; and every such Mortgage or Assignment, and the Sums payable under or by virtue of the same, shall in all Cases have Preference and Priority over any other Mortgage or Assignment of any of the said Tolls, Rates, or Duties, or any Grant of any Annuity payable out of the said Tolls, Rates, and Duties, made to any other Person or Persons under this Act, and the Interest of all such Sums so advanced shall be fully paid and satisfied before the Payment of any Interest or Annuities under any other Security granted under the Authority of this Act; and the Principal Sums secured by such Mortgage or Assignment, to the Commissioners for the Execution of the said recited Acts, shall be paid and satisfied at such Time or Times, and by such Instalments, as shall be specified in the Mortgage or Assignment given for Security of the same, in preference and priority to all other Payments under the Authority of this Act.

Commis-
sioners may

XLII. And be it further enacted, That it shall be lawful for the Commissioners for the Execution of this Act from Time to Time to borrow
and

and take up at Interest such other Sum or Sums of Money, not exceeding in the whole, together with the Sums which may be advanced under the said recited Act of the Third Year of His present Majesty, the Sum of Twenty thousand Pounds, for the Purposes of this Act, upon the Credit of the Tolls to be levied, collected, and raised, and to be payable to the said Commissioners by virtue of this Act, and to assign all or any Part of the said Tolls to such Person or Persons as shall lend and advance any Money thereon, or to his or their Trustee or Trustees, as a Security for the Principal Money to be advanced, and Interest for the same; and the Costs of every such Assignment shall be defrayed by the said Commissioners out of the Monies to be so borrowed; and every such Assignment shall be in the Words or to the Effect following:

also borrow
Money at
Interest.

1409
1409
1409

WE the Commissioners for building *Athlunkard* Bridge, appointed by an Act of Parliament made in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act* [here set forth the Title of this Act], in consideration of the Sum of _____ advanced and lent by _____ of _____ upon the Credit and for the Purposes of the said Act, do hereby grant and assign unto the said _____ or to his said Trustee or Trustees [as the Case may be], his Executors, Administrators, and Assigns, such Proportion of the Tolls and Duties payable to us by, virtue of the said Act as the said Sum of _____ doth or shall bear to the whole Sum which may at any Time be borrowed or become due, or owing, or be charged upon the Credit of the said Act, to be holden from this _____ Day of _____ until the said Sum of _____ with Interest at the Rate of _____ per Centum per Annum for the same, shall be repaid and satisfied: Provided always, that the Grant and Assignment, and the Payment of the Interest and Principal thereon, shall be subject and liable to the Priority and Preference given by the said recited Act in favour of any Mortgage or Assignment of the said Tolls made or to be made to the Commissioners for the Execution of an Act made in the Third Year of His said Majesty's Reign, for authorizing the Advance of Money out of the Consolidated Fund. In Witness whereof we the said Commissioners have hereunto affixed our Names, the _____ Day of _____ in the Year _____

Form of
Assignment.

1409
1409
1409

1409
1409
1409

And every such Security shall be good, valid, and effectual, and shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, or Assigns, to the Payment thereof, and to all Profits and Advantages thereon, according to the true Intent and Meaning of this Act, and as so expressed in such Security.

XLIII. And be it further enacted, That in case the said Commissioners shall think it advisable or advantageous to raise all or any Part of the Money to be borrowed under this Act by granting Annuities for Lives instead of by Assignment as aforesaid, it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, to grant an Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the said Commissioners any Sum or Sums of Money, as to the said Commissioners shall seem right and proper, for the absolute Purchase of any Annuity or Annuities, to be paid and payable during the natural Life or Lives of such Person or Persons as shall be nominated at the Time of Payment of such Contribution or

Monies may
be raised by
Annuities.

1409
1409
1409

[Local.]

16 H

Purchase

Purchase Money; and the Expence of every such Grant shall be defrayed by the said Commissioners; and the Grant of every such Annuity shall be in the Words or to the Effect following:

Form of Grant of Annuity.

WE the Commissioners for building *Athlunkard* Bridge, appointed by an Act of Parliament made in the Sixth Year of the Reign of King *George* the Fourth, intituled *An Act* [here set forth the Title of this Act], in consideration of the Sum of _____ paid by _____ of _____ for the Purposes of the said Act, do hereby grant unto the said _____ one Annuity or yearly Sum of _____ out of the Tolls and Duties payable to the Commissioners by virtue of the said Act, which Annuity or yearly Sum of _____ shall be paid to the said _____ his Executors, Administrators, or Assigns, during the natural Life of _____ by equal Half-yearly Payments upon the _____ Day of _____ and _____ Day of _____ in every Year during the natural Life of the said _____ the First Payment thereof to be made on the _____ Day of _____ next ensuing the Date hereof: Provided always, that this Grant, and the Payment of the said Annuity, shall be subject and liable to the Priority and Preference given by the said recited Act in favour of any Mortgage or Assignment of the said Tolls made or to be made to the Commissioners for the Execution of an Act made in the Third Year of His said Majesty's Reign, for authorizing the Advance of Money out of the Consolidated Fund. In Witness whereof we the said Commissioners have hereunto affixed our Names this _____ Day of _____ in the Year _____

For preventing improvident Grants of Annuities.

48G.3.c.142.

49G.3.c.64.

52G.3.c.129.

XLIV. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Three several Acts, one made in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*; one other in the Forty-ninth Year of His said late Majesty, intituled *An Act to amend an Act passed in the last Session of Parliament, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and the other made in the Fifty-second Year of His said Majesty, intituled *An Act for amending Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

Securities may be transferred.

XLV. And be it further enacted, That it shall and may be lawful to and for the Person and Persons entitled to any of the Securities or Annuities aforesaid, and their respective Executors, Administrators, and Assigns, as the Case may be, at any Time, by Writing under their Hands and Seals, to transfer such Securities or Annuities respectively to any Person or Persons whomsoever; which Transfer may be in the Words or to the Effect following:

Form of Transfer.

I _____ being entitled to the Sum of _____ or to _____ an Annuity of _____ secured to _____ his Executors, Administrators, and Assigns, by virtue of an Assignment _____ or

or Grant, bearing Date the ... Day of ... from the Com-
 missioners for building *Athlunkard* Bridge, appointed by an Act made
 in the Sixth Year of the Reign of His Majesty King *George* the Fourth,
 intituled [*here set forth the Title of this Act*], upon the Credit of the
 Tolls and Duties payable to the said Commissioners under the said Act;
 do hereby transfer, all my Right, Title, and Benefit in and to the said
 Sum or Annuity, and all Interest or other Money now due and owing
 thereon, unto ... his Executors, Administrators, and
 Assigns. Dated this ... Day of ...

And every such Assignment shall be good, valid, and effectual in the
 Law to all Intents and Purposes.

XLVI. And be it further enacted, That it shall not be lawful for any
 Person or Persons to erect any House or Building, or to erect or keep or
 have any Stand or Stands for Sale of any Ware or Merchandize upon
 the said Bridge to be so built, other than such Gates and Toll Houses
 herein-after mentioned, as by the said Commissioners shall be ordered
 and directed.

No House to
 be erected
 on Bridge
 but Toll
 House.

XLVII. And forasmuch as the erecting and building the said Bridge,
 and the carrying into effect the several Purposes of this Act, will be
 attended with considerable Charge and Expence; be it therefore enacted,
 That it shall and may be lawful to and for the Commissioners for the
 Execution of this Act, and they are hereby authorized and empowered,
 to take and receive, or cause to be taken and received in the Nature of
 Toll, before any Passage over the said Bridge shall be permitted, any
 Sum which the said Commissioners at any Meeting or Meetings shall direct,
 not exceeding the following Rates; (that is to say),

Commis-
 sioners em-
 powered to
 authorize
 Toll to be
 taken.

For every Horse, Mule, or Ass, laden or unladen, and not drawing,
 the Sum of One Penny:

Tolls.

For every Score of Oxen or Neat Cattle, the Sum of One Shilling and
 Eight-pence; and so in proportion for any greater or less Number:

For every Score of Calves, Sheep, Goats, Lambs, or Swine, the Sum
 of Five-pence; and so in proportion for any greater or less Number:

For Six or more Horses, or other Beasts of Draught, drawing any
 Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricule, Chair, Caravan,
 Hearse, Litter, or other such Carriage, the Sum of Two Shillings:

For Three, Four, or Five Horses, or other Beasts of Draught, draw-
 ing any such Carriage, the Sum of One Shilling and Sixpence:

For Two Horses, or other Beasts of Draught, drawing any such
 Carriage, the Sum of One Shilling:

For One Horse, or other Beast of Draught, drawing any such Car-
 riage, the Sum of Sixpence:

For Four or more Horses, or other Beasts of Draught, drawing any
 Waggon, Wain, or other Carriage of Burthen with Four Wheels, the
 Sum of One Shilling:

For Three or fewer Horses, or other Beasts of Draught, drawing any
 Waggon, Wain, or other Carriage of Burthen with Four Wheels, the
 Sum of Sixpence:

For Two or more Horses, or other Beasts of Draught, drawing any
 Waggon, Wain, Cart, Car, or other Carriage of Burthen with Two
 Wheels, the Sum of Four-pence:

For

For One Horse, or other Beast of Draught, drawing any Waggon, Wain, Cart, Car, or other Carriage of Burthen with Two Wheels, the Sum of Two-pence :

For every Foot Passenger passing over the said Bridge (except the Person or Persons; not exceeding Three in Number, actually driving and accompanying any Waggon, Wain, Cart, or other Carriage), the Sum of One Halfpenny; and a like Sum for every Person who shall ride in or upon any Waggon or Wain, or any Cart or other such like Carriage (not being a Cart or Carriage usually employed for the Conveyance of Passengers for Hire), or who shall ride upon any Horse or Beast drawing any such Waggon, Wain, Cart, or other such like Carriage.

Toll to be recovered by Distress.

And it shall be lawful for the Commissioners for the Execution of this Act, and for any Person or Persons by them authorized, and they are hereby empowered, to levy such Tolls, and to stop any Person or Persons who shall, after Demand thereof made, neglect or refuse to pay such Tolls as aforesaid, and to deny or hinder any Passage over the said Bridge until Payment thereof; and such Tolls shall and may be levied by Distress of any Carriage, or Horse or Horses, or other Cattle, upon or in respect of which such Tolls are by this Act made payable, or upon any other of the Goods and Chattels of such Person or Persons as ought to pay such Tolls; and all such Carriages and Horses, and other Cattle or Goods, may be detained until such Tolls, with the reasonable Charges of such Distress, shall be paid; and it shall be lawful for the Person or Persons so distraining, after the Space of Three Days after such Distress made or taken, to sell the Carriage, Horses, or Cattle, or other Goods and Chattels so distrained, by public Auction, for the Payment of the Tolls, tendering to the Owner or Owners the Overplus upon Demand, after Satisfaction of the said Tolls, and the reasonable Charges in and about making such Distress and Sale and keeping the same.

For preventing Toll Collectors from taking any undue Tolls.

XLVIII. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, or appointed by the said Commissioners, or by any such Lessee or Lessees, to collect the Tolls and Duties by this Act granted, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate, immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and every such Collector shall place or cause to be placed, on the Front of the Toll House or Toll Houses at which such Collector shall be stationed, the Board herein directed to be provided by the Commissioners, and also the List of the Tolls payable at the Gate where such Collector shall be stationed as aforesaid; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Board, or shall refuse to tell his

his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall in answer to such Demand give a false Name or Names, or upon the legal Toll being paid or tendered shall unnecessarily detain, or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Toll Gate, or shall make use of any scurrilous or abusive Language to any Commissioner, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, to be recovered and applied as herein-after mentioned.

XLIX. And be it further enacted, That in case any Dispute or Disputes shall happen respecting the demanding or taking the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined by a Justice of the Peace for the County, City, or Place in which the Cause of Dispute shall arise, who, upon Application made to him for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses (which Oath every such Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue), and the Overplus (if any), after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned upon Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Disputes concerning Toll may be settled by a Justice.

L. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, to erect and build a Toll House, or Toll Houses, and a Toll Gate or Toll Gates, on or near to the said Bridge; and the said Commissioners shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at every such Toll House or Toll Gate, a Table painted on a Board in distinct and legible Letters in Black on a White Ground or in White on a Black Ground, containing a List of all the Tolls payable at such Toll House or Gate, distinguishing the several Tolls, and the different Sorts of Carriages, Cattle, and other Animals, and the Passengers, for or in respect of which or whereon all such Tolls are to be paid respectively.

To erect a Toll House and Gates.

LI. Provided always, and be it further enacted, That in case the said Commissioners shall erect more than One Toll Gate or Toll Gates on or near to the said Bridge, it shall not be lawful for any Collector to demand and take any of the Tolls aforesaid at any more than One Gate.

Only to pay at One Gate.

Exemptions
from Toll.

LII. Provided always, and be it further enacted, That no Toll shall be demanded or taken for any Horses or Carriages attending His Majesty, or any of the Royal Family, or returning after having so attended; or for any Soldiers upon their March or upon Duty, or for any Horse, Cattle, or Carriages attending them with their Arms and Baggage, and returning after having been so employed; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance or Commissariat or other Public Stores of or belonging to His Majesty's Forces; or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise, for any Horse, Mare, or Gelding furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for or on the Days of Exercise, provided that such Persons be dressed in the Uniforms of their respective Corps, and have Accoutrements according to the Regulations provided for such Corps, respectively at the Time of claiming such Exemptions as aforesaid; or for any Horse, Beast, Cattle, or Carriage travelling with any Prisoner sent by any legal Warrant, or returning empty after having been so employed; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person or Persons for every such Offence shall forfeit and pay any Sum not exceeding Forty Shillings.

Tolls not to
be taken but
when Board
remains af-
fixed.

LIII. Provided always, and be it enacted, That it shall not be lawful for the said Commissioners to demand or take, or cause to be demanded or taken, for any Passenger, Horse, Mule, Ass, or other Beast at any Toll Gate, but for and during such Time as the Board so painted as aforesaid shall remain affixed at such Toll Gate.

Penalties
on injuring
Gates, Posts,
&c.

LIV. And be it further enacted, That if any Person or Persons whomsoever shall wilfully pull up, break, injure, or damage any Gate or Gates, or any of the Posts, Boards, or Tables of Tolls of the said Bridge, or wilfully or designedly deface or obliterate any Mile Stones, or the Inscriptions, Letters, Figures, or Marks thereon, or shall wilfully break, throw down, or otherwise damage any Lamp Post or Lamp Iron set up or affixed at or near to any of the said Gates, or on any other Part of the said Bridge or Roads, or shall cause and procure the same to be done; or if any Person or Persons shall wilfully pull down, remove, break, injure, or damage any Wall, Post, Rail, or Fence, at any Time hereafter to be placed or put by the Side or Sides of the said Bridge or Roads, or shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Bridge or Roads, any Tree or Piece of Timber, Stone, or other Thing, or shall suffer any Tree or Piece of Timber, Stone, or other Thing, which shall be conveyed upon a Wheel Carriage, to drag upon any Part of the said Bridge or Roads to the Injury thereof; or if any Person or Persons shall, without being thereto authorized by the said Commissioners, shovel up, scrape, gather, or carry away any Stones, Gravel, Sand, or other Materials, Scraping Slutch, Dirt, Mud, Mire, Drift or Soil, from off the said Bridge or Roads, or any Part thereof; or if any Person or Persons shall ride upon any Footway or Footways, Causeway or Causeways, or any other Way or Ways to be made upon the Sides of the said Bridge or Roads for the Use of Foot Passengers, or shall

shall wilfully lead, or drive any Horse or Horses, Carriage or Carriages, Cattle or Swine, upon, along, or against any such Footway or Causeway, or shall draw, carry, or wheel any Hurry, Truck, or Wheelbarrow upon any such Footway or Footways, Causeway or Causeways, or shall cause any Injury or Damage to be done to the same, or to any Fences, Breast Walls, Posts, Chains, Rails, or Paling set up, or along the Side of, or upon any such Footway or Causeway; or if any Person or Persons shall turn loose, or suffer to be turned loose, or to wander and stray on the said Bridge, or any Part thereof, any Horse, Ass, Beast, or Swine; or if any Person or Persons driving any Swine on the said Bridge or Roads shall suffer such Swine to root up and damage the said Bridge or Roads; or any Part thereof, or the Fences on either Side thereof; or if any Person or Persons on Horseback, or driving any Carriage, Waggon, Wain, or Cart in or upon the said Bridge or Roads, and meeting another Carriage, Waggon, Wain, or Cart, shall not keep his, her, or their Carriage, Waggon, Wain, or Cart upon his, her, or their Left or Near Side of the Road, on the said Bridge or Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him, or her, or any Carriage, Waggon, Wain, or Cart under his or her Care, upon the said Road, or shall hew, saw, or cut, or cause to be hewn, sawn, or cut, any Stone, Wood, or Timber, or make, bind, or repair any Wheel or Carriage, on any Part of the said Bridge or Roads, or shall slack, mix, or wet any Lime or Mortar, or shall shoe or farry any Horse, Mule, or Ass (except in Cases of Accidents), upon any Part of the said Bridge or Roads; or if any Person shall make, or assist in making, any Fire or Fires commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or other Firework whatever upon the said Bridge or Roads, to the Annoyance of Persons passing thereon, or play at Foot-ball, or any other Game, upon any Part or Parts of the said Bridge or Roads, to the Annoyance of any Passenger or Passengers; or if any Blacksmith, or other Person occupying a Blacksmith's Shop, situate near the said Bridge and Roads, and having a Window or Windows fronting the same or any Part thereof, shall not by good and close Shutters every Evening after it becomes Twilight bar and prevent the Light from such Shop shining into or upon the said Bridge and Roads; or if any Person shall leave any Waggon, Wain, Cart, or other such Carriage, longer than may be necessary for loading or unloading the same (except in case of Accident), in, upon, or on any Part of the said Bridge or Roads, or on the Side or Sides thereof, either with or without any Horse or Beast of Draught harnessed or yoked thereto, or shall not place the same, during the Time of such loading or unloading thereof, as near to the Side of the said Road on the said Bridge or Roads as conveniently may be; or if any Person shall, after having blocked or stopped any Waggon, Wain, Cart, or other Carriage, in going across the said Bridge or Roads, leave or suffer to be or remain the Stone or other Thing with which any such Waggon, Wain, Cart, or other Carriage shall have been blocked or stopped; or if any Person or Persons shall lay, place, or leave, or cause or procure to be laid, placed, or left, any Timber, Bricks, Tiles, Stones, Hay, Straw, Dung, Goods, or other Things, or shall throw, cast, place, or empty, or cause or procure to be thrown, cast, placed, or emptied, any Manure, Soil, Ashes, Filth, Rubbish, Dirt, Dust, Earth, Water, Gravel, or other Nuisance or Annoyance, on any Part of the said Bridge or Roads, or on the Side or Sides thereof, or shall set, place, or expose to sale any Goods, Wares,

or

or Merchandizes in or upon the Footpaths or Causeways adjoining to such Bridge or Roads, to the Prejudice, Annoyance, or Interruption of Persons travelling and passing thereon; or if any Person driving any Horse or other Beast on the said Bridge or Roads conveying Iron in Bars or Rods, or any other Matter or Thing, shall place such Bars or Rods, or other Matter or Thing, so that the Ends thereof shall project more than Twenty-four Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage travelling along the said Bridge or Roads; or if the respective Surveyor or Surveyors of the said Bridge or Roads, or any Undertaker or Undertakers for the Repairs of the said Bridge or Roads, or any Part thereof, or any Person or Persons acting by or under their Authority, shall lay or cause to be laid upon any Part of the said Bridge or Roads, or the Sides thereof, any Heaps of Stones, or other Materials for repairing the said Bridge or Roads, or any Part thereof, and shall permit or suffer the same to remain in Heaps longer than shall be necessary for spreading or laying such Stones and Materials over or upon the said Bridge or Roads; every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and every such Offender shall also pay to the said Commissioners, or their Treasurer or Treasurers, or One of them, such Sum of Money as shall be a full Satisfaction for the Damage so done, which Damage shall be settled or ascertained by the Justice or Justices of the Peace by or before whom such Offender shall be convicted of any of the Offences aforesaid, and such Satisfaction or Damages shall and may be levied and recovered in like Manner as any Penalties or Forfeitures imposed by this Act may be recovered, and shall be applied as directed by this Act.

Obstructing
Collectors.

LV. And be it further enacted, That if any Person or Persons shall assault or obstruct any Collector, or any other Person or Persons whomsoever employed by the Commissioners, or assisting or acting for any Person so employed in the Collection of any Tolls, in the Performance and Execution of his Duty under this Act, each and every Person and Persons so offending, and being convicted thereof by the Oath of one or more credible Witness or Witnesses before the Mayor of the said City, or one or more Justice or Justices of the Peace of the County of the said City, shall for every such Offence forfeit the Sum of Five Pounds, to be recovered and applied as herein-after mentioned.

Commis-
sioners may
alter or vary
Tolls.

LVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to reduce or lessen any Tolls, Rates, or Duties granted and made payable by this Act, from Time to Time as they shall see fit, and also from Time to Time to advance and raise such Tolls, Rates, and Duties, as to the said Commissioners shall seem fit and proper; and in such Case a new Table or Tables shall be from Time to Time made and posted: Provided always, that such Tolls, Rates, or Duties shall not at any Time exceed the Tolls, Rates, and Duties hereby authorized as aforesaid respectively.

Application
of Tolls.

LVII. And be it further enacted, That all the Tolls payable to the Commissioners for the Execution of this Act, as well such Tolls as shall be payable on the said Bridge or otherwise, and which shall at any Time be

be imposed and made payable by virtue of this Act, shall constitute and form One joint Fund for the Purposes of this Act, and the Produce thereof, and all other Sum and Sums of Money to be received by the said Commissioners by virtue of this Act, shall be applied in Payment of the Purchase Money of such Ground or Premises as by the said Commissioners shall be judged necessary for the Purposes of this Act, and of the Expences of building the said Bridge, and forming and making Roads and Approaches thereto, and repairing and maintaining the same other Works and Buildings necessary for the Purposes of this Act, and in Payment of the Principal and Interest of all Sums of Money advanced to or borrowed by the said Commissioners under the Authority of this Act, and of the Salaries of the Treasurer, Clerks, Officers, and Servants employed in the Execution of this Act, and of all other Expences incidental to, and which shall from Time to Time attend the carrying this Act into Execution and Effect, according to the true Intent and Meaning of this Act, and in such Manner as the said Commissioners shall from Time to Time direct pursuant to this Act, and to no other Use or Purpose whatsoever.

LVIII. Provided always, and be it further enacted, That whenever and as soon as the several Sums advanced and raised for the Purposes of this Act, and all Interest and Annuities thereon or in respect thereof, and all Costs, Charges, and Expences attending the Erection or building of the said Bridge shall be fully paid and satisfied, all Tolls, which shall have been imposed under or by virtue of this Act, shall be reduced to such an Amount that none of such Tolls shall exceed One Half of the Sums respectively authorized to be imposed by this Act; and the Amount of such reduced Tolls shall be applied in the Maintenance of the said Bridge, and in the Payment of the Salaries of Officers, and other Expences relating to the said Bridge authorized by this Act, and the Surplus arising from such reduced Tolls, after Payment of the several Expences so chargeable thereon as aforesaid, shall be invested by the said Commissioners in some of the Public Stocks or Funds transferable at the Bank of *Ireland*, in the Names and to the Account of any Five of said Commissioners to be named at any Meeting of the said Commissioners to be held in pursuance of this Act, until the same shall accumulate and amount to the Sum of Ten thousand Pounds; and when such Sum of Ten thousand Pounds shall have been so accumulated, all the Tolls imposed under and by virtue of this Act shall cease and determine, and shall be no longer paid or payable, and the Passage of such Bridge shall be open and free to all Foot Passengers, Cattle, Cars, and Carriages whatsoever, and the Interest, Dividends, and Produce of the said Sum of Ten thousand Pounds shall, by the Commissioners for the Execution of this Act for the Time being, be applied from Time to Time in and about the repairing, maintaining, and supporting the said Bridge, and for the Payment of Salaries of Officers, and other Expences relating to the said Bridge, under the Authority and according to the Regulations in this Act contained.

Tolls shall cease after Payment of Money borrowed, and subsequent Accumulation of a Fund for the Repair of Bridge, &c.

LIX. And be it further enacted, That it shall be lawful for the said Commissioners, at any General Meeting to be held under or by virtue of this Act, to lease or demise all or any of the said Tolls for any Term of Years not exceeding Three Years at any one Time, for such Rent, payable at such Times, and under such Covenants, as they shall think fit,

Power to farm Tolls.

[Local.]

16 K

the

the said Commissioners taking such sufficient Security from the Person or Persons to whom such Tolls shall be leased or demised for Payment of such Rent and Performance of such Covenants as they shall think fit, which Rent shall be applied for the Purposes of this Act.

Grand Jury
of Clare
may present
for Work.

LX. And be it further enacted, That it shall and may be lawful to and for the Grand Jury of the County of *Clare* for the Time being, assembled at any Assizes to be from Time to Time holden in and for the County of *Clare*, to present, if they shall think it expedient so to do, such Sum or Sums of Money as they may think advisable or necessary towards the erecting, building, opening, making, and keeping in repair the said Bridge and Roads leading thereto; and such Sum or Sums shall be raised and levied in like Manner as all other Sums presented by Grand Juries are to be raised and levied.

Also the
Grand Jury
of the City
of *Limerick*.

LXI. And be it further enacted, That it shall and may be lawful to and for the Grand Jury of the County of the City of *Limerick* for the Time being, assembled at any Assizes to be from Time to Time holden in and for the County of the City of *Limerick*, to present, if they shall deem it expedient so to do, such Sum or Sums of Money as they may deem it advisable or necessary towards the erecting, building, opening, making, or keeping in repair the said Bridge and the Roads leading thereto; and such Sum or Sums shall be raised and levied in like Manner as all other Sums presented by the Grand Jury of the County of the City of *Limerick* are to be raised and levied.

For securing
transient
Offenders.

LXII. And whereas Offences may be committed against this Act by Persons unknown to the Officers appointed to carry the same into Execution; be it therefore enacted, That it shall and may be lawful for the Commissioners for the Execution of this Act, and their Officer or Officers respectively, or such other Person or Persons as such Officer or Officers shall call to his or their Assistance, without any other Warrant or Authority than this Act, to seize and detain any unknown Person or Persons who shall commit any Offence or Offences against this Act, and to take such Person or Persons before the Mayor of the City, or any Justice of the Peace for the County of the said City of *Limerick*, to be dealt with according to Law; and such Mayor or Justice is hereby empowered and directed to proceed immediately to the hearing and determining of such Complaint.

In case of
Nonpay-
ment of Com-
pensation for
Damages,
&c. the same
to be levied
by Distress
of the Goods
vested in the
Commission-
ers or their
Treasurer.

LXIII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Commissioners, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made by the Clerk of such Justices to the said Commissioners, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied

levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices; which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain, after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the Commissioners, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

LXIV. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Non-payment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties or Forfeitures.

Damages and Charges in case of Dispute to be settled by Justices.

LXV. And be it further enacted, That all Complaints and Informations for any Offences against this Act, or against any Rule or Order or Bye Law to be made in pursuance of this Act (except in Cases where the Manner of hearing and determining of any such Offence is otherwise directed), shall and may be made before the Mayor of the City, or any one Justice of the Peace for the County of the City of *Limerick*; and such Mayor or Justice is hereby authorized and empowered to take Cognizance thereof, and to summon the Person or Persons complained of to appear before him, or upon Complaint upon Oath or Affirmation, to issue his Warrant or Warrants for the Apprehension of any such Person or Persons, and upon the Appearing or Nonappearance of such Person or Persons pursuant to such Summons, and upon such Person or Persons being apprehended upon such Warrant, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath or Affirmation, and to make such Determination thereon as such Mayor or Justice shall think proper; and upon Conviction of any Person or Persons, such Mayor or Justice shall and may issue a Warrant, under his Hand and Seal, for levying the Fine, Penalty, or Forfeiture incurred under this Act, or any Bye Law made in pursuance thereof, in respect of such Offence, by Distress and Sale of the Goods and Chattels of any Person so convicted; and it shall and may be lawful to and for the said Mayor or Justice to order any Person so convicted to be detained and kept in Custody of any Constable, or other Peace Officer, until it shall

Recovery of Fines and Forfeitures.

shall be ascertained whether such Person hath any Goods and Chattels whereout such Fine, Penalty, or Forfeiture can be levied; and in case sufficient Goods and Chattels of any Person liable to pay any such Fine, Penalty, or Forfeiture cannot be found whereon to make such Distress, or if such Fine, Penalty, or Forfeiture shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Mayor or Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction for any Term not exceeding Six Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and every such Fine, Penalty, and Forfeiture, when recovered, shall, when the Application is not otherwise directed by this Act, be paid into the Hands of the Treasurer of the said Commissioners, and shall be applied and disposed of for the Purposes of this Act, and the Overplus (if any) arising from such Distress and Sale, after Payment of the Penalty, and the Costs and Charges attending the same, shall be returned for Payment upon Demand to the Owners of the Goods and Chattels so distrained.

Informers
may have
Part of Pen-
alties.

LXVI. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, if he or they shall see Cause, to cause Part of any Penalties, Forfeitures, or Prizes, to be paid to and for the Use of any Informer or Informers, or any Person or Persons, not being a Witness or Witnesses, taking or seizing the Person or Persons convicted or assisting therein, or any of them.

Comimis-
sioners to
keep Road
over Mon-
sell's Bridge
in repair.

LXVII. And whereas the Road at present leading through the Lands of *Corbally*, and the Bridge over a Branch of the *Shannon* upon said Land of *Corbally*, to *Saint Francis Abbey*, and commonly called *Monsell's Bridge*, will be the principal Passage leading from said Bridge of *Athlunkard* to the City of *Limerick*: And whereas the said *Monsell's Bridge* has been originally built by *William Thomas Monsell Esquire of Tervoe* in the County of *Limerick*, at his private Expence: And whereas the said *William Thomas Monsell* is bound by Covenants, contained in the several Leases under which the several Occupiers of said Lands of *Corbally* hold and enjoy the same, to uphold and keep in good and sufficient Repair said Bridge so built by him; and when or by the increased Number of Carriages and Passengers using said *Monsell's Bridge* it will become more expensive to keep up the same, be it further enacted by the Authority aforesaid, That the said Commissioners shall at all Times hereafter, at their own proper Costs, Charges, and Expences, uphold, preserve, and keep in good and sufficient Repair the Road over the said *Monsell's Bridge*; and in case they shall neglect or refuse or omit so to do, it shall and may be lawful for the said *William Thomas Monsell*, his Heirs, and Assigns, at all Time or Times, when such Road shall be so suffered to fall out of Repair, to take all such Measures as shall and may be necessary to put the same into good and sufficient Repair; and the said Com-
missioners

missioners shall, within Ten Days after a Demand in Writing shall be made on the said Commissioners or their Treasurer, pay or cause to be paid to the said *William Thomas Monsell*, his Heirs and Assigns, all such Costs, Charges, and Expences as shall be necessarily expended in putting such Road into good and sufficient Repair; and in case the said Commissioners, or their Treasurer, shall neglect or omit or decline to pay the same, it shall be lawful for the said *William Thomas Monsell*, his Heirs and Assigns, to proceed to recover the same by all such Ways and Means as are herein-before pointed out and directed touching any Sum or Sums of Money ordered to be paid by any Justice or Justices of the Peace as or by way of Compensation or Satisfaction for any Materials, or any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by said Commissioners, or any Person or Persons acting by or under their Authority: Provided always, that nothing herein contained shall extend or be construed to extend to prevent the Grand Jury of the said City of *Limerick* to present such Sum or Sums as they shall think fit to keep said *Monsell's Bridge* and the Road over the same in Repair.

LXVIII. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before such Mayor or Justice of the Peace, touching any Matter contained in any Information or Complaint for any Offence committed against this Act, or on the Hearing of such Complaint, either on the Part of the Prosecutor or of the Person or Persons accused, shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place to be for that Purpose appointed, a reasonable Sum having been paid or tendered to such Person for his Charges, or when appearing shall refuse to be examined upon Oath, or in case of a Quaker on solemn Affirmation, and to give Evidence before such Mayor and Justice of the Peace, then and in any of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered in like Manner as any Penalty imposed by this Act may be recovered.

Justices may compel Attendance of Witnesses.

LXIX. Provided always, and be it enacted, That it shall be lawful for any Person, who shall think himself or herself aggrieved by any thing done in pursuance of this Act, or by any Order or Judgment, Conviction or Determination of any Mayor or Justice of the Peace in pursuance of this Act, within Three Calendar Months after such Order, Judgment, Conviction, or Determination shall be made or given, to appeal to the Justices of the Peace at the General or Quarter Sessions of the Peace to be held in and for the said County of the City of *Limerick*, the Person or Persons appealing giving first at least Seven Days clear Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the said Commissioners, as the Case may be, and within Three Days after such Notice entering into Recognizance before the Mayor of the said City, or some Justice of the Peace of the County of the said City, with Two sufficient Sureties, conditioned to prosecute such Appeal, and to abide the Order and Award of the said Court thereupon; and it shall be lawful for the Justices, upon due Proof of such Notice and Recognizance having been given and entered into, to hear and determine such Complaint, either at such General Quarter Sessions, or if the said Justices think proper so to do, to adjourn the Hearing thereof until the next General Quarter Sessions; and it shall be lawful

Persons aggrieved may appeal to the Quarter Sessions.

for the said Justices at such Sessions, if they see Cause so to do, to mitigate any Forfeiture or Fine, and to order any Money to be returned which may have been levied, and to award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall adjudge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes.

Form of Conviction.

LXX. And be it further enacted, That the Mayor or Justice of the Peace, before whom any Offender shall be convicted of any Offence under this Act, shall cause such Conviction to be made in Manner and Form following, or in any other Form of Words to the like Effect, *mutatis mutandis*; which Conviction shall be good and effectual to all Intents and Purposes, without setting forth the Evidence, or stating the Case in any more particular Manner; (that is to say),

County of } BE it remembered, That on the
 to wit. } Day of in the Year of our Lord
 is [or are] convicted before me [Mayor
 of the City of *Limerick*, or One of His Majesty's Justices of the Peace
 for the County of the City of *Limerick*], by virtue of an Act passed
 in the Sixth Year of the Reign of King George the Fourth, intituled
 [here insert the Title of this Act] of having [specifying the Offence, and
 the Time when the same was committed, as the Case may be] contrary to
 the said Act; and for which I do adjudge the said
 to have forfeited the Sum of Given under
 my Hand and Seal the Day and Year first above written.'

And every such Conviction shall, if required, be written fairly upon Parchment; and be returned to the Clerk of the Peace of the County of the City of *Limerick*, to be filed by him, and to remain and to be kept among the Records of the County of the said City.

Form of Warrant for levying Penalties.

LXXI. And be it further enacted, That any Warrant, to be issued by such Mayor or Justice of the Peace, for levying any Penalty under any such Conviction from the Goods of such Offender, shall be in the Form following, or in some other Form of Words to the like Effect; and such Warrant shall be good and valid to all Intents and Purposes; (that is to say),

County of } To and each of them,
 to wit. } and each of their Assistants.

WHEREAS on the Day of now
 last past of was duly
 convicted before me Mayor, or one of His Majesty's
 Justices of the Peace for the County of the City of *Limerick*, by virtue
 of an Act passed in the Sixth Year of the Reign of King George the
 Fourth, intituled [here insert the Title of this Act] of having [specifying
 the Offence, and the Time when the same was committed, as the Case may
 be] contrary to the said Act; and thereupon the said
 hath become liable to a Fine or Penalty of
 I do therefore by these Presents authorize and command you, and
 each of you, to take into your Custody the Goods of the said
 or a Sufficiency thereof for the levying the said Sum
 thereout,

thereout, wherever you shall find the said Goods in the County of the said City; and if such Goods shall not be redeemed by Payment of the said Sum within Days after taking the same, you are hereby authorized and required, by public Sale thereof, to levy the said Sum, rendering unto the said the Overplus, if any; and the said Sum so levied you shall bring to me without Delay, to be disposed of according to Law. Given under my Hand and Seal this
Day of

And if Goods sufficient cannot be found to answer the Penalty, a Warrant shall thereupon be issued for committing such Offender, and such Warrant shall be in the same Form as the said Warrant last mentioned to the Words 'I do therefore by these Presents;' which Words, and all from thence to the Words 'disposed of according to Law' inclusive, shall be omitted, and the Form following, or some other Form of Words to the like Effect, shall be inserted in their Places; to wit,

Form of
Warrant to
commit.

And whereas on the Day of a Warrant was issued to levy the said Sum from the Goods of the said and such Goods cannot be found to answer the said Sum; I do therefore hereby authorize and command you, and each of you, to take the Body of the said wheresoever you shall find him in the County of the City of *Limerick*, and bring him before me, or any other Magistrate of the County of the said City.

And the Form of Committal, for committing any such Offender to Prison, shall follow the Form of such Warrant, save only that the Direction thereof shall be to the proper Gaoler, and that from and after the Words 'I do therefore hereby authorize and command,' then shall follow these Words, 'to receive into your Custody the Body of the said , and him or her safely keep, for from the Date hereof, unless the said Sum shall be sooner paid. Given under my Hand and Seal this Day of

And each and every of the said Warrants, or any Form of Warrant to the like Effect respectively, shall be good and valid in the Law to all Intents and Purposes.

LXXII. And be it further enacted, That when any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Notice, Information, Summons, Conviction, Warrant of Distress, or other Process relative thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be committed by the Party or Parties distraining, but the Person or Persons so aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damages in an Action upon the Case.

Distress
not to be
unlawful for
Want of
Form.

LXXIII. And be it further enacted, That no Verdict, Judgment, or other Proceeding made or had or given touching or concerning any Matter under this Act, nor any Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever.

Process not
to be quashed
for Want of
Form.

whatsoever, into any of His Majesty's Courts of Record in *Dublin*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Notice of
Action to be
given, and
Plaintiff not
to recover
after Tender
of Amends.

LXXIV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Thirty Days before such Action shall have been commenced, of such intended Action, signed by the Attorney for the Plaintiff, and stating his Place of Residence, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him or them, or to his or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think fit; whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of
Actions.

LXXV. And be it further enacted, That no Action or Suit shall be brought against any Person or Persons, for any thing done in pursuance of this Act in relation to the Matters therein contained, after Six Calendar Months after the Fact committed; and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant and Defendants in every such Action shall and may at his and their Election plead specially, or the General Issue, and give this Act and the special Matter in Evidence at any Trial, and that the same was done in pursuance of and under the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall appear to have been brought without such previous Notice thereof, or before the Expiration of Thirty Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon any Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant and Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in other Cases by Law, such Defendant first suggesting, by Leave of the Court, such special Matter on the Record if the same shall not otherwise appear.

Informers
of Offences
against this
Act to be re-
warded.

LXXVI. And be it further enacted, That it shall and may be lawful to and for the Commissioners for the Execution of this Act to reward any Person or Persons who shall give Information of any Offences committed against this Act, so as such Reward shall not exceed the Amount of the Penalty or Forfeiture which the Person or Persons so informed

informed against shall have incurred; any thing herein contained to the contrary notwithstanding.

LXXVII. And be it further enacted, That in all Cases where Cognizance is given to any Justice or Justices of the Peace by this Act, it shall and may be lawful to and for such Justice and Justices of the Peace to administer an Oath or Affirmation to any Person or Persons for his or their more certain Information in the Matter then pending; and if any Person or Persons shall, upon his or their Examination upon Oath or Affirmation before any Justice or Justices, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being convicted thereof, shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as, by any Law in Force and Effect in *Ireland*, Persons convicted of Perjury are subject and liable to.

Penalty for
Perjury.

LXXVIII. And be it further enacted, That all Costs, Charges, and Expences, which the said Commissioners for the Execution of this Act shall be at or put to in the Exercise of the Trusts and Powers by this Act vested in such Commissioners, and also all the Costs, Charges, and Expences of preparing, drawing, soliciting, obtaining, and passing this Act, and the Expence of surveying the River and preparing Plans of the Bridge, and all other Expences incident thereto, together with legal Interest for the same from the Time of advancing the same until paid, shall be paid out of the first Monies which the said Commissioners shall receive for the Purpose of this Act.

Costs of Act
to be paid.

LXXIX. 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.

Public Act.

SCHEDULE to which this Act refers.

LANDS AND PREMISES.

**PARK, Corbally, and their Sub-denominations, and House thereon;
St. Francis Abbey, Abbey Bridge,
Sheep Street, Lanes adjacent, Mary Street, Quay Lane, Bridge Street,
and Houses at both Sides of the said Streets and Lanes, and Back Ground
and Yards at the Rear thereof; Sir Harry's Mall, Ball's Bridge, New
Town Pery Bridge, all in the City and Liberties of Limerick; and the
Town and Lands of Athlunkard, Ardnacrusha, Ballykelane, Gurtatocher,
Knockballynamead, and Rosehill, in the County of Clare.**

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