



ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. cc.

An Act for better paving, draining, cleansing, lighting, watching, supplying with Water, regulating in regard to Markets and other Purposes, for making new Streets, and otherwise improving the Town of *Galway*. [15th August 1853.]

WHEREAS by the Local and Personal Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for regulating and improving the Town of Galway in the County of the same Town*, certain Charter Tolls therein mentioned, and theretofore demanded and payable in the said Town, were abolished, and other Tolls substituted, upon saleable Things coming to and passing from the said Town by Land or by Water, mentioned in the Schedules (A. & B.) to the same Act annexed, all which Tolls were vested in Commissioners therein named, and their Successors, for ever, and directed to be applied in the first place in defraying the Expense of cleansing, lighting, and watching the said Town, and in case there should be any Residue or Surplus then in watering the said Town and erecting Fountains therein, and in providing a Fire Engine or Fire Engines, and in erecting a Market House and Shambles, and also public Cranes and Weighing Places,

6 & 7 W. 4.
c. exvii.

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and

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3 & 4 Vict.
c. 108.

and generally for the Benefit and Improvement of the said Town and the Environs thereof within the Distance of One Mile from the Collegiate Church of *Saint Nicholas*, as the said Commissioners should think fit; and it was declared lawful for the said Commissioners to make such Byelaws and Regulations respecting the Markets, Shambles, Cranes, and Weighing Places, and otherwise for regulating and improving the said Town and the Environs thereof within the Distance aforesaid, and to demand, receive, and take such reasonable Rates or Charges for the Use of the said Markets, Shambles, Cranes, and Weighing Places, as they should think fit: And whereas by the Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in Ireland*, the Body Corporate of the "Mayor, Sheriffs, Free Burgesses, and Commonalty of the Town and County of the Town of *Galway*" was dissolved, and all the Real and Personal Estate of such Body Corporate in conjunction with the said Town did forthwith vest in the Commissioners aforesaid, and they were authorized to apply the Rents and Profits of such Real and Personal Estate, after defraying all Charges to which such Rents or Profits might be liable, in aid of the Rates levied by them, and the Surplus thereof, if any, to be applied by them for the public Benefit of the Inhabitants and Improvement of the Town, until a Charter of Incorporation should be obtained, and upon the granting of any such Charter, and the Election of a Council under its Provisions, the Power of such Commissioners as to the said Estate was to cease, and any Accumulation thereof forthwith to vest without any Conveyance thereof in the Body so incorporated: And whereas the Trade and Population of the said Town have greatly increased: And whereas it is expedient that the Tolls mentioned in the Schedules to the first-recited Act should be continued: And whereas it is expedient that the said Commissioners should be empowered to make certain new Streets within the said Town, and also to widen, improve, and extend certain of the present Lanes and Passages within the said Town: And whereas it is also expedient that the said Commissioners should be empowered to make and maintain Waterworks for the Purpose of better supplying the Inhabitants of the said Town with Water: And whereas it is expedient that the Limits of the Jurisdiction of the said Commissioners should be enlarged, and that more efficient Provisions should be granted for paying, draining, cleansing, lighting, watching, and otherwise improving the said Town, and for regulating the Markets within the same: And whereas the aforesaid Objects would be most conveniently effected if the said first-recited Act was repealed, and some of the Provisions thereof re-enacted, and additional Powers granted: And whereas the several beneficial Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's
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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, as follows; (that is to say,)

I. That the said first-recited Act, passed in the Sixth and Seventh Years of the Reign of His Majesty King *William* the Fourth, Chapter One hundred and seventeen, shall be and is hereby repealed. Recited Act 6 & 7 W. 4. c. cxvii. repealed.

II. That in this Act the following Words and Expressions shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

“ Commissioners ” shall mean the Commissioners under this Act :

“ Justice or Justices ” shall mean Justice or Justices of the Peace for the County of the Town of *Galway*, and “ Two Justices ” shall mean Two or more Justices met and acting together :

“ Owner ” shall mean the Person for the Time being receiving the Rackrent of the Lands and Premises in connexion with which the said Word is used, whether on his own Account, or as a Mortgagee or Incumbrancer in possession, or as Agent or Trustee for any other Person, or who would so receive the same if such Lands or Premises were let at Rackrent :

“ Goods ” shall mean Wares and Merchandise of every Description, and all Articles in respect of which Rates or Duties are payable under this Act :

To “ pave ” shall include the making or forming of a hard Surface to a Roadway, or generally repairing the same by broken Stone or other Material as well as pitching :

“ Quarter Sessions ” shall mean the Quarter Sessions of the County of the Town of *Galway*.

III. That “ The Commissioners Clauses Act, 1847,” “ The Lands Clauses Consolidation Act, 1845,” “ The Towns Improvement Clauses Act, 1847,” “ The Town Police Clauses Act, 1847,” “ The Markets and Fairs Clauses Act, 1847,” and “ The Waterworks Clauses Act, 1847,” shall, so far as the same are not expressly varied or excepted by this Act, be incorporated with and form Part of this Act; and the Words “ the Special Act ” or “ this Act,” therein used, shall mean this Act; and the Words “ Limits of the Special Act ” shall mean the Limits of this Act; and in the said “ Waterworks Clauses Act, 1847,” the Words “ the Undertakers ” shall mean the Commissioners under this Act. 8 & 9 Vict. c. 18. and 10 & 11 Vict. cc. 16. 34. 89. 14. & 17. incorporated with this Act.

IV. That this Act shall commence and take effect on the Third *Monday* after the passing of this Act. Definition of certain Terms.

V. That Commencement of Act.

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Short Title.

V. That in citing this Act in other Acts of Parliament, and in legal or other Proceedings or Instruments, it shall be sufficient to use the Expression “ The *Galway* Town Improvement Act, 1853.”

Limits of Act.

VI. That this Act shall apply to and be in force within and throughout the entire Area comprised within a Circle of Two Miles from the Church of *Saint Nicholas* in the said Town of *Galway*.

Division into Wards.

VII. That for the Purpose of the Election of Commissioners under this Act the Town of *Galway* shall be divided into Four Wards, namely, South Ward, West Ward, North Ward, and East Ward, severally described in the Schedule (A.) to this Act annexed; and each of the said Wards shall be considered as a separate Election District, and the First Body of Commissioners shall represent the Wards under which their Names are respectively set in the said Schedule, and of the future Commissioners Six shall be elected for each Ward.

Commissioners incorporated.

VIII. That the Commissioners for the Time being acting in the Execution of this Act shall be a Corporation, with perpetual Succession, under the Name of “ The *Galway* Town Improvement Commissioners,” and shall as such have a Corporate Seal, and shall have Power to sue and be sued through their Clerk, and to purchase and hold Lands, subject to the Provisions herein contained.

Commissioner's Qualification.

IX. That every Commissioner under this Act shall have the following Qualification, (that is to say,) he shall be resident within the Limits of this Act, and shall either be rated to the Relief of the Poor in the Union of *Galway* in respect of Property within the Limits of this Act in the annual Sum of Twenty Pounds or upwards, and have paid all Poor Rates due by him in respect of such Property, or be seised or possessed of the Rents or Profits of Lands within the Limits of this Act of the annual Value of Twenty Pounds or upwards, and be registered as a Parliamentary Voter in respect of same.

Elector's Qualification.

X. That every Person who at the Time of any Election of Commissioners under this Act shall be resident within the Limits of this Act, and who shall either be rated to the Relief of the Poor in respect of Property within the Limits of this Act in the annual Sum of Eight Pounds or upwards, and be upon the Register of Voters in force for Members of Parliament for the said Borough of *Galway*, or be seised or possessed of the Rents or Profits of Lands, Tenements, or Premises within the Limits of this Act of the annual Value of Twenty Pounds or upwards, and be upon the Register of Voters in force for Members of Parliament for the said Borough, shall be entitled to vote at any Election of Commissioners under this Act: Provided
always,

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always, that no such Elector shall be entitled to vote at any Election of Commissioners unless he shall have previously paid also all Rates demandable under this Act which shall be due and owing at the Time of such Election.

XI. That from and immediately after the Commencement of this Act all Lands, Tenements, Hereditaments, Buildings, Easements, prescriptive and other Rights, Powers, and Privileges whatsoever, of or to which the present Commissioners appointed under the said first-recited Act, or any Person in trust for them, shall be seised, possessed, or entitled, at Law or in Equity, immediately before the Commencement of this Act, and all Customs, Tolls, or Duties, Rates, and Monies due or accruing to the said Commissioners, and all Securities, Books, Accounts, Documents, Choses in Action, Effects, and Property belonging to the said Commissioners, shall, except where and as by this Act otherwise provided, be and the same are hereby well and effectually vested in and shall belong to the Commissioners appointed by virtue of this Act, to hold to them and their Successors for the Purposes of this Act, and for such and the same Estates, Terms, and other Interests as under the said first-recited Act the former Commissioners, or any Persons in trust for them, had or would have continued to have had therein if the said recited Act had not been repealed, subject nevertheless to such Charges, Interests, and Liabilities as immediately before or at the Time of the Commencement of this Act the same Premises shall be respectively subject to.

Existing Property to be vested in the Commissioners.

XII. That all Conveyances, Assurances, Leases, Demises, Grants, Mortgages, Bonds, Covenants, Agreements, Contracts, Awards, Securities, and other Instruments, made, executed, or entered into by or between any Person or Persons and the Commissioners appointed under the said first-recited Act, or by any or either of them, to, with, and in favour of or for any such Person or Persons and the said Commissioners, or any or either of them, shall and the same are hereby declared to be, remain, and continue in full Force and Effect, and the Commissioners appointed by virtue of this Act and all such Person and Persons shall respectively be bound by and liable to execute and perform the same; and such last-mentioned Commissioners shall, as such, but not individually or personally, be liable to all Debts and Engagements to which the former Commissioners are or shall be liable at the Time of the Commencement of this Act; and the Repeal of the said first-recited Act shall not affect any Rights or Remedies which could at the Time of the Commencement of this Act be exercised by any Mortgagee or Creditor against the former Commissioners.

Agreements, Deeds, &c. to remain in force, and new Commissioners liable to Debts, &c.

XIII. That all Tolls, Rates, Rents, or Charges made or imposed under or by virtue of the said first-recited Act, and which at the Time

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Arrears of Rates or Rents now

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payable to
be recover-
able.

of the Commencement of this Act shall be due and payable, or, if this Act had not passed, would have accrued due and become payable, shall continue in force and be due and payable to the Commissioners appointed by virtue of this Act, and may be collected and recovered by such Means and under such Restrictions and Regulations as any Tolls, Rates, Rents, or Charges may be collected or recovered under or in pursuance of this Act.

Actions, &c.
not to abate.

XIV. That no Action, Suit, Prosecution, Appeal or Notice of Appeal, Order or Decision of Justices, or Matter pending before Justices, Distress, Entry, Execution, Arbitration, Award, or other Proceeding whatsoever, commenced, carried on, levied, given, made, or taken by, for, or against the former Commissioners, previously to the Commencement of this Act, shall abate or be discontinued, annulled, or prejudicially affected by the Repeal of the said first-recited Act, but, on the contrary, the same shall continue and take effect in favour of or against or in reference to the Commissioners acting under this Act, in the same Manner in all respects as the same would have continued and taken effect in favour of or against or in reference to the former Commissioners if this Act had not been passed; and all Penalties incurred by or for any Offence against the Provisions of the said hereby repealed Act, or against any Byelaw or Regulation of or concerning the former Commissioners, previously to the Commencement of this Act, shall and may be sued for and recovered, and all Offences which may have been committed before the Commencement of this Act against the Provisions of the said hereby repealed Act, or of any such Byelaw or Regulation, may be prosecuted, in such and the like Manner, to all Intents and Purposes, as the same might have been sued for, recovered, and prosecuted respectively if the said first-recited Act had not been repealed, the Commissioners acting under this Act being, in reference to the Matters aforesaid, in all respects considered identical with the former Commissioners acting under the said first-recited Act.

Rights of
Action
saved.

XV. That nothing in this Act contained shall be held to prejudice or affect any Right or Cause of Action or Suit, or any Remedy, which the former Commissioners had against any Person or Corporation, or which any Person or Corporation had against such Commissioners, at the Time of the Commencement of this Act, but that all such Rights, Causes, and Remedies may be enforced or prosecuted by or against the Commissioners acting under this Act, in like Manner and within the same Period as the same might have been enforced or prosecuted by or against the former Commissioners if this Act had not been passed.

Officers un-
der former
Act to ac-
count.

XVI. That all Officers and Persons who at the Time of the Commencement of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, Securities, Goods,

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Goods, Chattels, or other Effects, under or by virtue of any of the Provisions of the said first-recited Act, shall account for and deliver up the same to the Commissioners appointed by virtue of this Act, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had been appointed and had become possessed of such Money, Books, Documents, Papers, Writings, Securities, Goods, Chattels, or other Effects under the Provisions of this Act.

XVII. That all Officers and Persons appointed under the said first-recited Act shall continue in their respective Offices and Employments according to their respective Appointments until removed therefrom, and all such Officers and Persons shall have the same Powers, Privileges, and Advantages, and they and all Sureties shall be liable to the same Conditions, Penalties, Obligations, Restrictions, and Regulations, as if such Officers and Persons had been appointed and such Sureties had become bound under this Act.

Present
Officers
continued.

XVIII. That all Books and other Documents whatsoever by the said first-recited Act authorized or directed to be kept, and thereby made Evidence, shall still be admitted as Evidence, in all Courts of Law and Equity or elsewhere, against or in favour of the Commissioners appointed by virtue of this Act.

Books, &c.
to continue
Evidence.

XIX. That all Powers, Rights, and Privileges granted or reserved by any Act of Parliament (other than the said hereby repealed Act) to or for the Benefit of the former Commissioners, and not since repealed, shall, subject to the Provisions and Restrictions of or in this Act, and notwithstanding the Repeal of the said hereby repealed Act, be of the like Force and Effect as if the same Act had not been repealed, and shall appertain to and be exercised and be enforced by the Commissioners appointed by virtue of this Act, in as full and beneficial a Manner, to all Intents and Purposes, as the same Powers, Rights, and Privileges respectively would have appertained to or might have been exercised and enforced by the former Commissioners in case this Act had not been passed.

Provisions in
Acts of Par-
liament for
Benefit of
the Com-
missioners
not to be
affected by
the Repeal
of Act.

XX. That it shall be lawful for the Commissioners to borrow at Interest on the Credit of the several Rates or Assessments by this Act authorized to be levied, and of the Markets and Market Places, and the Tolls, Duties, Rents, Profits, and other Property vested in the Commissioners, any Sum not exceeding Forty thousand Pounds.

Power to
borrow
Money on
Credit of
Rates, &c.

XXI. Provided always, That in the event of any Part of the Monies borrowed by the Commissioners under this Act being repaid by any Means except the Sinking Fund by this Act provided, they may

Restrictions
on borrow-
ing.

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may reborrow the same, and so *toties quoties*; provided also, that to the Extent of any Portion of the Sum which from Time to Time may be paid off by means of the Sinking Fund by this Act provided for, the Powers of the Commissioners for borrowing and reborrowing shall cease.

Application
of Monies
raised by
Mortgage.

XXII. That all Monies borrowed by the Commissioners as aforesaid shall be applied as follows; (that is to say,)

All Monies borrowed on Mortgage of the Improvement Rate shall be applied to the Purposes to which the Improvement Rate is herein-after directed to be firstly, fourthly, and lastly applied and disposed of:

All Monies borrowed on Mortgage of the General Fund shall be applied to the Purposes to which the General Fund is herein-after directed to be firstly, fourthly, and lastly applied and disposed of:

All Monies borrowed on Mortgage of the Waterworks Rates shall be applied to the Purposes to which the Waterworks Rates are herein-after directed to be thirdly and lastly applied and disposed of.

Amount of
Sinking
Fund.

XXIII. That the Sum to be set apart and appropriated out of the Improvement Rate, General Fund, and the Waterworks Rate respectively, as a Sinking Fund, to be applied in paying off the Principal Monies which shall have been borrowed on Mortgage, shall be in each Year One Thirtieth Part of the Monies from Time to Time borrowed or secured thereon respectively.

Former
Mortgages
to have
Priority.

XXIV. That all Mortgages or Bonds granted under the Authority of the first-recited Act, and which shall be in force at the Time of the Commencement of this Act, shall during the Continuance thereof have Priority over any Mortgages or Bonds to be created by virtue of this Act.

Commis-
sioners to
pave, drain,
&c.

XXV. That the Commissioners may, subject to the Provisions of this Act and of the Acts incorporated herewith, cause to be paved, drained, cleansed, lighted, watched, regulated, and otherwise improved the Town of *Galway* within the Limits of this Act, and do all necessary Acts for promoting the Health and Convenience of the said Town, and for that Purpose may exercise all the Powers vested in them by this Act and the Acts incorporated herewith.

Commis-
sioners may
provide a
Place for
public Re-
creation.

XXVI. That it shall be lawful for the Commissioners to provide Lands, Grounds, or other Places as a Park, Pleasure Ground, or Place of public Resort or Recreation for the Inhabitants of the said Town, and from Time to Time level, drain, plant, and otherwise lay out

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out and improve any such public Lands or Grounds for the more convenient Use and Enjoyment thereof, and pay for the same out of the General Improvement Fund herein-after mentioned, provided the Consent of the Commissioners and the Ratepayers thereto be obtained in the Manner prescribed by the "Towns Improvement Clauses Act, 1847," for that Purpose.

XXVII. And whereas Plans and Sections showing the Lines and Levels of certain new Streets and Widening intended to be made, and of certain Waterworks intended to be constructed, under the Powers of this Act, and also Books of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Houses, Lands, and Streams in or through which the same Works respectively are intended to be made or pass, have been deposited with the Clerk of the Peace of the County of the Town of *Galway*: Be it enacted, That it shall be lawful for the Commissioners, subject to the Powers, Provisions, and Restrictions in this Act and in the Acts and Parts of Acts incorporated herewith, to make and maintain the said new Streets and Widening and also the said Waterworks in the Lines and on the Levels and upon the Lands respectively delineated on the said Plans of the said respective Works, and respectively described in the said Books of Reference, and to enter upon and take and use such of the Lands, Streams, and Waters delineated on and mentioned in the said Plans and Books of Reference respectively as shall be necessary for the respective Purposes aforesaid, and to agree for a Lease of any such Lands and Streams, and to take therefrom such Water as the Commissioners may require for the Purposes of this Act, and of the said Acts and Parts of Acts incorporated herewith.

Power to make new Streets, &c. according to deposited Plans.

XXVIII. That if any Omission, Mis-statement, or wrong Description be made of any Lands, or of the Owners, Lessees, and Occupiers of any Lands, described in the Plans or Books of Reference so deposited as aforesaid, it shall be lawful for the Commissioners, after giving Ten Days Notice to the Owners and Occupiers of the Land affected by such proposed Correction, to apply to Two Justices for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace for the County of the Town of *Galway*, and shall be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Plan or Book of Reference shall be deemed to be corrected according to such Certificate, and it shall

Errors or Omissions in Plans may be corrected by Justices, who shall certify the same.

Certificate to be deposited.

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be lawful for the Commissioners to make the Works according to such Certificate.

Property of the Ordnance not to be taken compulsorily, unless same shall cease to be used for public Service.

XXIX. Provided always, That a compulsory Power of purchasing and taking Land given by this Act shall not be taken to authorize the Commissioners to take or interfere with the Property of the Crown vested in the Principal Officers of Her Majesty's Ordnance, unless with the full Consent of the Honourable Board of Ordnance, or until after such Property shall cease to be used or required as Barracks, or for the public Service; but in case such Property shall at any Time cease to be used for Barracks or other public "Service or Services, " as Her Majesty, Her Heirs or Successors, shall from Time to Time by any Order in Council be pleased to direct, as provided " by the Ordnance Act, Fifth and Sixth *Victoria*, Chapter Ninety-four," then the Commissioners under this Act shall have Power and are to be at liberty to exercise the said compulsory Powers of Purchase in regard to such Portions of said Ordnance Property as shall not be required for Barrack Purposes, or for other public Service or Services as aforesaid: Provided also, that if the Time given by this Act for compulsory Purchase shall have then expired, then as to such Portions of the said Ordnance Property as shall be required by the said Commissioners for the Purposes of this Act after the same shall cease to be required for the Ordnance or other public Service or Services as aforesaid, the said compulsory Powers of Purchase shall be deemed in force, to enable the said Commissioners under this Act to purchase such of said Ordnance Premises as shall be required for the Purposes of this Act; and provided the said Commissioners shall within Three Months from the Time it shall be notified to them by the Ordnance Department that their Premises are no longer required for Barrack or other public Service or Services, give Notice to the Officers of Ordnance that they the said Commissioners will act upon and exercise such compulsory Powers for Purchase of the Portions of said Premises set out and described in and by a Plan to be annexed to such Notice, or otherwise such compulsory Powers shall cease altogether, so far as the Property of the Ordnance Department is concerned.

Works below High-water Mark not to be executed without Consent of the Admiralty.

XXX. That it shall not be lawful for the Commissioners to construct below High-water Mark at ordinary Spring Tides any Work hereby or otherwise authorized to be made, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral, or the said Commissioners for executing

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executing the Office of Lord High Admiral, may approve, such Approval being signified as last aforesaid; and where any such Work shall have been constructed it shall not be lawful for the Commissioners, or any other Person or Persons, at any Time to alter or extend the same, without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Work shall be commenced or completed, or be altered or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners, and the Amount thereof shall be a Debt due from the Commissioners to the Crown, and be recoverable accordingly, with Costs of Suit.

XXXI. That if at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Commissioners in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Commissioners shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Commissioners, and if not paid, upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Commissioners.

Admiralty may order local Survey, at Expense of Commissioners.

XXXII. That if any Work to be constructed by the Commissioners in, under, or across any tidal or navigable Water or River, or if any Portion of any such Work which affects any such Water or River, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners, and the Amount thereof shall be a Debt due from the Commissioners to the Crown, and be recoverable accordingly, with Costs of Suit.

If Works affecting tidal Waters are abandoned, &c., Admiralty may remove them, at Expense of Commissioners.

XXXIII. That it shall be lawful for the Commissioners, when and in such Order as they shall think fit, to make the following Streets and Roads, widening of Streets, Waterworks, and other Works, in *Galway*; (that is to say,)

Description of Improvements.

A new Street commencing at the Dwelling House of Mr. *James Stephens* at *Merchant's Road*, and terminating at the Wall to the Rear

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Rear of the said House, and at the North-west of the new Dock, which said intended new Street will form a Continuation of *Lower Abbey Gate Street*:

A new Street running from *Upper Abbey Gate Street* to join the new Street (which runs from *William's Gate Street* to *Saint Mary Street*), commencing at the Dwelling House in possession of Mr. *Martin O'Malley* in *Upper Abbey Gate Street* aforesaid, and terminating at said new Street in the Yard or Plot of Ground in possession of Mr. *George Farquarson*, and which said intended new Street will form a Continuation of *Market Street*:

A new Street from *William's Gate Street* to the *Merchant's Road*, commencing at the Houses in *William's Gate Street* aforesaid now in the Occupation of *John Redington*, *Edward Elgood*, and *Patrick Murphy*, and to run through the Market at the Rear of the said Houses and an inclosed Yard in the Occupation of *Henry Townsend*, Merchant, and terminating in the *Merchant's Road* aforesaid, which said intended new Street will form a Continuation of a Line of Streets extending from *Lake Corrib* at the *Wood Quay* to the Sea at the new Docks:

A new Street in continuation of the South Side of *Eyre Square* on a Line with the *Provincial Bank*, to run through the present Market Place on the West Side of said Square, and through Part of the Yard and Sheds of the *Castle Barrack*, widening the Lane called *White Hall* to join *Back Street*, taking down in its Course at *White Hall* aforesaid Two small Houses, a Part of the Stores belonging to *Henry Comersford*, and terminating in *Lower Abbey Gate Street*:

A new Street commencing at *Upper Abbey Gate Street*, and terminating at the Drying Yard of the *Shambles Barrack* at *Bridge Street*, by widening the East Side of the *Bowling Green*, passing through the Tuck Mill House and Premises of Mr. *Gunning*, through the Spoil Bank, to the East of the River *Corrib* and the said Drying Yard of the *Shamble Barracks* aforesaid:

A new Street commencing at the House in the Occupation of Mr. *John Donnellan* in *Upper Dominick Street*, and running through the *Marsh Munster Lane* and the *Villa*, and terminating at the Gate of *Villa* aforesaid on the *Sea Road*:

A new Street commencing at the Houses in *Claddagh Quay*, now occupied by *James Dea*, *Henry Cox*, and others, and terminating by a Junction with said last-mentioned Street at a Point in Lot No. 75. (in the Maps herein-before mentioned) now in the Occupation of Mrs. *Bridget Young*:

To improve the *Fish Quay* and Market by removing the Blind Arches and other Parts of the old Town Wall and the Houses lying between the Quay Wall and *Eyre's Long Walk*, also removing

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removing the Houses lying between the *Spanish Parade* and the *Fish Quay*, and also the Houses lying between *Quay Lane* and *Fish Quay* aforesaid, and to widen the Quayage along *Eyre's Long Walk* :

To widen that Part of *Mary Street* between *Saint Francis Street* and *Corrib Street* by taking down the Houses occupied by *Jeremiah M'Namara*, *Patrick Hickey*, and *Bridget Lydon*, and the Plot of Ground belonging to *Mrs. Maxwell*, and by Removal of Five Cabins to the East of said Street belonging to *J. H. Bath* :

To widen the Part of *Martin's Lane* at its Entrance from *Quay Street* by taking down the Three Houses on the East Side of the said Lane :

To widen *Bridge Street* by removing a Portion of the Barrack Premises to the North of said Street :

To form a better Approach to the Church of *Saint Nicholas* from *Shop Street*, by removing *Thomas Connolly's* House, and a Portion of the Churchyard on the North Side of *Shop Street* aforesaid :

To widen that Part of the Street or Lane leading from the Rear of the Town Court House to *Abbey Lane*, at the Corner of said Lane, by taking down the House occupied by *Martin Burke*, and a Portion of the Two Gardens to the North Side of said Lane :

To construct, make, and maintain Waterworks and Reservoirs for the Convenience of supplying Water to the Inhabitants of said Town, commencing on the Point marked Number 120 on the Maps herein-before referred to, lying between the new Line of Road to *Headford* and the *Terryland* Embankment, and terminating in *Prospect Hill* in a Plot of Ground belonging to *Charles O'Connor* Esquire, all situate in the Townparks, Parish of *Saint Nicholas*, and County of the Town of *Galway* :

To make an Aqueduct or Conduit commencing at such intended Reservoirs, and passing under several Streets in said Town of *Galway*.

XXXIV. That in any Case in which the Commissioners shall have purchased or acquired under this Act any Lands, Houses, Tenements, or Premises which shall not be required for the Purposes thereof, the Commissioners shall, subject to any Lease or Leases granted of such Lands as is or are herein-after mentioned, sell and dispose by Tender or by public Sale of all or any Part of such Lands, Houses, Tenements, or Premises.

Commissioners may sell Lands not required for Improvements.

XXXV. That it shall also be lawful for the Commissioners, if they shall think fit, from Time to Time, by Indenture under their Common Seal, to demise and lease or grant, in such Manner and Form, for such Term or Interest, whether for Lives or Years, or in Fee Simple, and

Lands not required for Improvements may be leased.

[Local.]

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subject

The Galway Town Improvement Act, 1853.

subject to such Fines, Rents, Covenants, and Conditions as may be mutually agreed on, so as there be reserved in every such Demise, Lease, or Grant the best yearly Rent which can be reasonably obtained for the same, any Land which the Commissioners may purchase or acquire or take under the Authority of this Act which shall not in the Opinion of the Commissioners be necessary for the Improvement of the said Town, to any Person who shall erect and build or covenant to erect and build thereon Houses, Erections, or Buildings of such Rate or Class of Building, and upon such Plan or Elevation, and of such Height and with such Stories, as the Commissioners shall think proper: Provided always, that there be a Covenant in every such Demise, Lease, or Grant for the Payment of the Rent thereby reserved, and for Re-entry in case of Nonpayment thereof, or in failure of any of the Covenants therein contained; and that every such Tenant, Lessee, or Grantee shall give such good or sufficient Security for the erecting and completing of every such House, Erection, or Building which he shall covenant or agree to erect within the Time in which he shall have contracted to finish the same, as the Commissioners shall order and direct.

Power to Commissioners to let Lands by Tender or Public Auction.

XXXVI. That the Commissioners shall, Twenty-one Days before making any Lease or Grant which they are by this Act authorized to execute, advertise in at least Two Newspapers published in the Town of *Galway* for Tenders from Persons who may be willing to become Tenants or Grantees of the Premises so intended to be demised and leased or granted as aforesaid, or that such Premises shall be set up by Public Auction at a Time and Place to be specified in such Advertisement; and the Commissioners shall make such Lease or Grant to the Person who by Tender or at Auction shall make the highest Offer for the said Premises by way of Rent, if such Offer shall exceed the minimum Rent fixed by the Commissioners, provided such Person shall give such Security as aforesaid for the erecting and completing the Buildings thereon: Provided always, that in any Assignment or Conveyance of any such Lease or Grant, or upon any Sale of the Rent thereby reserved, the Purchaser shall not be bound to inquire whether before the said Lease or Grant was made or executed the Provisions herein-before contained as to such Advertisements and Tenders or Auctions were duly complied with.

Commissioners to sell the Ground Rents and Reversions of the Houses.

XXXVII. That within the Space of Ten Years after the Execution of any such Lease the Commissioners shall sell and dispose of the Ground Rents to be reserved by such Lease or Demise, and also the Reversion and Inheritance in Fee Simple in possession (subject to such Lease or Demise) of the Pieces or Parcels of Land therein demised, and such Houses and other Buildings thereon, either together or in Parcels, by Public Auction or Private Contract, for such Price or
Sum

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Sum of Money as the Commissioners shall think reasonable ; and the Commissioners shall, at the Request, Cost, and Charges of the Purchasers of the same Premises respectively, upon Payment of the Sum of Money agreed to be given for the same respectively to the Treasurer of the Commissioners for the Time being, convey and assure, under the Common Seal of the Commissioners, the Pieces or Parcels of Land so purchased by such Purchasers respectively, together with the Houses, Erections, and Buildings then erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchasers respectively, their Heirs and Assigns respectively, or as they respectively shall in that Behalf order or direct, free from all Incumbrances, except the Demise or Lease to be granted thereof by virtue of this Act.

XXXVIII. That every Sum of Money which shall be received by the Commissioners from any Sales made under the Powers of this Act, and also the Rents, if any, which shall be received from all the said Pieces or Parcels of Land, or any of them, until the same shall be sold, shall, after Payment of the Costs and Expenses of the same Sales, which Costs and Expenses it is hereby directed shall be paid thereout, be applied in paying off any Money borrowed upon Mortgage, and in case no such Mortgages shall be outstanding and unpaid, then the Proceeds of such Sales shall be applied to any of the Purposes of this Act.

Application of Money arising from Sales, &c.

XXXIX. That if the Commissioners shall not within the said Space of Ten Years so sell and dispose of the said Ground Rents reserved by and the Reversion and Inheritance of the Premises comprised in any such Lease, or if they shall not within the Period of Ten Years after they shall have become entitled thereto sell and dispose of all Lands required for the Purposes of this Act, which may not be wanted for the Purposes thereof, or shall not have been demised under the Provisions of this Act, then all the Right, Title, and Interest of the Commissioners in and to such Lands, Rents, Reversion, and Inheritance shall (subject and without Prejudice to such Lease, and to the Interest and Rights of the Owner thereof,) revert to and vest in the Person from whom the said Premises were originally acquired by the Commissioners.

If reserved Rents not sold within Timelimited, Lands to revert.

XL. That all the Houses and Buildings or Parts of Houses and Buildings to be erected and built in lieu of those authorized to be purchased and taken by virtue of this Act, or upon the Site of any of the Land which in consequence of the Improvements hereby authorized, or any of them, will become front Land, or upon the Site of any other Land now purchased or taken or which may hereafter be purchased or taken by the Commissioners, shall be erected and built according

Plan of Elevations of Houses which may be erected on front Land to be subject to the Approbation of the Commissioners.

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according to such Plan for the outside Front or Elevation thereof as the Commissioners shall approve of, unless the Commissioners shall expressly declare that they relinquish and give up their Right to exercise this Power, which they are hereby authorized to do if they shall so think fit, and which Declaration (a Minute thereof signed by the Clerk being hereby made good Evidence of the same) shall operate to extinguish such Right, and shall be binding and conclusive to all Intents and Purposes whatsoever.

Power to erect Toll Houses, &c.;

XLII. That it shall be lawful for the Commissioners to erect and build a Toll House or Toll Houses and a Toll Gate or Toll Gates at such convenient Place or Places in the Town as they shall think fit, within the Limits of this Act.

and take Tolls mentioned in Schedules (B. and C.)

XLII. That it shall be lawful for the Commissioners to demand and take at each Toll Gate aforesaid, by such Person as the Commissioners from Time to Time appoint to receive the same, the Customs Tolls or Duties mentioned in the Schedules (B. and C.) to this Act annexed.

Application of Tolls.

XLIII. That the Tolls mentioned in the said Schedules (B. and C.) when collected shall form Part of the Improvement Fund hereafter mentioned, and be applied as the said Fund is herein directed to be applied.

Goods, &c. imported into or exported from the Port of Galway under any Act relating to the same to be exempt from Payment of Tolls mentioned in Schedules (B. and C.)

XLIV. Provided always, That any Goods coming by long Sea, and chargeable with Rates or Duties under any Act of Parliament relating to the Port and Harbour of *Galway*, payable to the Commissioners of the said Port and Harbour, shall be freed and discharged of and from all or any Custom Toll or Duty mentioned and set forth in the said Schedule (B.) to this Act annexed; and any Goods exported from the said Port of *Galway*, and chargeable with Rates or Duties to the Commissioners of the said Port and Harbour, shall be freed and discharged from all or any Custom Toll or Duty mentioned and set forth in the said Schedule (C.) to this Act annexed.

List of Tolls to be exhibited on a Board.

XLV. That a List of all the Tolls or Duties mentioned in Schedules (B. and C.) authorized by this Act to be taken, and which shall be exacted by the Commissioners, shall be published by the same being painted upon One Toll Board or more in distinct Black Letters on a White Ground or White Letters on a Black Ground, or by the same being printed in legible Characters on Paper affixed to such Board, and such Board shall be exhibited at every Toll Gate where such Tolls or Duties shall be made payable.

XLVI. That

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XLVI. That no Tolls shall be demanded or taken by the Commissioners during any Time which the Boards herein-before directed to be exhibited shall not be so exhibited.

Tolls to be taken only whilst Board exhibited.

XLVII. That it shall be lawful for the Commissioners from Time to Time, at any Meeting to be held in pursuance of this Act, to vary or reduce all or any of the Tolls or Duties hereby granted, for such Time as they shall think proper, and again to raise the Tolls so varied or reduced, or any Part thereof, so that the same do not exceed the Tolls or Duties herein-before granted; and the Tolls or Duties so varied, reduced, or again raised shall be collected and recovered in the same Manner as the Tolls or Duties hereby granted are authorized or directed to be collected and recovered.

Power to reduce and vary Tolls.

XLVIII. That in case any Person having the Charge of any Goods chargeable with the Tolls or Duties granted by this Act shall refuse or neglect to pay such Tolls or Duties, then and in such Case it shall be lawful for any Collector to demand such Tolls and Duties, and on Nonpayment thereof to take and distrain all or any Part of the Goods in respect whereof such Tolls and Duties shall be payable, and the same to retain until the respective Tolls and Duties shall be paid and satisfied; and in case of any Default in Payment of the said Tolls and Duties for the Space of Eight Days after any Distress so made and taken, it shall be lawful for the Commissioners, or the Persons authorized as aforesaid, to cause the said Distress to be appraised by One or more sworn Appraisers or other sufficient Persons, and afterwards to sell the same or any Part thereof, and out of the Produce of the Sale thereof to satisfy themselves, as well for and in respect of their reasonable Charges in taking, keeping, appraising, and selling such Goods, and also for the Tolls and Duties payable in respect of the same and every of them, rendering the Overplus to the Owner, if any such there be, upon Demand; and that it shall be lawful for the said Commissioners, in case of Nonpayment of any such Tolls and Duties, instead of recovering the same in manner aforesaid, or in case the whole shall not be recovered, to proceed for the Recovery of such Tolls and Duties, or so much thereof as shall not have been recovered, by summary Proceeding before Two Justices.

Penalty on Refusal to pay Toll.

XLIX. That if any Person shall evade the Payment of the said Tolls, Rates, or Duties by any Means whatever, or pass through the Toll Gate without having paid the said Tolls, Rates, or Duties, or shall assault, interrupt, or obstruct any Person employed in the Collection of the said Tolls, Rates, or Duties, every Person offending in any of such Cases shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty for evading Toll.

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For punish-
ing Toll Col-
lectors mis-
behaving.

L. That every Collector of the Tolls or Duties mentioned in Schedules (B. and C.) shall place his Christian and Surname, painted on a Board in distinct and legible Characters, on some Part of the Toll House or Toll Gate whereat he shall be on Duty, immediately on his coming on Duty, and shall continue the same so placed during the whole of the Time he shall be on Duty; and if any Collector of the said Tolls or Duties shall not place such Board as aforesaid, and keep the same there during the Time he shall be on Duty as aforesaid, or shall demand or take a greater or less Toll or Duty than he shall be authorized to do by virtue of the Powers of this Act, and of the Orders of the Commissioners made in pursuance thereof, or shall demand or take a Toll or Duty from any Person who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or shall not permit any Person to read or shall in anywise hinder any Person from reading the Inscriptions on the Boards to be affixed and placed as aforesaid, and who shall have paid the legal Toll, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any Horse, Beast, Cattle, Carriage, or any Person from passing through the Toll Gate, or shall make use of any scurrilous or abusive Language to any Officer or Servant of the Commissioners, or to any other Person, then and in every such Case every such Collector shall forfeit any Sum. not exceeding Five Pounds for every such Offence.

Disputes as
to Amount
of Tolls
chargeable.

LI. That if any Dispute arise concerning the Amount of the Tolls due to the Commissioners, or concerning the Charges occasioned by any Detention or Sale thereof under the Provisions herein contained, the same shall be settled by a Justice, and it shall be lawful for the Commissioners in the meanwhile to detain the Goods, or, if the Case so require, the Proceeds of the Sale thereof.

Differences
as to Weights,
&c.

LII. That if any Difference arise between any Toll Collector and any Owner of or Person having the Charge of any Goods mentioned in Schedules (B. and C.), respecting the Weight, Quantity, Quality, or Nature of such Goods, such Collector or other Officer may lawfully detain such Goods, and examine, weigh, gauge, or otherwise measure the same; and if upon such measuring or examination such Goods appear to be of greater Weight or Quantity or of other Nature than shall have been stated in the Account given thereof, then the Person who shall have given such Account shall pay, or the Owner of such Goods shall, at the Option of the Commissioners, be liable to pay, the Costs of such measuring and examining; but if such Goods appear to be of the same or less Weight or Quantity than and of the same Nature as shall have been stated in such Account, then the Commissioners shall pay such Costs, and they shall also pay to such Owner of or Person having charge of such Goods such Damage (if any) as shall appear

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appear to any Justice, on a summary Application to him for the Purpose, to have arisen from such Detention.

LIII. That if at any Time it be made to appear to any Justice, upon the Complaint of the Commissioners, that any such detention, measuring, or examining of any Goods, as herein-before mentioned, was without reasonable Ground, or that it was vexatious on the Part of such Collector or other Officer, then the Collector or other Officer shall himself pay the Costs of such detention and measuring, and the Damage occasioned thereby; and in default of immediate Payment of any such Costs or Damage the same may be recovered by Distress of the Goods of such Collector; and such Justice shall issue his Warrant accordingly.

Toll Collector to be liable for wrongful Detention of Goods.

LIV. That if any Collector of Tolls or Duties, or other Officer employed by the Commissioners, be discharged or suspended from his Office, or die, or abscond, or absent himself, and if such Collector or other Officer, or the Wife, Widow, or any of the Family or Representative of any such Collector or other Officer, who may be in possession of same, shall refuse or neglect, after Seven Days Notice in Writing for that Purpose, to deliver up to the Commissioners, or to any Person appointed by them for that Purpose, any Dwelling House, Office, or other Building, with its Appurtenances, or any Books, Papers, or other Matters belonging to the Commissioners, in the Possession or Custody of any such Collector or Officer at the Occurrence of any of the Events aforesaid, then, upon Application being made by the Commissioners to any Justice, it shall be lawful for such Justice to order any Constable, with proper Assistance, to enter upon such Dwelling House, Office, or other Building, and to remove any Person found therein, and to take possession thereof, and of any such Books, Papers, or other Matters, and to deliver the same to the Commissioners, or any Person appointed by them for that Purpose.

Delivery of Matters in possession or Custody of Toll Collector at Removal.

LV. That it shall be lawful for the Commissioners at any Time, and from Time to Time, as they may think fit, to purchase, rent, and provide Lands within the Limits of this Act, to be appropriated and used as a Market or Markets, as herein-after mentioned.

Power to acquire Land for new Market.

LVI. That it shall be lawful for the Commissioners to build and provide upon the Land to be purchased, rented, or provided by them as herein mentioned, and for ever afterwards to maintain and improve, One or more Market Place or Market Places for the Sale of Cattle, Animals, and Provisions, and all other marketable Commodities, within the Limits of this Act, together with all Stalls, Standings, and other Conveniences, and suitable Approaches for all Persons resorting thereto, as the Commissioners shall think fit.

Commissioners empowered to provide Market Places.

LVII. That

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Tolls to be taken for the Market.

LVII. That it shall be lawful for the Commissioners from Time to Time to demand and take, from any Person occupying or using any Stand, Stall, Shed, or Place in such Market Place or Market Places, or bringing or buying therein any Cattle, Animals, Goods, Provisions, Articles, or Things, such Stallage, Rents, and Tolls as the Commissioners think reasonable and direct, not exceeding in any Case the Amount set forth in the Schedule (D.) to this Act annexed.

Tolls for weighing and measuring.

LVIII. That it shall be lawful for any Person appointed to attend any of the Weighing Houses or Places for weighing or measuring any Article sold in any of the said Markets by Weight or Measure, to demand and take such Tolls as the Commissioners think reasonable and direct, not exceeding in any Case the Amount set forth in the Schedule (D.) to this Act annexed.

Tolls for weighing Carts.

LIX. That it shall be lawful for any Person for the Time being appointed to attend any of the Machines provided by the Commissioners for weighing Waggon, Carts, or Carriages, to demand and receive, from the Person requiring the same to be weighed, such Tolls as the Commissioners may think reasonable and direct, not exceeding in any Case the Amount set forth in the Schedule (D.) to this Act annexed; and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

Power to erect Slaughter-houses.

LX. That the Commissioners may from Time to Time provide such Slaughter-houses as they think fit, and charge for the Use of the same the Rates not exceeding in any Case the Amount set forth in the Schedule (D.) to this Act annexed; and thereafter no House or Place shall be used as a Slaughter-house or Place for slaughtering Cattle within the said Town, without Leave of the Commissioners first had and obtained.

Commissioners may license Porters, &c.

LXI. That the Commissioners under this Act may license, for a Period not exceeding One Year, such Number of Porters, Basket Men and Basket Women, as they may think proper, to ply for Hire, and to be employed from Time to Time in and about the Markets belonging to the Commissioners; and it shall not be lawful for any Porter, Basket Man or Basket Woman to ply for Hire in such Places without such Licence, under a Penalty of Twenty Shillings; and such Porters, Basket Men and Basket Women, shall also be subject to any Byelaws made by the Commissioners for their Regulation and Government.

Fee to be paid for Licence.

LXII. That for every such Licence there shall be paid to the Clerk or other Person appointed by the Commissioners to receive the same such Sum as they direct, not exceeding Two Shillings.

LXIII. That

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LXIII. That it shall be lawful for the Commissioners from Time to Time to demise and let to any Person the said Tolls mentioned in the Schedules (B. & C.), and also the Markets or any Part of them, and the said Weighing Houses or Places and Machines, or any of them, or the said Stallages, Rents, or Tolls, or any of them, for any Period not exceeding One Year, upon such Terms as shall be agreed upon between the Commissioners and such Person: Provided always, that no such Letting shall take place unless public Notice of the Intention to let the Tolls mentioned in the Schedules (B. & C.), and the Markets, shall have been given by the Commissioners, by Advertisement, at least Fourteen Days prior to the Meeting of the Commissioners at which it shall be intended to let the Tolls and Markets.

Power to lease the Tolls in Schedules (B. and C.), and the Markets, &c., for One Year.

LXIV. That it shall be lawful for the Commissioners to let any Stall, Standing Places, Benches, or other Conveniences in the said Market Places to any Person, for any Time not exceeding One Year, on such Terms as may be agreed upon between the Commissioners and such Persons.

Power to lease Standings, &c. in the Markets.

LXV. That it shall be lawful for the Lessee or Taker of any such Stall, Standing Place, or other Conveniences, his Executors, Administrators, and Assigns, with Consent of the Commissioners, to assign the same for the Residue of his Term and Interest therein.

Power to assign Lease of Standings.

LXVI. That during the Continuance of any such Lease the respective Lessees named therein, and also all Persons appointed by them to collect the Tolls, Rates, or Duties so let, shall be deemed Collectors of the Tolls, Rates, or Duties so let, and they shall have the same Power to collect and recover such Tolls, Rates, and Duties, and be subject to the same Rules, Duties, and Penalties in reference thereto, as if they had been appointed for that Purpose by the Commissioners.

Lessees to be deemed Collectors.

LXVII. That if any such Lease shall have become void or voidable, according to any Stipulations therein contained for that Purpose, by reason of the Failure on the Part of the Lessee to comply with any of the Terms of such Lease, or if all or any Part of the Rent thereby reserved shall be in arrear or unpaid for Twenty-one Days after the same shall have become payable, it shall be lawful for the Commissioners to determine such Lease, and the same shall be accordingly utterly void, except as to the Remedies of the Lessors for Payment of the Rent due, or in respect of unperformed or broken Obligations or Conditions on the Lessee's Part, all which Remedies shall remain in full Force; and in every such Case the Commissioners may again let the Tolls, Rates, or Duties to the same or any other Person, or cause them to be collected, in the same Manner as if no such former Lease had been made relative thereto.

Power to determine Lease of Rates.

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LXVIII. That

The Galway Town Improvement Act, 1853.

Lessees
making de-
fault to be
removed

LXVIII. That upon the Determination of any such Lease it shall be lawful for any Justice, upon Application made by the Commissioners, to order any Constable, with proper Assistance, to enter upon any Toll House, Dwelling House, Office, Weighing Machine, or other Building, with the Appurtenances thereto, belonging to the Commissioners, and remove from the same the Lessee or Collector or other Person found therein, together with his Goods, and take possession thereof, and of the Property found therein belonging to the Commissioners, and deliver the same to them, or any Person appointed by them for that Purpose.

Improve-
ment Rate.

LXIX. That it shall be lawful for the Commissioners from Time to Time to make, assess, and levy such equal Rate, to be called the "Improvement Rate," as may be necessary for the Purposes to which the said Rate is herein-after made applicable, not exceeding in any One Year One Shilling in the Pound of the full net annual Value of the Property included in such Rate, so that no Rate shall be made under this Act, or under any of the other Acts mentioned as being incorporated herewith, save the Rate of One Shilling in the Pound above mentioned in any One Year, to be apportioned as the Poor Law Rate is apportioned between Landlord and Tenant.

Application
of Improve-
ment Rate.

LXX. That all Monies which shall come to the Hands of the Commissioners from the said Rate called the "Improvement Rate" shall be applied to the following Purposes :

Firstly, in defraying the Charges and Expenses which shall have been incurred or incident to the obtaining and passing of this Act :

Secondly, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the "Improvement Rate:"

Thirdly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated for paying off the Principal Monies which shall have been borrowed or secured on the "Improvement Rate:"

Fourthly, in making new Streets and Widenings of Streets, and in the Erection of Markets, and in making Sewers :

Lastly, in paying off all Monies due on the Credit of the "Improvement Rate."

Application
of General
Fund.

LXXI. That all Monies which shall come to the Hands of the Commissioners from the Tolls and Duties mentioned in the Schedules (B. & C.) to this Act annexed, and all other Monies to be received by the Commissioners under this Act (except the Monies to be raised from the Improvement Rate and the Waterworks Rates), shall, subject to the

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the Debts and Liabilities incurred at the Time of the passing of this Act, form a Fund to be called the "General Fund," and shall be applied to the following Purposes :

Firstly, in paying off all the Debts and Liabilities incurred under the Provisions of the said recited Act hereby repealed, and which may be unpaid and not discharged at the Time of the passing of this Act :

Secondly, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the "General Fund :"

Thirdly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated for paying off the Principal Monies which shall have been borrowed or secured on the "General Fund :"

Fourthly, in carrying all the Purposes of this Act into execution (except the Purposes to which the Improvement Rate and the Waterworks Rates are by this Act made applicable) ; and,

Lastly, in paying off all Monies due on the Credit of the "General Fund."

LXXII. That the Commissioners shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street in which any Pipe of the Commissioners shall be laid, or of any Person who under the Provisions of this Act or any Act incorporated herewith shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Uses at the Rates herein-after specified ; (that is to say,)

Rates at which Water is to be supplied for domestic Purposes.

If there be no Watercloset in the Dwelling House or Part of the Dwelling House to be supplied with Water, at the following Rates :

Where no Watercloset.

Where the annual Value of such House shall not exceed Eight Pounds, at a Rate *per Centum per Annum* not exceeding Four Pounds :

Where the annual Value of such Dwelling House shall exceed Eight Pounds, at a Rate *per Centum per Annum* not exceeding Seven Pounds :

If there be a Watercloset or Waterclosets in such Dwelling House, then, in addition to the Rates above specified, the following Rates shall be payable ; (that is to say,)

If there be a Watercloset.

Where the annual Value of such Dwelling House does not exceed Twenty Pounds, a Rate not exceeding Six Shillings *per Annum* for One Watercloset, and a further Sum of Four Shillings for each additional Watercloset :

Where the annual Value of such Dwelling House shall exceed Twenty Pounds but shall not exceed Fifty Pounds, a Rate not exceeding

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exceeding Seven Shillings *per Annum* for One Watercloset and a further Sum of Four Shillings for each additional Watercloset : Where the annual Value of such Dwelling House shall exceed Fifty Pounds, a Rate not exceeding Eight Shillings *per Annum* for One Watercloset, and a further Sum of Four Shillings for each additional Watercloset.

What shall be deemed domestic Purposes.

LXXIII. That a Supply of Water for domestic Purposes shall not include a Supply of Water for Baths or Cattle, except Horses, as hereinafter provided, or for any Trade whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purposes whatsoever, or for Horses, or washing Carriages, where such Horses or Carriages shall be kept for Hire or the Purposes of Trade.

Water for other than domestic Purposes, &c. to be supplied by Agreement.

LXXIV. That it shall be lawful for the Commissioners to supply any Person with Water for Trading or Business Purposes, or for any Purposes other than domestic Purposes, at such Rate or Price and upon such Terms and Conditions as shall be agreed upon between the Commissioners and the Persons desirous of having such Supply of Water.

Public Fountains to be provided in each Ward.

LXXV. That the Commissioners shall, on the Completion of the Waterworks by this Act authorized, erect a public Fountain in each Ward in the said Borough.

Application of Water Rates.

LXXVI. That all Monies which shall come to the Hands of the Commissioners from the Waterworks Rates, or Payments which shall be made to the Commissioners in respect of Water supplied by them, shall be applied and disposed of as follows :

Firstly, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the said Waterworks Rates and Payments, or of the Reservoirs, Pipes, and other Waterworks :

Secondly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated for paying off the Principal Monies which shall have been borrowed or secured on the said Waterworks Rates and Payments, or of the Reservoirs, Pipes, and other Waterworks.

Thirdly, in making and maintaining the Waterworks to be made, maintained, or purchased under the Powers of this Act or of any Act or Part of an Act incorporated herewith ; and,

Lastly, in paying off all Principal Monies due on the Credit of the said Waterworks Rates and Payments, or of the said Reservoirs, Pipes, and other Waterworks.

For preventing Impurities to Water.

LXXVII. Provided always, That the Commissioners shall not be compelled to supply with Water any Watercloset or Bath or other Convenience,

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Convenience, or the Apparatus or Pipes connected therewith, unless the same shall be constructed and used so as to prevent the Waste or undue Consumption of the Water of the Commissioners, and the Return of foul Air or other noisome or impure Matter into the Mains or Pipes belonging to or connected with the Mains or Pipes of the Commissioners.

LXXVIII. That the annual Value of all Property rateable under this Act shall be ascertained according to the next preceding Valuation of rateable Property made and in force for Assessments for the Relief of the Poor within the Limits of this Act.

Value of Property to be ascertained according to Poor Law Valuation.

LXXIX. And whereas it is expedient that effectual Regulations should be made against the keeping of Gunpowder or Blasting Powder in private Houses, Shops, Warehouses, or other Places within the Limits of this Act, and for the proper Sale thereof: Be it enacted, That if any Person shall keep at the same Time in any House, Shop, Warehouse, or other Place within the Limits of this Act any greater Quantity than Twenty-five Pounds Weight of Gunpowder or Blasting Powder, or such other Quantity as may be authorized by any Law in force in *Ireland*, such Person shall for every such Offence forfeit and pay to the Commissioners any Sum not exceeding Twenty Pounds; and the said Person shall further forfeit to the said Commissioners all the Gunpowder or Blasting Powder which he shall have in any House, Shop, or Warehouse, or other Place within the Limits of this Act, exceeding the aforesaid Quantity, unless with such Permission as aforesaid.

Penalty on keeping Gunpowder without Permission.

LXXX. That the Quantity of Twenty-five Pounds so allowed to be kept in any House, Shop, Warehouse, or other Place within the Limits of this Act shall be deposited and kept separate from all other Goods and Commodities, sufficiently secured from accidental Ignition, under a Penalty not exceeding Twenty Pounds for each Offence.

Gunpowder to be kept separate from other Goods.

LXXXI. That it shall not be lawful for any Shopkeeper or other Person to sell or dispose of Gunpowder or Blasting Powder between Sunset and Sunrise, under a Penalty not exceeding Twenty Pounds for each Offence.

Gunpowder not to be sold between Sunset and Sunrise.

LXXXII. That it shall be lawful for the Commissioners to erect, provide, or license Magazines for Gunpowder or Blasting Powder within the Limits of this Act, and either on Land or Water, and, near or adjoining to any such, to erect, provide, or rent Dwelling Houses for the Storekeepers of such Magazines and Houses, and to keep such Magazines and Houses in repair, and for such Purposes the Commissioners shall have Power to purchase or rent Land or Houses

Commissioners to provide Magazines for Gunpowder.

[Local.]

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beyond

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beyond as well as within the Limits of this Act: Provided always, that nothing herein contained shall prejudice the Rights of any One to indict any such Magazine as a common Nuisance.

Storekeepers
of Magazines
appointed.

LXXXIII. That it shall be lawful for the Commissioners to appoint a Storekeeper for every such Magazine, at such reasonable Salary as they may think fit.

Gunpowder
exceeding
25 lbs.
Weight to
be stored in
Magazine.

LXXXIV. That after any such Magazine shall have been erected, provided, or licensed by the Commissioners, it shall be lawful for them, under the Hand of the Clerk, to order all Merchants or Dealers in Gunpowder and Blasting Powder trading within the Limits of this Act to store all the Gunpowder and Blasting Powder exceeding Twenty-five Pounds which he may then or at any Time thereafter have in Stock, in any such Magazine described in such Notice, save only and except in Cases where the storing or keeping of such extra Quantity of Gunpowder and Blasting Powder shall by any Law in force in *Ireland* be required to be elsewhere stored or kept, and for the Commissioners to charge such reasonable Sum for Storage, not exceeding the Sum of One Shilling for each Barrel so stored in such Magazine, to be recoverable by all the Ways and Means that Rent is now recoverable in *Ireland*; and every Person who shall fail to comply with such Notice within the Period named shall for every such Offence forfeit and pay to the Commissioners any Sum not exceeding the Sum of Twenty Pounds, and the said Person so offending shall further forfeit to the Commissioners all the Gunpowder and Blasting Powder which he shall have kept in any House, Shop, Warehouse, or other Place within the Limits of this Act, exceeding the said Quantity of Twenty-five Pounds.

Commis-
sioners may
rescind
Orders, and
issue others.

LXXXV. That it shall be lawful for the Commissioners from Time to Time to rescind all such Orders or Licences, and to issue other Orders and Licences instead thereof, and from and after the rescinding of any such Order or Licence it shall be void and of no effect.

Dealers in
Gunpowder
to keep
Stock Book.

LXXXVI. That from and after the passing of this Act every Merchant and Dealer in Gunpowder and Blasting Powder trading within the Limits of this Act shall keep a Book in which he shall regularly enter the Quantities received, the Date on which, the Name of the Person from whom received, the Place in which the same shall have been stored, and also the Quantities delivered, and the Date on which the Name of the Person to whom delivered, and such Stock Book shall be open at all reasonable Hours to the Inspection of any Person whom the Commissioners may appoint for that Purpose under the Hand of the Clerk; and every such Book may be produced against a Merchant or Dealer as Evidence of the Stock, in all such Cases as
may

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may be stated therein ; and every Merchant or Dealer neglecting to keep such Stock Book regularly and correctly, or who shall make or allow to be made any false Entry therein, or who shall refuse or neglect to produce it to the Person appointed by the Commissioners to inspect it, or to produce it in Court when called upon as aforesaid so to do, or who shall have a Stock of Gunpowder or Blasting Powder in any Place not correctly stated therein, shall forfeit and pay to the Commissioners any Sum not exceeding Twenty Pounds for each Offence, and the said Person so offending shall further forfeit to the Commissioners all the Gunpowder and Blasting Powder which he shall have kept in any House, Shop, Warehouse, or other Place within the Borough or the Precincts thereof, exceeding the Quantity of Twenty-five Pounds.

LXXXVII. That it shall be lawful for the Person so appointed by the Commissioners as aforesaid to inspect the Stocks of any Merchant or Dealer to ascertain the Correctness of the Stock Book to be kept by him, and the Quantity of Gunpowder and Blasting Powder actually on hand, and for that Purpose to demand of any Merchant or Dealer, or any Clerk in his Employment, immediate Access to the same ; and every Person who shall refuse, neglect, or delay to comply with said Demand shall for every such Offence forfeit and pay to the Commissioners any Sum not exceeding Twenty Pounds.

Commis-
sioners may
inspect
Stock Book.

LXXXVIII. That it shall be lawful for the Commissioners, by Writing under their Hand, to authorize any Person to enter and make Search in any unlicensed Premises where he may suspect Gunpowder or Powder used for blasting to be kept, contrary to Law, and to seize any which may be found therein ; and the Person on whose Premises the same shall be found, unless he can show that he was ignorant thereof, as well as the Owner thereof, if a different Person, shall each be liable to pay to the Commissioners any Sum not exceeding Twenty Pounds for every such Offence.

Commis-
sioners may
cause un-
licensed Pre-
mises to be
searched,
and all
Gunpowder
found therein
to be seized.

LXXXIX. That nothing in this Act contained shall apply to or affect any Person serving in Her Majesty's Forces, or in any Corps of Militia or Yeomanry actually embodied, or on the Staff of the Militia, or any Officer or Man of the Constabulary Force, or Metropolitan Police, or Coast Guard, or Revenue Police, in respect of any Ammunition intrusted to or used by any of them in their respective Capacities as aforesaid.

This Act not
to extend
to Her Ma-
jesty's Forces,
&c.

XC. That all Gunpowder and Powder used for blasting, in greater Quantities than Thirteen Pounds Weight, carried or conveyed through any Street, Passage, or Place within the Limits of this Act, shall be secured in tight Casks well headed and hooped with Copper or Wood, each

How Quan-
tity exceed-
ing 13 lbs.
Weight shall
be conveyed.

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each of which shall be put into and entirely covered with a Leather Case or Woollen or Saltpetre Bag, sufficient to prevent Gunpowder and Blasting Powder from being spilt or scattered, and labelled or marked so as sufficiently to distinguish the same, or shall be carried or conveyed in such other sufficient Manner as may be directed by any Law in force in *Ireland*, or by any Byelaw or Regulation to be made in virtue of this Act; and all Gunpowder and Blasting Powder which shall be carried or conveyed contrary to the Provisions of this Act, or of any Law in force in *Ireland*, or of any such Byelaw or Regulation, shall be seized and forfeited, and the Owners thereof, or the Persons carrying or conveying the same, shall be liable to a Penalty not exceeding Five Pounds.

Unlawful
Quantities of
Gunpowder
may be
seized.

XCI. That it shall be lawful for the Superintendent, any Chief Constable, Inspector, or Constable belonging to the Police Force of the Borough, at any Time between Sunrising and Sunsetting, to enter any Vessel (except Her Majesty's Ships) in any Dock or Basin adjacent to the Borough, and to search the same for unlawful Quantities of Gunpowder and Powder used for blasting, and also to exercise the same Powers of seizing, removing to proper Places, and detaining all such unlawful Quantities of Gunpowder and Powder used for blasting found on board any such Vessel, and the Barrels and other Packages in which such Gunpowder and Powder used for blasting shall be, as are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by virtue of an Act passed in the Twelfth Year of the Reign of King *George* the Third, intituled *An Act to regulate the making, keeping, and Carriage of Gunpowder within Great Britain, and to repeal the Laws heretofore made for any of those Purposes.*

12G.3. c.61.

Dealers in
Gunpowder
not to be
subject to
double
Penalties.

XCII. That nothing herein contained shall subject any licensed Dealer in Gunpowder or Powder used for blasting residing within the Limits of this Act to any of the Penalties or Forfeitures created by this Act, in any Case in which he shall be liable to a Penalty or Forfeiture for the same Offence, under any Law now in force or hereafter to be in force in *Ireland*.

Commis-
sioners may
proceed for
Penalties.

XCIII. That in any Case in which any of the Penalties or Forfeitures created under any such Law might be proceeded for by any common Informer, then and in such Case it shall be lawful for the Commissioners to proceed against any such Merchant or Dealer in Gunpowder or Powder used for blasting, for the Recovery of such Penalties or Forfeitures.

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The SCHEDULES to which the Act refers.

SCHEDULE (A.)

Wards in the Town of Galway, and Names of First Commissioners.

1. NORTH WARD

Is included within the following Boundaries :

On the West by Lough Corrib and the River Corrib, extending to the New Bridge of Galway; on the South by a Line drawn from the Point where Bridge Street meets the New Bridge of Galway, through the Centre of Bridge Street, Main Guard Street, Shop Street, William Street, William's Gate Street, Eyre Square North, Prospect Hill, and the public Road to Tuam; and on the East and North by the curved Line of Boundary of Two Statute Miles Radius, measured from St. Nicholas Church, Galway.

First Commissioners: Edward C. Burke, Henry Comerford, John Ireland, Richard N. Somerville, Nicholas Killian, and Patrick Clayton.

2. EAST WARD

Is included within the following Boundaries :

On the West and South by the River Corrib, the Harbour and Bay of Galway; on the North by a Line drawn from the Point where Bridge Street meets the New Bridge of Galway, through the Centre of Bridge Street, Main Guard Street, Shop Street, William Street, Williams Gate Street, Eyre Square North, Prospect Hill, and the public Road to Tuam; and on the East by the curved Line of Boundary of Two Statute Miles Radius, measured from St. Nicholas Church, Galway.

First Commissioners: Joseph Grealy, William George Murray, John Costello, James Martin, Thomas Corr, and James Duggan.

3. SOUTH WARD

Is included within the following Boundaries :

On the North Side by a Line drawn from the Point where Dominick Street Lower meets the New Bridge of Galway, through the Centre of Dominick Street Lower, Ball's Bridge, Dominick Street Upper, William Street West, and the public Road by Taylor's Hill leading to the Village of Barna; on the South Side by the Harbour and Bay of Galway; on the East Side by the River Corrib, from the New Bridge of Galway to Nimmo's Pier; and on the West Side by the curved Line of Boundary of Two Statute Miles Radius, measured from St. Nicholas Church, Galway.

First Commissioners: John Blakeney, Michael Carr, Patrick Concannon, Reverend Peter Daly, John Gunning, and Patrick Mark Lynch.

[*Local.*]

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4. WEST

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4. WEST WARD.

Is included within the following Boundaries :

On the North and Eastern Sides by Lough Corrib and the River Corrib extending to the New Bridge of Galway ; on the South Side by a Line drawn from the Point where Dominick Street Lower meets the New Bridge of Galway, through the Centre of Dominick Street Lower, Ball's Bridge, Dominick Street Upper, William Street West, and the public Road by Taylor's Hill to the Village of Barna ; and on the West by the curved Line of Boundary of Two Statute Miles Radius, measured from St. Nicholas Church, Galway.

First Commissioners : John Francis Blake, Patrick Commins, James Davis, James Joseph Fynn, Anthony Richard Mullins, and James Stephens.

SCHEDULE (B.)

| | IN-GATE TOLLS. | s. | d. |
|--|----------------|----|----|
| Agriculture and Garden Seeds, per Cwt. | - - - - - | 0 | 2 |
| Ashes, Pot and Pearl, per Barrel | - - - - - | 0 | 1 |
| Alum and Copperas, per Cask | - - - - - | 0 | 1 |
| Barilla, per Ton | - - - - - | 0 | 4 |
| Beer, Porter, and Ale, per Hogshead | - - - - - | 0 | 1½ |
| Ditto, ditto, Barrel | - - - - - | 0 | 1 |
| Books and Paper, per Bale or Box | - - - - - | 0 | 1 |
| Brimstone, per Cwt. | - - - - - | 0 | 1 |
| Butter, per Cwt. | - - - - - | 0 | 6 |
| Cheese, per Cwt. | - - - - - | 0 | 2 |
| Coals, per Ton | - - - - - | 0 | 2 |
| Copper, per Cwt. | - - - - - | 0 | 1 |
| Cotton, per Bale or Bag | - - - - - | 1 | 0 |
| Cordage, per Ton | - - - - - | 0 | 6 |
| Cider, per Pipe | - - - - - | 0 | 3 |
| Ditto, Hogshead | - - - - - | 0 | 2 |
| Coffee, per Cwt. | - - - - - | 1 | 0 |
| Corkwood, per Ton | - - - - - | 0 | 1 |
| Candles and Soap, per Cwt. | - - - - - | 0 | 1 |
| Dyewood, per Cask | - - - - - | 0 | 1 |
| Earthenware, per Hogshead or Crate | - - - - - | 0 | 1 |
| Cured Fish, per Barrel | - - - - - | 0 | 6 |
| Cod or Ling, cured, per Ton | - - - - - | 0 | 0½ |
| Fresh Lemons or Oranges, per Box | - - - - - | 0 | 3 |
| Gunpowder, per Cwt. | - - - - - | 0 | 0¼ |
| Hats, each | - - - - - | 0 | 1 |
| Hardware, per Package | - - - - - | 0 | 6 |
| Ditto, Hogshead | - - - - - | 0 | 0½ |
| Hides and Skins, raw, per Cwt. | - - - - - | 0 | 1 |
| Sheep Skins, raw, per Gross | - - - - - | 0 | 3 |
| Hops, per Bag or Pocket | - - - - - | 1 | 0 |
| Ham, per Ton | - - - - - | | |

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| | s. | d. |
|---|----|----|
| Glue, per Cwt. | 0 | 1 |
| Leather, per Cwt. | 0 | 1 |
| Iron, per Cwt. | 0 | 0 |
| Steel, per Cwt. | 0 | 1 |
| Lead, per Cwt. | 0 | 1 |
| Indigo, per Cwt. | 1 | 0 |
| Mahogany, per Ton | 1 | 0 |
| Metal Ware, per Ton | 0 | 10 |
| Mats, not Irish, per 120 | 0 | 3 |
| Molasses, per Cask | 0 | 6 |
| Musical Instruments, per Case | 1 | 0 |
| Pork, per Ton | 0 | 6 |
| Oil, per Cask | 0 | 2 |
| Oil of Vitriol, per Carboy | 0 | 1 |
| Paints and Colours, per Cask | 0 | 2 |
| Pitch, Tar, Resin, and Turpentine, per Barrel | 0 | 1 |
| Portland Stone, per Ton | 0 | 6 |
| Plaster of Paris, per Barrel | 0 | 1 |
| Raisins, Figs, and Currants, per Cwt. | 0 | 2 |
| Rice, per Cwt. | 0 | 1 |
| Quills and Feathers, per Stone | 0 | 0½ |
| Rags, per Ton | 0 | 3 |
| Rape and Linseed Oil, per Ton | 0 | 6 |
| Spirits, per Puncheon | 1 | 0 |
| Sacks, per 120 | 0 | 1 |
| Saltpetre, per Cwt. | 0 | 1 |
| Salt, per Ton | 0 | 1 |
| Sugar, per Cask | 0 | 6 |
| Scythes, per Gross | 0 | 2 |
| Sickles, per Gross | 0 | 1 |
| Staves, Pipe, per 1,200 | 0 | 6 |
| Ditto, Hogshead | 0 | 3 |
| Ditto, Barrel | 0 | 1 |
| Tallow, per Cwt. | 0 | 2 |
| Tea, per Chest | 0 | 4 |
| Tin, per Box | 0 | 1 |
| Tobacco, per Hogshead | 1 | 0 |
| Ditto, Roll | 0 | 1 |
| Vinegar, per Tierce | 0 | 1 |
| Wine, per Pipe | 1 | 0 |
| Ditto, Hogshead | 0 | 6 |
| Ditto, Quarter Cask | 0 | 3 |
| Ditto, in Bottle, per Dozen | 0 | 1 |
| Wood, per Car Load | 0 | 2 |
| Woollen Goods, per Bale | 1 | 0 |
| Cotton Goods, per Truss | 0 | 4 |
| Wood Hoops, per 1,000 | 0 | 2 |
| Wool, per Cwt. | 0 | 1 |
| Barm, per 120 Gallons | 0 | 4 |
| Ditto, 60 Gallons | 0 | 2 |

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| | s. | d. |
|--------------------------------|----|----|
| Lime, per Car Load | 0 | 0½ |
| Hay, per Load | 0 | 1 |
| Straw, per Load | 0 | 1 |
| Oats, per Barrel of 14 Stone | 0 | 1 |
| Barley, per Barrel of 16 Stone | 0 | 1 |
| Wheat, per Cwt. | 0 | 1 |
| Malt, per Barrel of 12 Stone | 0 | 1 |
| Oatmeal, per Cwt. | 0 | 1 |
| Horses, each | 0 | 2 |
| Cows and Oxen, each | 0 | 2 |
| Calves, each | 0 | 1 |
| Sheep, each | 0 | 1 |
| Lambs, each | 0 | 0½ |
| Pigs, each | 0 | 1 |
| Small ditto, each | 0 | 0½ |
| Mules and Asses, each | 0 | 1 |

And so in proportion for every greater or lesser Quantity, Number, or Weight of the Articles, Matters, and Things before mentioned, but not so as to charge for any Quantity, Number, or Weight which will not yield One Farthing Toll according and in proportion to the Tolls above mentioned respectively.

SCHEDULE (C.)

OUT-GATE TOLLS.

| | s. | d. |
|---|----|----|
| Bacon and Hams, per Ton | 0 | 6 |
| Candles and Soap, per Cwt. | 0 | 1 |
| Earthenware, per Hogshead or Crate | 0 | 1 |
| Herrings, per Barrel | 0 | 1 |
| Ditto, in Bulk, per 1,200 | 0 | 1 |
| Glass, Window, per Crate | 0 | 2 |
| Glass Bottles, per Gross or 12 Dozen | 0 | 1 |
| Hides and Skins, not manufactured, per Cwt. | 0 | 0½ |
| Leather, per Cwt. | 0 | 1 |
| Provisions, Salted, per Tierce | 0 | 1 |
| Ditto, Barrel | 0 | 0½ |
| Iron, per Cwt. | 0 | 0½ |
| Steel, per Cwt. | 0 | 1 |
| Coals, per Ton | 0 | 1 |
| Lead, per Cwt. | 0 | 2 |
| Bark, per Car Load | 0 | 1 |
| Pitch, Tar, Resin, and Turpentine, per Barrel | 0 | 1 |
| Plaster of Paris, and Cement, per Barrel | 0 | 1 |
| Slates, per Ton | 0 | 2 |
| Staves, Pipe, per 1,200 | 0 | 4 |
| Ditto, Hogshead, per 1,200 | 0 | 2 |
| Ditto, Barrel, per 1,200 | 0 | 1 |

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| | s. | d. |
|---|----|----|
| Tallow, per Cwt. | 0 | 1 |
| Salt, per Ton | 0 | 2 |
| Timber, Foreign, per Ton | 0 | 2 |
| Deals, per Dozen | 0 | 1 |
| Hoops, per 1,200 | 0 | 1 |
| Wine, per Pipe | 0 | 8 |
| Ditto, Hogshead | 0 | 4 |
| Sugar, per Hogshead | 0 | 6 |
| Ditto, Tierce | 0 | 3 |
| Ditto, Barrel or Bag | 0 | 1 |
| Flour, per Ton | 0 | 2 |
| Spirits, per Puncheon | 0 | 6 |
| Beer, Porter, and Ale, per Hogshead | 0 | 1 |
| Beer, Porter, and Ale, per Tierce or Barrel | 0 | 0½ |
| Tobacco, per Hogshead | 0 | 6 |
| Ditto, Roll | 0 | 1 |
| Malt, per Barrel of 12 Stone | 0 | 1 |
| Books and Paper, per Car Load | 0 | 6 |
| Furniture, per Car Load | 0 | 6 |
| Cheese, per Cwt. | 0 | 1½ |
| Brimstone, per Cwt. | 0 | 0½ |

And so in proportion for every greater or lesser Quantity, Number, or Weight of the Articles, Matters, and Things before mentioned, but not so as to charge for any Quantity, Number, or Weight which will not yield One Farthing Toll according and in proportion to the Tolls above mentioned respectively.

SCHEDULE (D.)

MARKET TOLLS, STANDINGS, STALLAGE, &c.

For every covered or uncovered Shed, Stall, Bulk, Block, Bench, Trestle, Standing Place, Compartment, Space, or Station used by any Person for exposing to Sale Flesh Meat, Cheese, Bacon, pickled Pork, Fish, or any other Victuals, Vegetables, Fruit, Glass, Earthenware, or other Goods, Article, Commodity, or Thing whatsoever (except as herein otherwise specifically charged), the following Tolls per Day shall be taken :

| | s. | d. |
|-------------------------------------|----|----|
| Not exceeding Six Feet by Five Feet | 1 | 0 |

STANDINGS, STALLAGE, &c. (*continued.*)

| | s. | d. |
|--------------------------------------|----|----|
| Not exceeding Nine Feet by Five Feet | 1 | 6 |
| " Twelve Feet by Five Feet | 2 | 0 |

And in the same Proportion for any longer Space.

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CARTS.

For every Cart or other Vehicle used by any Person for exposing or in which shall be exposed to Sale any Article, Commodity, or Thing, the following Toll per Day :

| | <i>s.</i> | <i>d.</i> |
|---------------------------|-----------|-----------|
| If drawn by One Horse | 0 | 9 |
| " Two Horses | 1 | 0 |
| " any One other Animal | 0 | 6 |
| " Two other Animals | 0 | 9 |

BUTTER.

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| For every Basket, Parcel or Quantity of Butter not exceeding Twelve Pounds Weight, per Day | 0 | 1 |
| For each additional Six-Pounds Weight, per Day | 0 | 0½ |

GAME AND POULTRY.

For Poultry, including Fowls, Chickens, and Ducks, Wild Fowls, Pigeons, and Rabbits ; videlicet,

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| Not exceeding Three Couple, per Day | 0 | 1 |
| For each additional Three Couple, per Day | 0 | 1 |
| For every Turkey or Goose, per Day | 0 | 1 |
| For every Head of Game, per Day | 0 | 1 |
| For each Dozen of all other Description of Bird, per Day | 0 | 2 |

EGGS.

| | <i>s.</i> | <i>d.</i> |
|---|-----------|-----------|
| For every Basket, Parcel, or Quantity of Eggs, after One Dozen, per Day | 0 | 0½ |
| For each additional Dozen, per Day | 0 | 0½ |

CATTLE.

For the Exposure to Sale of Horses or other Beasts, Cattle, or Pigs, per Day, as follows ; (that is to say,)

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| For every Horse, Mare, or Gelding | 0 | 4 |
| " Mule, Ass, Colt, Filly, or Foal | 0 | 2 |
| " Bull, Ox, Cow, Heifer, or Steer | 0 | 3 |
| " Stallion exposed or shown on a Market Day | 1 | 0 |
| " Calf | 0 | 1 |
| " Score of Sheep or Lambs | 0 | 10 |
| " Score of Pigs | 0 | 10 |
| " Score of sucking Pigs | 0 | 5 |

And so in proportion for any greater Number ; and One or more, not exceeding Five, to be for as a Quarter of a Score.

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FRUIT.

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| For every Quantity not exceeding Half a Bushel, per Day | 0 | 2 |
| „ Quantity exceeding One Half Bushel and not exceeding One Bushel, per Day | 0 | 4 |
| „ additional Half Bushel, per Day | 0 | 2 |

VEGETABLES.

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| For every Quantity not exceeding One Bushel, per Day | 0 | 2 |
| „ additional Half Bushel, per Day | 0 | 1 |

FISH.

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| For all Salmon, Trout, Turbot, Mackerel, and Soles, at the Rate of per Stone per Day | 0 | 2 |
| All other Kinds of Fish, except Shell Fish, at the Rate of per Stone per Day | 0 | 1 |
| For every Description of Shell Fish, at the Rate of per Bushel per Day | 0 | 4 |

WEIGHING AND MEASURING.

| | <i>s.</i> | <i>d.</i> |
|---|-----------|-----------|
| For weighing every Piece of Meat or any other Article or Thing weighing not more than Twenty Pounds Avoirdupois | 0 | 0½ |
| For weighing every Piece of Meat or other Article or Thing weighing more than Twenty Pounds and not exceeding One hundred Pounds | 0 | 1 |
| And so in proportion for any greater or smaller Quantity than One hundred Pounds Weight over and above One hundred Pounds Weight. | | |
| | <i>s.</i> | <i>d.</i> |
| For measuring any Quantity of Goods and Things sold by Measure not exceeding One Bushel | 0 | 0½ |
| For measuring every Quantity more than a Bushel and not exceeding Two Bushels | 0 | 1 |
| And for every Bushel beyond Two Bushels | 0 | 0½ |

WEIGHING MACHINES.

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| For weighing any Cart, Waggon, or other Carriage not exceeding One Ton | 0 | 4 |
| And so in proportion for any greater Weight than One Ton, | | |

SLAUGHTER-HOUSES.

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| For every Bull, Ox, Cow, Bullock, Steer, or Heifer | 1 | 0 |
| „ Calf | 0 | 6 |
| „ Sheep, Lamb, or Goat | 0 | 3 |
| „ Hog or Pig | 0 | 4 |
| For any other Beast | 1 | 0 |

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GENERAL TOLLS.

For every Basket, Hamper, Parcel, or Quantity of any other Goods, Commodity, Article, or Thing exposed or offered for Sale there, not before specifically charged, or enumerated, or falling within any of the preceding Heads; (that is to say,)

| | s. | d. |
|---|----|----|
| If the Spot on which the Person shall stand be covered over from the Weather, not containing more than One Bushel - - - - - | 0 | 1½ |
| For every additional Half Bushel - - - - - | 0 | 0¾ |
| If the Spot be not covered over as above, not containing more than One Bushel - - - - - | 0 | 1 |
| For every additional Bushel - - - - - | 0 | 0½ |

The above-mentioned Tolls and Stallage in the said Markets and Fairs to be paid and payable in respect to the Occupation of any Stall, Bench, Compartment, or Space of Ground, as well by the original Taker or Occupier thereof for a Part or Portion of the Day or Space of Time as by any subsequent Taker or Occupier of the same for any other Part or Portion of the Day or Space of Time.

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