



ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 136.

An Act to amend Two Acts, so far as relate to supplying the City of *Londonderry* with Water, improving the Harbour of the said City, and the Regulation of Pilots and Vessels using the same; and for extending the Jurisdiction of the Court held in the said City for the Recovery of Small Debts.

[23d June 1808.]

WHEREAS by an Act made in the Parliament of *Ireland*, in the Thirtieth Year of His present Majesty's Reign, intituled, *An Act for building a Bridge over the River Loughfoyle at the City of Londonderry and the Suburbs thereof, and for certain Regulations relative to said City*; and also by another Act made in the Parliament of *Ireland*, in the Fortieth Year of His present Majesty's Reign, intituled, *An Act for amending an Act passed in the Thirtieth Year of His Majesty's Reign, intituled, 'An Act for building a Bridge over the River Loughfoyle at the City of Londonderry and the Suburbs thereof, and for certain Regulations relative to said City,'* certain Provisions were made for supplying the Inhabitants of the said City with Water: And whereas the said Provisions have been found insufficient; and the Mayor, Community, and Citizens of the said City have necessarily expended the Sum of Eight thousand Pounds in constructing Reser-

[*Loc. & Per.*]

29 M

voirs

Irish Acts.
30 G. 3. c. 31.

40 G. 3. c. 41.

Inhabitants of the Four Wards in the City shall annually elect Four Members of Pipe Water Committee.

voirs and Basons, and in laying Cast Metal Mains and Wooden Pipes for the more effectually supplying of Water for the Use of the said Inhabitants; and it is expedient that the Payment of Interest for the said Sum of Eight thousand Pounds, and also the future Expences attending the supplying of Water to the Inhabitants, should be more effectually provided for: And whereas the Powers and Provisions of so much of the said Acts as relate to the Port, River, and Harbour of *Londonderry*, and the Regulation of Pilots navigating and using the same, are defective, and require to be altered and amended: 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 on some Day in the Year One thousand eight hundred and eight, between the First Day of *October* and the Twenty-fifth Day of the same Month, and so in every subsequent Year within the like Period, the Inhabitants of the Four Wards or Divisions of the said City of *Londonderry*, and the Suburbs thereof, called by the Names following; to wit, *Bishop-Street Ward*, *Ship Quay-Street Ward*, *Butcher-Street Ward*, and *Ferry Quay-Street Ward*, shall assemble in Vestry, and shall elect Four Inhabitants, one out of each of the said Wards, to be Members of the Pipe Water Committee herein-after mentioned, and the Names of such Four Inhabitants so elected shall by the Vestry Clerk of the Parish of *Templemore*, or by the Person who shall preside at such Election, be transmitted and returned to the Mayor of the said City for the Time being, on or before the Thirty-first Day of such Month of *October* in each and every Year.

On 2d November 1808, and the same Day annually, the Corporation shall appoint Four Members, who with the Four elected by the Wards and the Mayor shall be a Pipe Water Committee.

II. And be it further enacted, That the Mayor, Community, and Citizens of the said City of *Londonderry* in Common Council assembled, shall, on the Second Day of *November* One thousand eight hundred and eight, and on the Second Day of *November* in each and every subsequent Year, (or in case the Second Day of *November* shall be on a *Sunday*, then on the following Day) elect and appoint Four Members of the said Common Council resident in the said City of *Londonderry*, or the Liberties thereof, which said Four Persons, together with the Four Persons elected by the Inhabitants of the said Wards in Manner aforeaid, (whose Names shall by the said Mayor be laid before the said Common Council), and together with the Mayor of the said City for the Time being shall be and be called *The Pipe Water Committee for the City of Londonderry*; and the said Committee, or any Five or more of them, shall, during the Year commencing on the said Day respectively, have full Power to carry into Execution all the Powers and Provisions of the said recited Acts of the Thirtieth and Fortieth Years of His Majesty's Reign, so far as the same relate to supplying the Inhabitants of the said City with Water; and also to carry into Execution all the Powers and Provisions of this present Act relating thereto in Manner herein-after mentioned; and that such Pipe-Water Committee, or any Five of them, shall have, use, and exercise all such Powers and Authorities, for the carrying into Execution the said Provisions of the said recited Acts and this Act, as fully and effectually, to all Intents and Purposes, as the said Mayor, Community, and Citizens might have had, used, or exercised in case this Act had not been had or made.

III. And be it further enacted, That every Member of the said Pipe Water Committee shall, before acting as a Member of the said Committee in the Execution of this Act, take and subscribe an Oath or Affirmation (which Oath or Affirmation any Magistrate of the said City is hereby empowered to administer), diligently, faithfully, and impartially to execute the Powers vested in him by this Act, to the best of his Skill and Judgement; and any Member of the said Pipe Water Committee who shall act in the Execution of this Act without taking and subscribing such Oath or Affirmation as aforesaid, shall for every Offence forfeit the Sum of Twenty Pounds Sterling.

Oath to be taken by Members of the Committee.

IV. Provided always, and be it enacted, That in case it shall at any Time happen that the Election or Appointment of the several Members of the said Pipe Water Committee, or any of them, shall not take place in any Year at the Time and in Manner herein-before respectively mentioned, it shall and may be lawful for any Member or Members of the Committee who shall have been duly elected and appointed, and who shall be acting as a Member or Members of the said Pipe Water Committee at the Time when such Election or Appointment ought to take place, to continue to act as such Member or Members without any further or other Election whatever for the then succeeding Year, as if such Member or Members had been elected to the said Office for such Year under the Provisions of this Act; and that in case any Vacancy shall happen in such Committee in the Course of any Year by the Death of any Member or Members so elected, an Election of a Member or Members to fill such Vacancy shall be made within One Month; and the surviving Members of the said Committee, not being less than Five in Number, shall be competent to act until such Vacancy shall be supplied.

If annual Election not made former Members may continue to act, &c.

V. And be it further enacted, That the said Pipe Water Committee shall hold their First Meeting in every Year on some Day between the Second Day of *November* and the First Day of *December*.

Meetings of the Committee.

VI. And be it further enacted, That it shall be lawful for the said Committee, and they are hereby required, authorized, and empowered yearly upon the Oath of the Chamberlain of the said City for the Time being, and upon the Oath or Oaths of such other Person or Persons as they the said Committees shall for that Purpose think fit to summon before them (which Oaths the said Mayor or any Magistrate of the said City is hereby authorized and empowered to administer) to enquire into and to ascertain the Amount of all such Sum and Sums of Money as shall be necessary to be raised for the Payment of One Year's Interest, after the Rate of Six Pounds *per Centum*, upon the said Sum of Eight thousand Pounds so expended in making the said Reservoirs, Basons, Pipes, and other Works; and for Payment of the Expences which shall have been incurred during the preceding Year in keeping the said Reservoirs, Basons, Pipes, and other Works, in repair; and for paying fit and proper Persons for superintending, managing, and taking care of the same; and in attending to the Distribution of the Water, and in doing other Matters and Things requisite and necessary for the due and regular Supply of the said Water to the Inhabitants of the said City;

Ascertaining Amount of Money to be raised.

Appointment of Applotters to applot and levy the Sum to a certain Part thereof as the Corporation shall think fit.

City; and after the Amount of such Sum and Sums shall be so ascertained, it shall be lawful for the said Committee to nominate and appoint Three Inhabitants of each of the said Four Wards or Divisions of the said City and Suburbs, to be Applotters of the said Sum and Sums of Money upon the Inhabitants of the said City and Suburbs, in Manner herein-after mentioned; and the Mayor of the said City for the Time being shall and he is hereby empowered, by Warrant or Warrants under his Hand and Seal, to authorize and require the Applotters so appointed to applot and levy in Manner required by this Act, all such Sum and Sums as shall be so ascertained, or to applot and levy so much and such Part only of the said Sum or Sums as the said Committee may from Time to Time judge to be expedient and necessary to be raised and levied, and as the said Committee shall direct to be applotted and levied for the Purposes aforesaid.

Applotters shall value all the Houses, &c. in the City, and shall applot the same to be raised on all Houses worth 5 l a Year and above.

VII. And be it further enacted, That the said Applotters or any Five or more of them, shall and may, and they are hereby required, within Ten Days next after such their Appointment, to proceed to value and estimate the Yearly Value of the several Lands, Dwelling Houses, Out-houses, Offices, Cellars, Stables, and Yards, within the said City and Suburbs, together with such new Houses, Outhouses, and Premises as shall be from Time to Time hereafter built, erected, or established within the said City of *Londonderry*; and to applot the Money to be raised and paid for the Purposes aforesaid, according to the Directions of the said Committee, upon the several Inhabitants and Occupiers of all such Land, Dwelling Houses, Outhouses, Offices, and Premises, as they shall value at the Annual Rent of Five Pounds or upwards by a proportionable Poundage, or otherwise according to the Value at which such Houses and other Premises shall be valued, specifying in such Applotment the Names of the different Persons inhabiting or possessing the same, who are to be liable to pay the same.

Rates.

VIII. Provided always, and be it further enacted, That the annual Sums to be assessed on or paid by the respective Occupiers of any Premises, shall in no Case exceed the Sums and Rates following; that is to say,

If such Premises are of the Value of Sixty Pounds or upwards, the Sum of Five Pounds:

If of the Value of Fifty Pounds and under Sixty Pounds, the Sum of Four Pounds:

If of the Value of Forty Pounds and under Fifty Pounds, the Sum of Three Pounds:

If of the Value of Thirty Pounds and under Forty Pounds, the Sum of Two Pounds:

If of the Value of Twenty Pounds and under Thirty Pounds, the Sum of One Pound Ten Shillings:

And if of the Value of Five Pounds and under Twenty Pounds, a Sum not exceeding the Sum of One Shilling in the Pound:

Unless by and with the Consent of the Person on whom such Sum shall be assessed; and except in the Case of Innkeepers, Brewers, and other Persons requiring an extraordinary Supply of Water, and who shall pay such Sums as shall be agreed on between them and the said Committee.

IX. And

IX. And be it further enacted, That each of the said Applotters shall previous to his acting as an Applotter, take and subscribe an Oath (or solemn Affirmation if of the People called *Quakers*) before the Mayor of the said City for the Time being, that he will, according to the best of his Skill, Abilities, and Knowledge, faithfully and impartially, without Favour or Affection, Malice or Illwill, to any Person or Persons whatsoever, applot the said Sums to be applotted as aforesaid; and if any of the Applotters to be appointed pursuant to this Act shall neglect, omit, or refuse to take such Oath or Affirmation, or shall happen to die before the said Applotters, or any Five or more of them, shall have made the aforesaid Applotments, such Neglect, Refusal, Omission, or Death, shall not invalidate the Applotments made or to be made by the other of the said Applotters, or any Five or more of them; but in every such Case, notwithstanding such Neglect, Omission, Refusal, or Death, the Applotments made or to be made by the others of the said Applotters, or any Five or more of them, shall be good and valid; and all the said Applotments in Ten Days after the same shall be so made, shall be returned to the Mayor of the said City of *Londonderry* for the Time being, in Writing, signed by the Applotters thereof, or any Five or more of them, and if any Person who shall be appointed an Applotter pursuant to this Act shall neglect, omit, or refuse to take upon him the said Office, or undertaking the same, shall neglect or omit the Execution thereof, or any Part thereof, or shall neglect, omit, or refuse to return the Applotments to be made by him or them as aforesaid, in such Manner, and within such Time as herein-before is mentioned, or shall without reasonable Cause neglect or omit for the Space of Forty eight Hours after being summoned thereto in Writing, signed by the Mayor of the said City of *Londonderry*, to appear before the said Mayor and to take the Oath or Affirmation herein-before mentioned, or shall neglect or omit, for Twenty Days after the Majority of the Applotters, appointed pursuant to this Act, shall have taken the Oath or Affirmation, to make the aforesaid Applotments pursuant to this Act, then and in every such Case, every Person so offending shall forfeit to the said Mayor, Community, and Citizens the Sum of Twenty Pounds Sterling; and if it shall happen that no such Applotments as herein-before required shall be made by the aforesaid Applotters, or any Five or more of them, within One Calendar Month after the said Applotters shall have been appointed pursuant to this Act, then and in such Case, each and every of the said Applotters shall, from the End of the said Month, forfeit to the said Mayor, Community, and Citizens, the further Sum of Forty Shillings for every Day after the Expiration of the said Calendar Month, until the said Applotments shall be made and returned to the Mayor of the said City, according to the Directions of this Act.

Oath of Applotters.

If any of the Applotters neglect others may proceed.

Applotments sh^{ll} be returned to the Mayor.

Penalty on Applotters for neglect.

X. And be it further enacted, That it shall be lawful for the said Committee from Time to Time by Warrant under the Hand and Seal of the Mayor of the said City for the Time being, which Warrant the said Mayor is hereby authorized and required to grant, to nominate, constitute, and appoint such Person or Persons as the said Committee shall think fit to be a Collector or Collectors, and to collect and receive the several Sums to be made payable by the Applotments before-mentioned, who shall give Security to the Satisfaction of the said Committee for the

Corporation may appoint Collector to levy Sum applotted, which may be recovered by Distress, etc.

[Loc. & Per.]

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due and faithful Execution of his Office; and that such Collector or Collectors shall accordingly collect and receive half-yearly the several Sums to be made payable by the said Appointments of and from all Persons liable to pay the same; and all Persons who shall be charged therewith and shall be thereunto liable shall pay such Sum so apportioned on them as aforesaid, by Two Half-yearly Payments; and if any Person shall neglect or refuse to pay the Sum or Sums apportioned upon them respectively by virtue of this Act for Twenty-one Days after personal Demand thereof by any Collector or Person appointed to receive the same, or after Demand in Writing left by such Collector or Person at the Place of Abode or the Place in the Occupation of the Person so liable to pay such Sum or Sums, it shall be lawful for the said Collector or Person so appointed, in the Presence and with the Assistance of a Constable or Peace Officer to enter into the House or Houses, Yard, Ground, or Premises, within the said City, occupied by such Person or Persons so chargeable with such Sum or Sums of Money, and to distrain his, her, and their Goods and Chattels; and if such Sum or Sums, together with the Costs of such Distress, and of keeping the same, shall not be paid within Ten Days after such Distress taken, then to sell so much and such Part of such Distress as shall be sufficient to pay the said Sum or Sums, with all Costs attending such Distress, Detention, and Sale; returning the Overplus, if any, to the Owner or Owners of such Goods and Chattels so distrained and sold; and in case any Replevin shall be brought for the Goods and Chattels so distrained, the Mayor of the said City for the Time being shall and he is hereby empowered and required to issue a Summons in Writing to all Parties concerned, to hear and determine the Matter in Dispute, whether the same shall depend upon a Claim of Property by a Stranger or otherwise, in the most speedy and summary Way, by examining Parties and Witnesses on Oath, which he is hereby empowered to do, and to award Return of the Goods so distrained, or a Sale thereof for Payment of the said Sum or Sums apportioned on the said Person or Persons, unless such Distress be forthwith redeemed; and the Determination of the said Mayor shall be final and conclusive to all Parties.

Householders
to lay Pipes
from Main
Pipes at their
own Expence.

XI. And be it further enacted, That no Tenant, Occupier, or Owner of any Dwelling House or Premises in the said City of *Londonderry*, or the Suburbs thereof, shall be liable to or shall pay any Rent or Sum apportioned under the said recited Act of the Fortieth Year of His present Majesty's Reign, for supplying Water, unless a Main Pipe shall have been laid in the Street, Quay, Lane, or Passage, in or near to which such Dwelling-Houses or Premises is or are situated, and that such Tenant, Occupier, or Owner can or may be supplied with Water from such Pipe, if he, she, or they, shall think fit; such Tenant, Occupier, or Owner nevertheless to provide and lay down at his, her, or their own Expence, a Pipe to convey such Water from the said Main Pipe to such Dwelling House and Premises, and the Bore or Dimension of such Pipe not to exceed One Inch and an Half Diameter, unless such Tenant, Occupier, or Owner shall have agreed to pay for an extra Supply of Water.

To prevent
Waste of
Water.

XII. And, to prevent as much as possible the wilful and negligent Waste of Water, be it further enacted, That each and every Person supplied with

with Water under the said recited Act and this Act shall, and he, she, and they is and are hereby required to provide a proper Cistern or Cisterns, of Lead, Stone, Brick, Wood, or other Materials, to receive and hold such Quantity of Water as shall be by him or them deemed sufficient for his, her, or their Consumption, and he, she, and they is and are hereby required to provide a Ball and Stop Cock, and to affix or cause to be affixed the same to the Pipe conducting the Water from the Main or Service Pipe, to such Cistern or Cisterns for the Purpose of preventing the Water running into such Cistern or Cisterns from running to waste when the same shall be full; and in case any Person or Persons so supplied with Water shall neglect to provide such Cistern or Cisterns, and also a Ball and Stop Cock, and to affix or cause to be affixed the same in Manner aforesaid, for the Purpose of preventing the Water from running to waste when such Cistern or Cisterns shall be filled as aforesaid; it shall and may be lawful to and for the Mayor of the said City, or any Person or Persons acting by virtue of or under his Authority, to cut and turn off the Water, by such Ways and Means as to him or them shall seem right and proper, from the House, Building, or other Premises of every such Person, until such Cistern or Cisterns and Ball and Stop Cock shall be provided, and such Ball or Stop Cock added in Manner aforesaid.

XIII. And be it further enacted, That if any Person shall bathe in any Reservoir, Basen, Aqueduct, Waterway, Feeder, or Pond, made, maintained, or supported for the Purpose of supplying Water to the said Inhabitants, or shall wash any Dog or other Animal therein, or throw or cast any Dog or Cat, or any Filth, Dirt, or other noisome or offensive Thing, or wash or cleanse any Cloth or any Wool or Leather, or Skins of Sheep, Lambs, or other Animals, or any noisome or offensive Thing, in any such Reservoir, Basen, Aqueduct, Waterway, Feeder, or Pond, or cause or suffer the Water of any Sink, Sewer, or Drain, to run or be conveyed into such Reservoir, Basen, Aqueduct, Waterway, Feeder or Pond, or cause any other Annoyance to be done to the Water contained in any such Reservoir, Basen, Aqueduct, Waterway, Feeder or Pond, whereby or by Means whereof the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, or shall do any wilful Hurt, Injury, or Damage to any of the Pipes, Mains, or other Works, erected or used for the Purposes aforesaid, then and in each and every such Case every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

XIV. And whereas the Trade of the City of *Londonderry* has considerably increased, and it is become necessary to make further Provisions for the Regulation of Pilots, and of the Shipping and Vessels, and the Masters, Owners, and Crews thereof, resorting to or arriving or plying within the Lough, River, Port, or Harbour of *Loughfoyle*; be it therefore enacted, That the said Mayor, Community, and Citizens in Common Council assembled, shall on the Second Day of *November* One thousand eight hundred and eight, and on the Second Day of *November* in each and every subsequent Year, (or in case the Second Day of *November* in any Year shall be on a *Sunday*, then on the following Day) elect and appoint Seven Wholesale Merchants resident in the said City of *Londonderry*, which said

Seven

For preventing the dirtying the Water.

On 2d November 1808, and the same Day annually, the Corporation shall appoint Seven Merchants who, with the Members for the City and County, and the Collector of the Customs, shall be a Ballast Office Committee.

Seven Merchants, together with the Members of Parliament for the City of Londonderry, and for the County of Londonderry, for the Time being, and the Collector of the Customs of the said City for the Time being, shall be and be called *The Ballast Office Committee for the Lough and River, Port and Harbour of Loughfoyle*; and the said Committee, or any Five or more of them, shall, during the Year commencing on the said Day respectively, have full Power to carry into Execution all the Powers and Provisions of the said recited Act of the Fortieth Year of His Majesty's Reign, so far as the same relates to Pilots, and also to carry into Execution all the Powers and Provisions of this present Act relating to Pilots, Navigation, Shipping, and Vessels, and the Masters, Crews, and Owners thereof, in Manner herein-after mentioned.

Oath to be taken by Members of the Committee.

XV. And be it further enacted, That every Member of the said Ballast Office Committee shall before acting as a Member of the said Committee in the Execution of this Act, take and subscribe an Oath or Affirmation before the Mayor or the Recorder of the said City, (which Oath or Affirmation any Magistrate of the City of Londonderry is hereby empowered to administer) in the Words following; that is to say,

‘ I *A. B.* do swear, That I will diligently, faithfully, and impartially execute the Powers vested in me by an Act made in the Forty-eighth Year of the Reign of His present Majesty, intituled, *An Act* [Here insert the Title of this Act] to the best of my Skill and Judgement:’

And any Member of the said Ballast Office Committee who shall act in the Execution of this Act without taking and subscribing such Oath or Affirmation as aforesaid, shall for every Offence forfeit the Sum of Twenty Pounds Sterling.

If annual Election not made former Members may continue to act.

XVI. Provided always, and be it enacted, That in case it shall at any Time happen that the Election or Appointment of Seven Merchants by the said Mayor, Community, and Citizens shall not take place in any Year on the Day and in Manner herein-before mentioned, it shall and may be lawful for the Merchants who shall have been duly elected and appointed, and who shall be acting as Members of the said Ballast-Office Committee at the Time when such Election or Appointment ought to take place, to continue to act as such Members, together with the other Members of the said Committee, without any further or other Election whatever, for the then succeeding Year, as if they had been elected to the said Office for such Year under the Provisions of this Act; and that in case any Vacancy shall happen in such Committee in the course of any Year, by the Death of any Member or Members so elected, an Election of a Member or Members to fill such Vacancy shall be made within One Month; and the surviving Members of the said Committee, not being less than Five in Number, shall be competent to act until such Vacancy shall be supplied.

Committee shall appoint Pilot Master and Secretary who shall visit the

XVII. And be it further enacted, That the said Ballast-Office Committee shall hold their First Meeting in every Year on some Day between the Second Day of *November* and ther Fifth Day of *December*, and shall at such First Meeting appoint a Pilot-Master for the Year ensuing, who shall also be

be and act as Secretary to the said Committee, and shall be removable at their Pleasure; and such Pilot-Master and Secretary shall receive from the said Committee an Annual Salary, not exceeding the Sum of Fifty Pounds, out of the additional Tonnage Duties payable under this Act, and shall give Security to the Satisfaction of the said Committee for the faithful Discharge of his Duty under this Act; and the said Pilot-Master shall from Time to Time visit and inspect the said Lough and River, Port and Harbour, and shall, whenever thereto required by the said Committee, make a Report in Writing to the said Committee upon the State of the same, and of all Matters and Things relating to the Pilotage and Navigation thereof and on all other Matters and Things on which he shall be directed by the said Committee to make any Enquiry or Report, from Time to Time, as to the said Committee shall seem fitting and expedient.

Harbour, &c.
and report to
the Com-
mittee.

XVIII. And be it further enacted, That from and after the First Day of *December* One thousand eight hundred and eight, the Owner or Owners of every Smack, Lighter, Gabbard, Barge, Wherry, Float, Cot, Boat, or other Vessel whatever, which shall be used or employed, or shall ply for hire within the Lough or River, Port or Harbour of *Loughfoyle*, for the Purpose of loading or unloading of any Ship or Vessel being within the said Lough, River, Port, and Harbour, or for the Conveyance of any Goods, Wares, or Merchandize or Passengers from one Part of the said Lough, River, Port, or Harbour, to another, shall from Time to Time pay to the said Ballast Office Committee an Annual Sum not exceeding in any Case the Sum of Two Pounds for a Licence for each such Smack, Lighter, Gabbard, Barge, Wherry, Float, Cot, Boat, or other Vessel, according to such Bye Laws, Rules, and Regulations, and subject to such Penalties, as the said Committee shall make, direct, and order according to the Provisions of this Act: Provided always, that all such Licences shall from Time to Time be annually granted under the Hand and Seal of the Mayor of the said City of *Londonderry*, on a Certificate from the said Committee, or their Secretary, that the Licence Duty made payable by virtue of this Act has been duly paid and satisfied.

Vessels navi-
gating *Lough-
foyle* shall be
annually
licensed, and
pay a Sum not
exceeding 2*l*.

XIX. And be it further enacted, That the said Ballast Office Committee, or any Five or more of them, shall from Time to Time have full Power and Authority, and they are hereby authorized, empowered, and required to make Rules, Bye Laws, and Orders for the cleansing and improving of the said Lough and River, Port and Harbour of *Loughfoyle*, and for the fixing and placing of proper Buoys and Marks therein, and for the using of any Docks connected therewith, under the Direction of the said Ballast Office Committee, and for the good and orderly using of the Navigation of the said River *Loughfoyle*, and for regulating the Manner of supplying, lifting, receiving, taking in and throwing out of Ballast, and the Rates and Prices thereof, and all Matters and Things relating thereto, and for the licensing and registering of all such Boats, Barges, Lighters and other Vessels, which shall be employed, and for the well-governing of the Boatmen and Bargemen, Lightermen, Watermen, Seamen, and others, by whom such Boats, Barges, Lighters, Smacks, Gabbards, Wherries, Floats, Cots, and other Vessels shall be employed, in conveying or carrying Goods, Wares, Commodities, Merchandize, or Things, upon

Corporation
may make Bye
Laws to regu-
late the Navi-
gation, Barge-
men, Pilots,
etc.

any Part of the said River or Lough; and for the ascertaining, ordering, and regulating the several Rates, Fares and Prices, to be paid for the Freight, Use, Hire, or Employment of such Boats, Barges, Lighters, Smacks, Gabbards, Wherries, Floats, Cots, and Vessels, and of the Watermen, Lightermen, Masters and Owners thereof, and other Persons concerned in the Navigation thereof, or for the Use of any such Docks as aforesaid and for the ascertaining and regulating the Rates of Pilotage upon and within the said Lough and River, Port and Harbour, and for the Licensing, Management, and Government of Pilots there, who shall be appointed in pursuance of this Act, and in all Matters and Things relating to Pilotage upon the said Lough and River; and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Bye Laws, and Orders, or any of them, as to the said Ballast Office Committee shall seem meet, not exceeding the Sum of Twenty Pounds on any one Person for any one Offence; which said Rules, Bye Laws, and Orders, being put into Writing and signed by any Five of the said Ballast Office Committee and their Secretary, shall be binding on, and shall be observed by all Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that no such Rules, Bye Laws, and Orders, or any Alteration thereof, be repugnant to any Law or Statute of that Part of the United Kingdom called *Ireland*, or any Thing in this Act contained; and all such Rules, Bye Laws, and Orders, and any Alteration thereof, shall be subject to Appeal in Manner herein-after mentioned.

Bye Laws, etc.
to be entered
in a Book.

XX. And be it further enacted, That all Rules, Bye Laws, Orders, and Proceedings of the said Ballast Office Committee, in the Execution of this Act, shall be fairly entered in a Book or Books to be kept for that Purpose; and such Rules, Bye Laws, Orders, and Proceedings, when entered, shall be signed by Five of the said Committee and their Secretary, who are hereby required to set their Names thereto; and the said Rules, Bye Laws, Orders, and Proceedings, so to be entered, signed, and authenticated, shall and may be produced and read in Evidence in all Cases of Appeals, Suits, Actions, or other Proceedings, touching any Thing done in pursuance of this Act.

Copies of Bye-
Laws to be
hung up in
Custom House.

XXI. And be it further enacted, That Copies of all such Bye Laws, Rules, Orders, and Regulations as shall be so made as aforesaid, shall be written, printed or painted in large Characters, with the Name of the Secretary to the said Ballast Office Committee affixed thereto, and shall be fixed or hung up in some public or conspicuous Place in the Custom House, and in the Office of the Mayor and of the Collector of the Customs of the said City of *Londonderry*.

Name of the
Masters and
Number, etc.
to be painted
on Vessels.

XXII. And, for the better regulating of the Masters of Boats, Barges, Lighters, or other Vessels, and the Boatmen, Bargemen, or others employed by or under them respectively, passing on and navigating the said Lough and River, Port and Harbour of *Loughfoyle*, be it further enacted, That every Owner, Master, or Person having the Rule or Command of any Boat, Barge, Lighter, Smack, Gabbard, Wherry, Float, Cot, or other

other Vessel (except Pleasure Boats) navigating or passing in, on, or within the said Lough or River, Port or Harbour, shall cause his Name and Place of Abode, and the progressive Number of his Boat, Barge, Lighter, Smack, Gabbard, Wherry, Float, Cot, or other Vessel as aforesaid, to be from Time to Time painted in large legible Characters or Letters One Inch long at the least, on some conspicuous Part of each of the Outfides of every such Vessel higher than the same shall sink into the Water when fully laden; and shall also in like Manner, cause to be painted on the Outside of each such Vessel certain Lines or Marks, with Figures over each Line or Mark, to denote the Number of Tons Burthen which each such Vessel contains when the same is sunk in the Water to the Depth of such Line or Mark; and shall cause to be put, made, renewed, and continually kept on all such Vessels all such Marks in Paint or otherwise, and under such Regulations as the said Ballast Office Committee shall by any Bye Law or Bye Laws from Time to Time direct and appoint, so that the true Name, Place of Abode, Number and Burthen belonging to every such Vessel as aforesaid may at all Times clearly appear and be ascertained; and every Owner, Master, or other Person, having the Rule or Command of any Vessel as aforesaid, who shall refuse or neglect to put and renew as often, as necessary, his Name and Place of Abode, or the progressive Number of his Vessel or Vessels, or any Lines, Marks, or Figures, herein-before directed or which shall be directed by any such Bye Law on such Vessel in Manner aforesaid; or shall deface, erase, or destroy any Name, or any Letter, Mark, Line or Figure, describing the Number of such Vessel, and the Tonnage therein as aforesaid, shall for every such Offence respectively forfeit and pay to the Use of the said Ballast Office Committee any Sum not exceeding Ten Pounds.

Index of Tonnage.

XXIII. And be it further enacted, That, from and after the First Day of December next after the passing of this Act, all Vessels trading to or from the Port and Harbour of Londonderry shall be conducted, piloted, and navigated by Pilots annually authorized and licensed by the Mayor of the said City of Londonderry, by Warrant under his Hand and Seal: Provided always, that no such Licence shall be granted, except upon the Certificate of the said Ballast Office Committee, or any Five of them, and their Pilot Master and Secretary, that the Person requiring such Licence is a fit and proper Person to be so licensed as a Pilot, nor unless such Person shall have paid to the Use of the said Committee a Sum not exceeding One Pound, the Payment whereof shall be certified to the said Mayor by the Secretary of the said Committee; and the Master, Owner or Owners of every such Ship or Vessel which shall be navigated within the Limits aforesaid, without a Pilot licensed as aforesaid, shall forfeit Treble the Sum which would have been demandable for the Pilotage of such Ship or Vessel, together with Five Pounds for every Fifty Tons Burthen of such Ship or Vessel.

Vessels navigating the River Loughfoyle to be conducted by Pilots licensed by the Corporation.

XXIV. And be it further enacted, That no Persons shall take charge of any Vessel or in any Manner act as a Pilot, or receive any Compensation for acting as a Pilot within the Limits aforesaid, unless authorized by Licence by virtue of this Act; and no such Pilot shall act without having his Licence at the Time of his so acting in his Personal Custody,

Penalty on Persons acting as Pilots without being licensed.

Custody, ready to be produced, which shall actually be produced to any Person who shall lawfully require to see the same, on pain of forfeiting a Sum not exceeding Two Pounds.

Not to extend to Cases where Ships are in Distress.

XXV. Provided always, and be it further enacted, That this Act shall not extend, or be construed to extend, to hinder any Person or Persons from assisting any Ship or Vessel in Distress, or subject such Person or Persons, or the Owner or Master of any Ship or Vessel employing such Persons in the Limits aforesaid, to the Penalties of this Act; any Thing herein contained to the contrary notwithstanding.

Exemption in Cases where no Pilot can be procured.

XXVI. Provided also, and be it further enacted, That nothing in this Act contained shall extend to subject to any Penalty, any Owner or Captain or Master of any Ship or Vessel who shall employ any Person, or act himself as a Pilot for the Conduct of his Ship or Vessel in any Case where a licensed Pilot cannot be procured.

Licensed Persons may supersede unlicensed Persons.

XXVII. Provided always, and be it further enacted, That it shall be lawful for any licensed Pilot to supersede any Person not licensed as a Pilot in the Charge of any Ship or Vessel within the Limits aforesaid; and every Master who shall within the Limits aforesaid continue any Person not licensed as herein-before mentioned, after any Pilot licensed as aforesaid to act within the said Limits shall have offered to take charge of such Ship or Vessel, and every Person assuming or continuing in the Charge or Conduct of any Ship or Vessel within the Limits aforesaid without being duly licensed as herein-before mentioned, after any other Pilot licensed as aforesaid shall have offered to take charge thereof, shall respectively forfeit for every such Offence a Sum not exceeding Ten Pounds.

Penalty on Pilots refusing to take charge of Vessel, exacting more than the Pilots Rate, or not completing the Service.

XXVIII. And be it further enacted, That every Pilot licensed under this Act who shall refuse to take charge of any Ship or Vessel, or who shall exact any Fee or Reward beyond the established Rates of Pilotage, or who shall quit any Ship or Vessel, or decline the Pilotage thereof, after he shall have been engaged or gone alongside thereof, without Leave of the Owner, Master, Captain, or Person having the chief Command of such Ship or Vessel, or before the Service shall have been performed for which he was hired, or shall, by Drunkenness, render himself incapable of conducting such Ship or Vessel, or shall negligently, ignorantly, or wilfully run such Ship or Vessel on Shore, or shall by Misdirection or otherwise do any Injury to the same, or to the Tackle or Furniture thereof, or shall lend his Licence or Warrant to any unlicensed Person to enable or assist him in acting or claiming to act as a licensed Pilot, shall forfeit for every such Offence any Sum not exceeding Twenty Pounds, and shall be liable to be dismissed from being a Pilot, at the Discretion of the said Ballast Office Committee.

Tonnage Duties made payable to the Ballast Office Committee.

XXIX. And whereas it is expedient to provide a Fund for carrying into Effect the Purposes of this Act, so far as the same relates to the Powers, and Duties of the said Ballast Office Committee; be it therefore enacted, That

That from and after the First Day of *December* One thousand eight hundred and eight, there shall be paid and payable to the said Ballast Office Committee by the Master or Owner of every Ship or Vessel arriving in the Lough or River, Port or Harbour of *Loughfoyle*, to the said Ballast Office Committee for the Time being, or to such Person or Persons, for the Use of the said Committee, as shall be duly authorized by the said Committee to receive the same, the following Rates and Duties and Sums of Money, over and above all other Rates and Duties, and Sum and Sums of Money now payable by any such Masters or Owners; that is to say,

For every Foreign Ship or Vessel, or such as shall not belong to any of His Majesty's Subjects of the United Kingdom of *Great Britain* and *Ireland*, or in the Plantations, a Sum not exceeding Sixpence for every Ton of the Burthen of such Ship or Vessel:

And for every Ship or Vessel which shall belong to any of His Majesty's Subjects in the United Kingdom of *Great Britain* and *Ireland* or the Plantations, (Ships and other Vessels belonging to or employed in the Service of His Majesty, as also those laden with Coals only, and Coasters, excepted) a Sum not exceeding the Sum of Three Pence for every Ton of the Burthen of such Ship or Vessel:

And for every Ship or Vessel arriving in the said Harbour laden with Coals, and every Coaster, (that is to say), every Ship or Vessel arriving and trading from any Port of *Ireland* to *Londonderry*, a Sum not exceeding the Sum of Two Pence for every Ton Burthen of such Ship or Vessel: Ships or Vessels arriving in Ballast always excepted.

The said several and respective Rates and Duties to be paid on every Voyage which such Ship or Vessel respectively shall make to the said Harbour of *Londonderry*.

XXX. And, to the End that the said respective Duties due and payable as aforesaid may be more effectually paid and levied, be it enacted, That it shall not be lawful to and for the Officers of His Majesty's Custom House in the said City of *Londonderry* to clear and discharge any Ship or Vessel outward bound, or to permit any Ship or Vessel outward bound to sail until the Commander or Master thereof shall have brought and produced to the said Officer a Discharge from the said Ballast Office Committee, or the Person appointed by them to receive the said Tonnage Duty certifying that the Tonnage Duty payable under this Act has been paid in respect of such Ship or Vessel; which Certificate shall be granted on Payment of such Duty without Fee or Reward, Fraud or Delay.

Ships shall not be discharged till Tonnage Duty paid.

XXXI. And be it further enacted, That all Licence Duties and Tonnage Duties granted and made payable under this Act, and all Fines and Penalties made payable to the said Ballast Office Committee under this Act, shall from Time to Time be vested in the said Committee, and shall be employed by the said Committee in and towards such of the Purposes of this Act as relate to the Lough and River Port and Harbour of *Loughfoyle*, and such other Matters as by this Act are placed under the Direction and Management of the said Committee.

Licence Duty, Tonnage Duty, and Fines vested in Committee for the Purposes of this Act.

[*Loc. & Per.*]

29 P

XXXII. And

Committee shall ascertain Rates and Duties annually, &c. and affix Tables thereof at the Custom House.

XXXII. And be it further enacted; That the said Ballast Office Committee shall once at least in every Year between the Second Day of *November* and the First Day of *December*, and as much oftener as they shall from Time to Time think expedient, ascertain the several Rates, Prices, Fares, and Sums of Money to be paid to any Person or Persons for the supplying, lifting, receiving, taking in or throwing out of Ballast; or for the Freight, Use, Hire, or Employment of Boats, Barges, Lighters, and Vessels; and of the Lightermen and Persons employed therein, and for the Pilotage of Ships and Vessels; and also the Sums of Money to be paid to the said Committee by virtue of this Act, in respect of the Tonnage of Ships and Vessels arriving in the said Harbour, or for the Licences of Ships, Boats, and Vessels used or employed or plying for Hire there as aforesaid; and shall cause Tables of all the said Rates, Prices, Fares, and Sums of Money and Tonnage and Licence Duties to be drawn up and made, with the Name of the Pilot Master and Secretary to the said Committee affixed thereto; and Copies thereof, printed or painted, to be fixed or hung up from Time to Time and to be continually kept so affixed or hung up at the Custom House, as also at the Office of the Mayor and the Office of Collector of the Customs of the said City of *Londonderry*; and it shall be lawful for the said Ballast Office Committee from Time to Time to reduce all or any such Rates, giving Notice of all such Alterations, in like Manner, by Tables made and affixed or hung up as aforesaid, and so as such Rates and Sums of Money shall not exceed the Sums respectively specified in this Act, in Cases where any such Sum is so specified.

Committee shall appoint a Treasurer and Collector, and shall annually lay their Accounts before the Corporation, &c.

XXXIII. And be it further enacted, That the said Ballast Office Committee shall and may from Time to Time appoint some Person to be a Treasurer, and some Person to be a Collector of the several Rates and Duties, Sum and Sums of Money payable to the Use of the said Committee under and by virtue of this Act, and that such Treasurer and Collector respectively shall give such Security as the said Committee shall require; and that it shall be lawful for the said Committee to pay the said Treasurer and Collector such Salary and Allowance as they shall think proper, not exceeding in the Whole the Sum of One Shilling in the Pound on the Money collected and received for the said Committee; and that the said Committee shall once in every Year, between the First Day of *October* and the First Day of *November*, make out a true Account of all Rates and Duties and other Sum or Sums of Money received by them in the preceding Year, and of all Disbursements thereout and Application thereof in the Payment of Salaries, and in other Expences pursuant to this Act, with a Statement of the Balance, if any, then in the Hands of the said Committee or their Treasurer; and the said Account shall be signed by the said Treasurer of the said Committee, and by him delivered to the Mayor of the said City on or before the First Day of *November* in each Year, who shall lay the same before the next Common Council; and the same shall be printed and distributed by and at the Expence of the said Corporation.

Committee may grant Annuities to superannuated Pilots, &c.

XXXIV. And, in order to enable the said Ballast Office Committee to give due and sufficient Encouragement to Persons acting as Pilots to be active and diligent in their Duties as such, be it enacted, That it shall and may be lawful to and for the said Ballast Office Committee to appoint any yearly

yearly Sum or Sums of Money to be paid to such superannuated or sickly Pilots as they shall think proper, and to the Widow or Widows of any Pilot or Pilots who shall have been drowned or lost in the Discharge of his or their Duty as such, under this Act: Provided, that all such Sums together shall not exceed in the Whole the Sum of Thirty Pounds in any one Year; and also from Time to Time to grant and pay any Pilot or Pilots any Sum or Sums of Money which the said Committee may think such Pilot or Pilots may deserve, for any extraordinary Service performed by them not exceeding Ten Pounds Sterling; and all such Sums shall be paid out of the Payments, Rates, Duties, and Revenues which shall arise and be payable to the said Committee under this Act.

XXXV. And whereas it is requisite to secure a sufficient Depth of Water at the Front of the Quays in the said Port and Harbour of *Londonderry*, and that for that Purpose the River should have a free Flux and Reflux along the said Quays without being obstructed; be it therefore enacted, That it shall not be lawful for any Person or Persons to erect, build, or construct any Wharf, Quay, Store-house, Wall, Building, or Work of any Kind or Sort whatsoever, which shall project into the River *Foyle* further than or beyond the Front Line or Breast of the present Ship Quays now on the Side of the said River; and that it shall and may be lawful to and for the Mayor and Sheriffs of the said City of *Londonderry* for the Time being, to remove and abate all such Erections, Buildings, and Constructions, as Encroachments and Nuisances, by delivering an Order in Writing to the respective Tenants, Occupiers, or Owners of any Wharf, Quay, Storehouse, Wall, Building, Work, or other Erection or Construction, setting forth and directing in what Manner such Encroachment or Nuisance shall be respectively altered, set back, removed, or abated; and in case the Person to whom such Order shall be directed and delivered shall refuse or neglect to comply with such Order, and to alter, set back, remove, or abate such Nuisance or Encroachment within the Space of Thirty-one Days after such Order as aforesaid, then and in such Case it shall and may be lawful for the Mayor or Sheriffs of the said City to employ Workmen, and to alter, set back, remove, or abate every such Encroachment or Nuisance, and to compel the said Tenants, Occupiers, or Owners to pay all the Charges thereof by Distress and Sale of their Goods and Chattels, to be levied by Warrant under the Hand and Seal of the Mayor of the said City for the Time being.

To prevent
and abate
Nuisances by
Erection of
Quays, &c.

XXXVI. And be it further enacted, That the several Penalties by this Act made payable to the said Mayor, Community, and Citizens, shall be paid to the Chamberlain of the said City for the Use of the said Mayor, Community and Citizens, and shall be applied for the Improvement of the said City in such Manner as they shall think proper, and that the Penalties by this Act made payable to the said Ballast Office Committee, and also all Penalties which shall be imposed by any Bye Law of the said Committee, to be made in pursuance of this Act, shall be paid to the Treasurer of the said Committee, and shall be by them applied to such Purposes of this Act as are placed under the Controul and Management of the said Committee, and that all the said Penalties shall and may be recovered in a summary Way before any one Magistrate of the said City, on Proof being made on

Penalties re-
coverable
before One
Magistrate by
Distress and
Sale, or in
Default Im-
prisonment.

Oath

Oath after one Summons to the Party offending, and shall be levied by Distress and Sale of the Offenders Goods and Chattels, by Warrant under the Hand and Seal of such Magistrate, unless such Penalty be paid in Ten Days after such Distress shall be taken, and the Overplus, if any, after all Charges being deducted, shall be paid to the Owner, and in case no sufficient Distress can or may be had to answer the said Penalties respectively, the Person or Persons who shall have incurred the same shall by Warrant under the Hand and Seal of any such Magistrate, be committed to the Common Gaol of the said City, there to be kept for any Time not exceeding Two Months, nor less than Fourteen Days, at the Discretion of such Magistrate, according to the Nature of such Offense and the Amount of the pecuniary Penalty.

Proceedings
not to be va-
cated for want
of Form or
moved by
certiorari.

XXXVII. And be it further enacted, That no Order or other Proceeding to be made or had by or before any Magistrate, or to be otherwise made or had in pursuance of this Act, shall be quashed or vacated for Want of Form only, or be removed by *Certiorari* into any of His Majesty's Courts of Record in *Ireland*; and that where any Distress shall be made for any Sum or Sums 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 on Account of any Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on Account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Persons ag-
grieved may ap-
peal to Quar-
ter Sessions.

XXXVIII. Provided always, and be it further enacted, That all and every Person and Persons who shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the said Ballast Office Committee, or by the Order or Determination of any Magistrate (where such Order or Determination is not declared to be final) may, within Two Calendar Months after such Order shall have been made or given, complain to the Justices of the Peace at their next General Sessions of the Peace to be holden in and for the City and Liberties of *Londonderry*, and not elsewhere, who shall in a summary Way either hear or determine the said Complaint, or if they think proper may adjourn the Hearing thereof to the next General Sessions of the Peace to be holden for the said City and Liberties; and if they see Cause may mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order or Determination.

Jurisdiction of
Court of Con-
science ex-
tended from
10s. to 40s.

XXXIX. And whereas it will be of great Use and Advantage to the Inhabitants of the City and Liberties of the City of *Londonderry* that the Jurisdiction of the Court of Conscience held before the Mayor or Recorder of the said City for determining Causes in a summary Way in Debts between Party and Party should be extended to the Amount of Forty Shillings, be it therefore further enacted, That from and after the First Day of September

One

One thousand eight hundred and eight; the Mayor of the City of *London-derry* aforesaid for the Time being, or the Recorder of the said City for the Time being, shall have full Power and Authority to hear and finally determine, in a summary Way, Causes in all Debts between Party and Party not exceeding in the Amount the Value of Forty Shillings within the said City and Liberties respectively, with all such Powers, Privileges, Authority, and Jurisdiction; as the said Mayor or Recorder have heretofore used and exercised in Causes not exceeding Ten Shillings.

XL. Provided always, and be it further enacted, That no Decree, Execution, or Commitment shall take place or be made or executed unless the Party complained of shall have been duly summoned, and that no Person shall be imprisoned or confined by virtue of any Warrant, Commitment, or Execution by the Mayor or Recorder of the said City under such Authority or Jurisdiction, in the said Court of Conscience, for any Debt not exceeding in the Whole Twenty Shillings longer than for the Space of Twenty Days, to be computed from the Day of such Commitment; and that no Person shall be imprisoned or confined by the Authority aforesaid for any Debt exceeding Twenty Shillings and not exceeding Forty Shillings, longer than for the Space of Forty Days, to be computed as above; and that from and after the respective Determinations of such Imprisonments or Confinements the Debt or Debts for which such Person or Persons shall have been so imprisoned or confined, shall be totally discharged to all Intents and Purposes, as if such Debtor or Debtors had actually paid the same; and the Person or Persons so confined shall be immediately liberated on the Expiration of such respective Confinements without paying any Sum or Sums of Money, Fee or Fees, or other Reward or Gratuity, to the Keeper or Keepers, Turnkey or Turnkeys of the Gaol or Prison, or others, by way of Gaol Fees or Discharge Fees, or on any other Pretence whatsoever; and if any Keeper or Keepers, Turnkey or Turnkeys of the said Gaol or Prison, or any other Person whomsoever, shall demand, take, or receive any Fee or Fees, Sum or Sums of Money whatsoever, upon the Discharge of any such Person or Persons so committed to his or their Charge or Custody as aforesaid, or shall keep or detain any such Person or Persons a Prisoner or Prisoners after the Time by this Act limited for his, her, or their Imprisonment, every such Keeper, Turnkey, and other Person shall for every such Offence forfeit and pay the Sum of Five Pounds.

Time of
Commitment.

XLI. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the said City, and not elsewhere; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment

Limitation of
Actions.

[*Loc. & Per.*]

*29 2

shall

shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Double Costs, and have such Remedy for the same as any Defendant hath for Costs of Suit in other Cases by Law.

Public Act.

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

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