



ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

Cap. cxi.

An Act for making and maintaining and improving
 a Harbour at *Wicklow* in the County of *Wicklow*.
 [30th July 1842.]

WHEREAS the present Port and Harbour of *Wicklow* is extremely unsafe and dangerous, many Vessels having received Damage within the same, and it is expedient that greater Accommodation should be afforded to Ships and Vessels resorting to and using such Harbour: And whereas an Act was passed in the Session of Parliament holden in the First and Second Years of His late Majesty's Reign, intituled *An Act for the Extension and Promotion of public Works in Ireland*, which Act was amended by another Act passed in the Session of Parliament holden in the Sixth and Seventh Years of His said late Majesty's Reign: And whereas the Commissioners acting under and in execution of the said Acts are thereby authorized to make Advances by way of Loan to a certain Amount in the said Acts limited, in aid of the Execution of public Works in *Ireland*, and likewise to make Advances by way of Grant in aid of the Construction of certain Works, to a certain other Amount in the said Acts limited: And whereas another Act was passed in the First Year of Her present Majesty's Reign, further amending the said recited Acts, and empowering the said Commissioners to make Advances to an additional Amount, in such Act limited,

1 & 2 W. 4.
c. 33.

6 & 7 W. 4.
c. 108.

7 W. 4. &
1 Vict. c. 21.

[Local.]

35 M

either

1 & 2 Vict.
c. 88.

either by way of Grant, or, under certain Circumstances and for certain Purposes, partly by way of Loan and partly by way of Grant: And whereas an Act was passed in the First and Second Years of Her present Majesty's Reign, intituled *An Act to authorize a further Issue of Exchequer-Bills for public Works and Fisheries, and Employment of the Poor, and to amend the Acts relating thereto*, whereby it was among other things provided that it should be lawful for the Commissioners of Her Majesty's Treasury to appropriate, out of the Sum of Five hundred thousand Pounds in Exchequer Bills authorized to be advanced under the Authority of the said last-mentioned Act, any Sum or Sums, not exceeding in the whole Fifty thousand Pounds, for the Promotion and Extension of public Works in *Ireland*, to be applied by the Commissioners appointed under the Authority of the said first-recited Act passed in the First and Second Years of His late Majesty's Reign, to the Purposes and under the Provisions of the said first-recited Act: And whereas by an Act passed in the Third Year of Her present Majesty's Reign the said Sum or Sums so authorized by the said last-mentioned Act to be appropriated for the Promotion and Extension of public Works in *Ireland* were made applicable to the Purposes of the said Act, and of the said recited Acts of the Sixth and Seventh Years of His late Majesty's Reign, and of the First Year of Her present Majesty's Reign, as well as to the Purposes of the said Act of the First and Second Years of His late Majesty's Reign: And whereas the Population within the Limits of the said Port and Town of *Wicklow* has very greatly increased: And whereas the Trade of the said Harbour would be greatly increased if better Protection were afforded to Vessels by the Construction of a safe and commodious Harbour, and the Erection of proper Piers, Dams, and Sluices therein, and by deepening the same, and the River *Leitrim* communicating therewith, but the same 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 most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *James Grat-tan of Tinehinch, Esquire, Robert Holt Truell of Clonmannen, Esquire, Daniel Tighe of Rosanna, Esquire, John Parnell of Avondale, Esquire, Robert Gun Cuninghame of Mount Kennedy, Esquire, John Synge of Glenmore Castle, Esquire, Lieutenant Colonel William Acton of West Aston, Robert Chaloner of Coolatin Park, Esquire, and the Municipal Commissioners for the Time being who may be hereafter constituted for the Town or Borough of Wicklow aforesaid, according to the Provisions of an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled An Act for the Regulation of Municipal Corporations in Ireland, or the Council for the Time being to be elected under the Provisions of any Charter of Incorporation which may be hereafter granted to the Inhabitants of the said Town or Borough of Wicklow by virtue of the said recited Act, or any Act amending the same to be passed in the present or any future Session of Parliament, and their Successors, to be elected in the Manner herein mentioned, shall be and are hereby declared to be Commissioners for carrying the several Powers and Authorities of this Act into execution.*

Commis-
sioners.

II. And

II. And for the constant supplying the Number of Commissioners in case of Death, Resignation, or Refusal to act, or ceasing to be qualified in manner by this Act directed, or other Incapacity of any of them, be it enacted, That in case of the Death of any of the said Commissioners, or Notice of such Resignation or Refusal to act, or ceasing to be qualified in manner by this Act directed, or other Incapacity, it shall be lawful for the said Commissioners assembled at any of their Meetings to be held by virtue of this Act, or any Five or more of them, from Time to Time to elect and appoint (by Order entered in a Book to be kept for that Purpose) such other Person or Persons to be a Commissioner or Commissioners in the Place or Places of such Commissioner or Commissioners so dying, resigning, or refusing to act, or ceasing to be qualified, or becoming incapable as aforesaid, as they shall think fit; and such Commissioner so from Time to Time elected and appointed shall have the same Power and Authority in all Things as if he or they had been named in this Act.

Appointment of new Commissioners on Death, Resignation, or other Incapacity.

III. Provided always, and be it enacted, That no Person shall be capable of acting as a Commissioner in pursuance of this Act, unless at the Time of acting he shall, either in his own Right or in Right of his Wife, be in the actual Possession or Receipt of the Rents and Profits of Freehold or Leasehold Messuages, Lands, or Tenements, held by him or her for a Life or Lives, or in which he or she is seised of some Estate of Inheritance, of the clear yearly Value of Two hundred Pounds, or be possessed of a Personal Estate of the Value of One thousand Pounds; and if any Person, except as aforesaid, shall sit or act as a Commissioner, not having such Estate as aforesaid, or having or holding any Office or Place under this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall inform or sue for the same, to be recovered by Action of Debt; and upon Suit or Prosecution the Proof of such Qualification shall lie upon and be made out by such Person so to be sued or prosecuted: Provided nevertheless, that all Acts and Proceedings of any Person acting as a Commissioner in execution of this Act, though not duly qualified as aforesaid, previous to his or their being convicted of the said Offence, shall be as good, valid, and effectual as if such Person had been duly qualified according to the Directions of this Act; provided that the Qualification shall not now or hereafter refer to the Members of the Town Council or Municipal Commissioners elected under the Qualification prescribed by the Corporation Reform Bill.

Qualification of the Commissioners.

IV. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing a Commissioner.

No Bankrupt or Insolvent to be a Commissioner.

V. And be it enacted, That if at any Time subsequently to the Appointment or Election of any Commissioner he shall accept or continue to hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract, or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant.

No Person holding Office or concerned in a Contract to be a Commissioner.

VI. Pro-

Shareholders
in Companies
established
under Act of
Parliament
not disquali-
fied by reason
of Contracts.

VI. Provided always, and be it enacted, That no Person being a Shareholder or Member of any Joint Stock Company established by Act of Parliament shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners; but no such Commissioner, being a Member of such Company, shall vote on any Question relating to the Execution of this Act in which such Company may be interested.

Commis-
sioner not in-
capable of
acting as
Justice.

VII. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner.

Declaration
by Commis-
sioners.

VIII. And be it enacted, That no Person shall be capable of acting as a Commissioner, except in administering the Declaration hereinafter mentioned, until he shall have made and signed before one of the Commissioners a Declaration to the Effect following :

‘ I *A. B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of an Act of Parliament, intituled *An Act for making and maintaining and improving a Harbour at Wicklow in the County of Wicklow*, and also that I am a resident Inhabitant, and am rated to the Rates made for the Relief of the Poor of the same Parish in the annual Sum of Five Pounds [*or that I am a resident Inhabitant of, and am seised and possessed or in the Enjoyment of the Rents and Profits of the Lands and Hereditaments within the said Parish of the annual Value of One hundred Pounds, for an Estate not less than a Life in being, for my own Use, or am a resident Inhabitant of the said Parish, and am in possession of a Personal Estate of not less than One thousand Pounds beyond what will satisfy all my Debts*].’

False Decla-
ration a Mis-
demeanor.

IX. And be it enacted, That any Person who shall falsely or corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Particular, shall be deemed guilty of a Misdemeanor.

Declaration
to be taken
at the First
Meeting.

X. And be it enacted, That at the Meeting of Commissioners at which any Person shall first attend as one of such Commissioners, such Persons shall make and subscribe the Declaration herein required (except such Person be a Member of the Municipal Corporation of the Town of *Wicklow*); and it shall be lawful for any Person attending as one of such Commissioners, whether he shall himself have made such a Declaration or not, to administer such a Declaration.

Penalty on
Commis-
sioners not
being quali-
fied acting.

XI. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act, or not being duly qualified, or before he shall have made or subscribed such Declaration as afore-said, or after having become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds; and such Penalty may be recovered, with full Costs of Suit, in any of Her Majesty's Courts of

Record at *Dublin*, by any Person who shall sue for the same, by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified, and had made and subscribed the Declaration aforesaid (except such Person be a Member of the Municipal Corporation of *Wicklow*), or he shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person hath acted as a Commissioner in the Execution of this Act; nevertheless all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previous to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

XII. And be it enacted, That if any Commissioner fail to act in the Execution of this Act for One Year, such Commissioner shall be deemed to have refused to act, and therefore shall cease to be a Commissioner until he shall be re-elected as herein-after mentioned. Commissioners neglecting to act.

XIII. And be it enacted, That the Commissioners appointed by this Act shall go out of Office by Rotation; that is to say, in the Month of *October* in the Year One thousand eight hundred and forty-four One Fourth of such Commissioners shall go out of Office, and at the same Time in the following Year One Half of the Remainder of the Commissioners shall go out of Office, and at the same Time in the following Year the Remainder of the Commissioners shall go out of Office, and at the same Time in every subsequent Year One Fourth of the Commissioners, being those who have been longest in Office; and in each Instance the Places of the retiring Commissioners shall be supplied by the Election of a similar Number of the Commissioners as herein-after provided. Period of Service and Time of going out of Commissioners.

XIV. And be it enacted, That every Commissioner going out of Office may be re-elected, and after such Re-election he shall, with reference to going out by Rotation, be considered as a new Commissioner. Commissioners re-eligible.

XV. And in order to determine the Rotation by which the Commissioners are required to go out of Office, be it enacted, That within Six Months after the passing of this Act the Commissioners shall meet at the Town Hall, *Wicklow*, or some convenient Place within the said Town of *Wicklow*, for the Purpose of forming a Rotation List of the Commissioners; and at such Meeting the Clerk to the Commissioners, or some other Person to be previously appointed by the Commissioners for that Purpose, shall write the Names of all the then Commissioners on separate Slips of Paper, all as nearly as may be of equal Size, and having folded them up in the same Manner he shall put them in a Box, and shall draw out such Slips in Succession, and the Names upon the Slips so drawn shall be inserted by such Clerk in a List in the Order in which they shall be so drawn, and such List shall be kept by such Clerk for the Purposes of the Act, and the Names in such Lists shall be numbered consecutively, and the Commissioners shall retire from Office in the Order in which their

[*Local.*]

35 N

Names

Names appear in such List, according to the Proportion herein-before mentioned.

Commis-
sioners not
to hold
Places of
Profit under
the Act.

XVI. Provided always, and be it further enacted, That no Commissioner appointed or to be appointed in or by virtue of this Act, nor any Person in Trust for him, nor any Steward or Agent of any such Commissioner, shall be capable of being appointed or employed, or of holding or enjoying, or of acting as Treasurer, Collector, Engineer, Clerk, or Harbour Master under the said Commissioners, or of having any Benefit, Profit, or Advantage therefrom or arising thereby.

Meetings of
Commis-
sioners.

XVII. And be it further enacted, That the said Commissioners, or any Five or more of them, shall meet at the Town Hall in the Town of *Wicklow* aforesaid, within Three Months after the passing of this Act, and shall then proceed to put this Act in execution, and then adjourn themselves, and shall afterwards meet from Time to Time at the Place aforesaid, or at such other Place or Places in the Town of *Wicklow* aforesaid as the said Commissioners from Time to Time shall appoint, and as often as it shall be necessary for putting this Act into execution; and if it shall happen that there shall not appear at any public Meeting which shall be appointed to be held by Adjournment, or at any special Meeting, a sufficient Number of Commissioners to act at such Meeting, then and in that Case any One or more of the Commissioners (if any shall be present) at such appointed Meeting shall and may adjourn the said Meeting to any other Day not exceeding Three Months from thence next following; and if it shall happen that at any such Meeting there shall not be a sufficient Number of Commissioners to act, or a Commissioner to make such Adjournment, then and in that Case the Clerk to the said Commissioners, by Seven Days previous Notice in Writing under his Hand, to be affixed on the principal outer Door of the Parish Church of *Wicklow* aforesaid, and also by an Advertisement in One or more of the Newspapers published in the City of *Dublin* or County of *Wicklow*, shall appoint the said Commissioners to meet at the House where the last Meeting was appointed to be held, on any Day within Ninety Days of the Day on which the said last Meeting was appointed to be held.

Chairman to
have a cast-
ing Vote.

XVIII. And be it further enacted, That at all Meetings of the said Commissioners a Chairman shall and may be appointed by the Majority of the Commissioners then present; and in case there shall be an Equality of Votes at any of the Meetings of the said Commissioners upon any Question, including the Vote of the Chairman, then and in every such Case the Chairman shall have the decisive and casting Vote.

Majority of
Commis-
sioners pre-
sent to act.

XIX. And be it further enacted, That all Acts, Proceedings, Matters, and Things relative to the Execution of this Act may be done and executed by the Majority of the said Commissioners present at any Meeting to be held by virtue of this Act, the whole Number present not being less than Five, save and except in such Cases where a greater or less Number may be required by this Act.

XX. And

XX. And be it further enacted, That if after any Adjournment of the said Commissioners it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk to the said Commissioners, upon an Order in Writing signed by Three or more of the said Commissioners, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Commissioners (such Meeting not being less than Fourteen Days after such Notice), and such earlier Meeting shall and may be held accordingly; and all the Orders and Determination of the said Commissioners at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment.

Meetings on
Emergencies.

XXI. And be it further enacted, That all Orders and Proceedings of the Commissioners shall be entered in a Book to be kept for that Purpose, and such Orders and Proceedings, so entered, shall be signed by the Commissioners making the same, or by their Chairman, which Book, and also the Book herein-after directed to be kept for registering Mortgages and Assignments, or Transfers thereof, shall be admitted in Evidence in all Courts whatsoever touching any thing done in pursuance of this Act.

Orders, &c.
to be en-
tered.

XXII. And be it further enacted, That the said Commissioners, or any Seven or more of them, may and they are hereby empowered, by Writing under their Hands, to appoint a Collector of the Dues and Rates, Treasurer, Clerk or Clerks, Engineer, and Harbour Master, as the said Commissioners shall think necessary, and such Collector, Treasurer, Clerk, Engineer, Harbour Master, or any of them, from Time to Time to remove, and on Removal, Death, or Resignation of any such Collector, Treasurer, Clerk, Engineer, or Harbour Master to appoint others in their stead, and may and are hereby authorized and empowered, out of any Monies arising by virtue of this Act, to allow and pay to such Collector, Treasurer, Engineer, Clerk, or Harbour Master, and to such other Person or Persons as shall be assisting them or any of them in or about the Execution of this Act, such Salaries, Rewards, and Allowances, for their Attendance, Care, Labour, and Services, as the said Commissioners shall deem reasonable; and all such Officers and Persons shall from Time to Time, when thereunto required by the said Commissioners, deliver to such Commissioners, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts, in Writing under their respective Hands, of all Monies which they respectively shall have received to that Time by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their Hands to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, and not otherwise; and if any such Officer or Person shall refuse or neglect to produce or deliver up such Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Account in manner aforesaid, or if any such

Appointing
Officers.

Officers to
account.

Officer

Officer or Person shall refuse or neglect to deliver up to the said Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days after being thereunto required by the said Commissioners, all the Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the County, City, Town, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, upon Complaint in Writing made to them by any Five or more of the said Commissioners, or their Clerk, and such Justices are hereby authorized and required, by Warrant or Warrants under their Hands and Seals, to cause such Officer or Officers, Person or Persons, to be brought before them, upon his or their not appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Accounts or Account, if produced; and if, upon Confession of the Officer or Officers; Person or Persons, against whom any such Complaint shall be made; or by the Oath or Oaths of any Witness or Witnesses, (which Oath such Justices are hereby empowered and required to administer without Fee or Reward, except the usual Fee to the Clerk to such Justices,) or upon Inspection of the said Accounts, if produced, it shall appear to such Justices that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justices may and they are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if such Officer or Officers, or other Person or Persons, shall not appear before the said Justices, unless for some sufficient Excuse, at the Time and Place by them appointed for that Purpose, or, if appearing, shall refuse or neglect to give and deliver to such Justices an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justices the several Vouchers and Receipts relating to such Accounts respectively, or to the Books, Accounts, Papers, and Writings, in his, her, or their Custody or Power, relating to the Execution of this Act, or to the said Harbour and other Works, then and in either of the Cases aforesaid such Justices may and they are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction in the County, City, Town, or Place where such Offender or Offenders shall be or reside, there to remain without Bail or Mainprize until he or they shall have given and made a true and perfect Account and Payment as aforesaid, or until he or they shall have compounded and agreed with the said Commissioners, and shall have paid such Composition in such Manner as the said Commissioners shall appoint (which Composition the said Commissioners are hereby empowered to make), or until he or they shall have delivered up such Books, Papers, and Writings as aforesaid, or make Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be

so committed for Want of sufficient Distress shall be detained in Prison by virtue of this Act for a longer Space of Time than Three Calendar Months.

XXIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk of any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of any Person in the Service or Employ of any such Clerk, or the Clerk of any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk of any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Dublin*, by Action of Debt, or by Bill, Plaint, or Information.

Clerk and Treasurer not to be the same Person.

XXIV. And be it further enacted, That the said Commissioners shall and they are hereby required to take Security, with Two sufficient Sureties, from the Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, or other Officers to be appointed for the Purposes of this Act, for the faithful Execution of their respective Offices, and no such Treasurer, Receiver, Collector, or other Officer shall be permitted to enter upon or continue in such their Offices respectively unless they shall have given such Security.

Treasurer to give Security.

XXV. And be it further enacted, That the said Commissioners may sue and be sued, for or concerning any thing to be done by virtue of or in pursuance of this Act, in the Name of their Clerk or Treasurer for the Time being, and no Action or Suit to be brought or commenced, by the Direction of or against the said Commissioners by virtue of this Act, in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, without the Consent of the said Commissioners, but the Clerk or Treasurer for the Time being to the said Commissioners

Commissioners may sue or be sued in the Name of their Clerk or Treasurer.

How Expences are to be paid.

shall be deemed to be the Plaintiff or Defendant, as the Case may be: Provided always, that every such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, sued, prosecuted, or defended in pursuance of this Act shall be fully reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences as by the Event or in consequence of any such Action or Proceeding he shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being so made Plaintiff or Defendant as aforesaid.

Commissioners indemnified.

XXVI. And be it further enacted, That the said Commissioners shall be and they are hereby exonerated and discharged of, from, and against all Actions, Suits, or Informations that may be brought or commenced against them for any thing done in pursuance of this Act (except in Cases of wilful Corruption and Misconduct), and in case any Person or Persons shall be injnred by any Acts or Proceedings of the said Commissioners (except as aforesaid) such Person or Persons shall have full Recompense or Satisfaction out of the Rates or Duties hereby granted.

Power to improve the Harbour.

XXVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, by themselves, their Deputies, Agents, Officers, Servants, and Workmen, to improve, deepen, form, and maintain the said Harbour and Port of *Wicklow*, and for these Purposes the said Commissioners, their Deputies, Agents, Servants, Surveyors, and Workmen, are hereby empowered to erect, build, and maintain such Piers, Jetties, Breakwaters, Quays, Wharfs, Slips, Lighthouses, and other Works as may be deemed necessary, and to enter into and upon the Lands and Grounds of any Person, or Body Politic, Corporate, or Collegiate whatsoever, according to the Provisions of this Act, and to survey the same, or any Part thereof, and to set out, ascertain, and appropriate such Parts thereof, and to execute and perform all such other Acts, Matters, and Things, as they shall think necessary and proper for improving, making, constructing, and maintaining the said Harbour and other Works, and for those Purposes bore, dig, cut, trench, sough, get, raise, remove, take, carry away, lay, use, and manufacture any Earth, Clay, Stone, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Materials or Things which can or may be dug, raised, or gotten in making, deepening, scouring, improving, or maintaining the said Harbour and other Works, out of the Lands or Grounds of any Person, or Body Politic, Corporate, or Collegiate, adjoining or contiguous to such Harbour, and which may be proper, requisite, or necessary for improving, making, deepening, scouring, or maintaining the said Harbour and other Works, or which may hinder or obstruct the making, using, completing, scouring, improving, or maintaining the same respectively, and to make, build, and erect upon the Lands and Sea Shore adjoining to the said Harbour such and so many Piers, Jetties, Breakwaters, Basins, Buoys, Beacons, Lighthouses, Posts, Ropes, and Chains, and such and so many Wharfs, Quays, Houses, Warehouses, Yards, Landing Places, Cranes, and other Machines, and such and so many Ways, Roads, and Conveniences, where, and when, and at such Time, and in such Manner as the said Commissioners shall

shall think necessary and convenient for the Construction and Improvement of the said Harbour; and also from Time to Time to alter, repair, and amend or discontinue the same, and also to place, lay, work, or manufacture the Materials necessary for improving, making, deepening, scouring, erecting, and maintaining the said Harbour and other Works, or the Lands or Grounds adjoining to the Place where the said Works, or any of them, shall be or are intended to be made or executed, and to construct, erect, make, and do all other Works, Buildings, Matters, and Things which they shall think convenient or necessary for the improving, making, deepening, scouring, maintaining, and using of the said Harbour and other Works; they the said Commissioners, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making full Satisfaction, in manner hereinafter mentioned, to all Persons interested in any Lands which shall be taken, used, or injured, for all Damages to be by them sustained by the Execution of all or any of the Powers hereby granted.

XXVIII. And be it further enacted, That from and after the passing of this Act the Right and Property of all the Wharfs, Quays, Buildings, and of all Timber, Iron-work, Wood, Stone, or other Materials, to be purchased for any of the Purposes of this Act, and the Property of all and every the Works erected in and about the said Harbour in pursuance of this Act, shall belong to, and the same is and are hereby vested in the said Commissioners for the Time being, who are hereby authorized and empowered to cause any Action or Actions to be brought, or any Bill or Bills of Indictment to be preferred, as the Case shall require, against any Person or Persons who shall steal, take, or carry away, detain, demolish, destroy, break down, or injure any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be deemed to be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, on Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners for making the Harbour at *Wicklow*," without particularly naming such Commissioners; and the said Commissioners shall from Time to Time have full Power and Authority to sell and dispose of all and any Part of such Materials that shall be found useless to such Person or Persons as shall be willing to purchase the same, and the Money to arise therefrom shall be applied for the Purposes of this Act.

Piers and Works vested in the Commissioners.

XXIX. And be it enacted, That if it shall at any Time appear to any Number of Persons, having an Interest to the Amount of Ten thousand Pounds in the said Harbour or Works, that the Works of the said Harbour are in an incomplete or dangerous State, or in want of any Repair, or the Harbour is not sufficiently cleansed, scoured, or kept open, it shall be lawful for such Person or Persons to require the said Commissioners to appoint an Engineer to survey and examine the said Works, and the said Commissioners shall and they are hereby directed and required, within Three Months from the Time the said Requisition shall be delivered to their Treasurer or Clerk, to appoint some skilful and experienced Engineer to survey and examine all the

Survey of Works to be made if required by Persons interested.

Works

Works of the said Harbour, and to report, with as little Delay as possible, on the State and Condition of the said Works and Harbour; and in case the said Commissioners shall, for the Space of Three Months after the said Report shall have been made to them, refuse or neglect to cause such Repairs or other Works to be done as may from such Report appear to be necessary for the Security or Improvement of the said Harbour, then it shall be lawful for such Persons to apply to Her Majesty's Court of Queen's Bench for a Mandamus to require the said Commissioners to carry the Whole or such Part of the said Report into execution as the said Court shall deem proper, and the Expences attending such Application shall be defrayed, within Six Months after the Determination of the said Court, out of the Rates and Duties payable by virtue of this Act: Provided always, that in case the said Commissioners shall refuse or neglect to appoint, within Three Months after such Application to them, as last before mentioned, such skilful and experienced Engineer for the Purposes aforesaid, that then and in such Case it shall be lawful for such Person or Persons to appoint, having such Interest as aforesaid, some experienced and skilful Engineer to survey and examine all the Works of the said Harbour, and to report thereon, with as little Delay as possible, the State and Condition of the said Works and Harbour; and in case the said Commissioners shall, for the Space of Three Months after the said last-mentioned Report shall have been made to them, refuse or neglect to cause to be done such Repairs or other Works as may from such last-mentioned Report be necessary for the Security or Improvement of the said Harbour, then it shall and may be lawful for such Persons to apply to Her Majesty's Court of Queen's Bench for a Mandamus to require the said Commissioners to carry the Whole or such Part of the said Report into execution as the said Court shall deem proper; and the Expences attending such Application shall be defrayed, within Six Months after the Determination of the said Court, out of the Rates and Duties payable by virtue of this Act.

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

XXX. And be it further enacted, That at any Time after the passing of this Act it shall and may be lawful for the said Commissioners for the Time being to apply to the Commissioners for the Execution of the said recited Acts, or any other Act amending the same, or any Act amending the same to be passed in the present or any future Session of Parliament, for the Advance of any Sum or Sums of Money upon the Security of the Tolls, Rates, and Duties expected to arise and be payable, or which shall arise or be payable, under this Act; and in case the Commissioners for the Execution of the said recited Acts, or any Act or Acts amending the same as aforesaid, shall think fit to direct any Sum or Sums of Money to be advanced for the Purposes of this Act, it shall be lawful for the said Commissioners for the Time being acting in the Execution of this Act to mortgage or assign all or any of the Rates, Tolls, or Duties expected to arise and be payable, and which shall arise or be payable, under this Act, to the Commissioners for the Execution of the said recited Acts, or any Act or Acts amending the same as aforesaid, as a Security for the Payment of the Interest and Principal of any Sum or Sums of Money so to be advanced, at or within any such Time or

Times, or by any Instalments, as the Commissioners for the Execution of the said recited Acts, or any Act or Acts amending the same as aforesaid, shall think proper to direct and appoint, and as shall be specified in any such Mortgage or Assignment; and every such Mortgage or Assignment, and the Sums payable under or by virtue of the same, shall in all Cases have Preference and Priority over any other Mortgage or Assignment of any of the said Tolls, Rates, and Duties made to any other Person or Persons under this Act; and the Interest of all such Sums so advanced shall be fully paid and satisfied before the Payment of any Interest under any other Security granted under the Authority of this Act; and the Principal Sums secured by such Mortgage or Assignment to the Commissioners for the Execution of the said recited Acts or Act, or Acts amending the same as aforesaid, shall be paid and satisfied, at such Time or Times, and by such Instalments, as shall be specified in the Mortgage or Assignment given for Security of the same, in Preference and Priority to all other Payments under the Authority of this Act.

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

XXXI. And whereas the several Ports, Harbours, Estuaries, Creeks, and navigable Rivers of the United Kingdom, within the Flux and Reflux of the Tide, are by Law under the Superintendence and Jurisdiction of the Lord High Admiral of the said Kingdom; be it enacted and provided, That nothing herein contained shall extend or be construed to extend to authorize the said Commissioners, or any other Person or Persons, nor shall it be lawful for them or any of them, to begin to make, build, or construct any Pier, Quay, Jetty, or Wharf, or to carry on any other Work below the Line of High-water Mark at ordinary Spring Tides, without the previous Consent of the Lord High Admiral, or the Commissioners for executing the Office of the 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 under such Limitations and Restrictions as the said Lord High Admiral or the Commissioners aforesaid shall deem expedient for the Convenience and Safety of Navigation; and that to enable the said Lord High Admiral or Commissioners to form a due Judgment therein, the said first-mentioned Commissioners shall, at least One Calendar Month before any Work below the ordinary High-water Mark shall be commenced, deposit in the Hydrographer's Office in the Admiralty a Plan, describing the Position and Dimensions of all and every such proposed Works, the Materials of which they are to be constructed, and the Extent to which they are in every Part thereof intended to be carried below such High-water Mark, and so from Time to Time as often as it shall be judged fit or necessary to alter or improve any such Works.

Sanction of the Admiralty before constructing any Pier, &c. below the Line of High-water Mark.

XXXII. And be it enacted, That all the Money which shall come to the Hands of the said Commissioners of this Act, or any of them, or their Treasurer, by virtue of this Act, shall be applied by the said Commissioners of this Act, or any Five or more of them, in manner following; that is to say, in the first place, in Payment and Discharge of all the Costs and Charges and Expences incurred previous and incident to and attending the obtaining and passing of this Act, and afterwards making and improving and maintaining the

Application of Money arising by this Act.

Assignments, or Transfers shall be made as aforesaid shall be, in proportion to the Sums thereby respectively mentioned, Creditors on such Duties and Sums of Money in equal Degree one with another; and shall have no Preference in respect of the Priority of advancing any such Monies, or of the Dates of such Mortgages or Assignments: Provided nevertheless, that, before any Sum or Sums of Money shall be taken up or borrowed, Thirty Days Notice at the least shall be given of the Intention of borrowing such Money, signed by the Clerk or Treasurer for the Time being to the said Commissioners, and advertised twice in the *General Advertiser*, or in some other Newspaper published in the City of *Dublin*; and the Interest of the Money so to be borrowed on Mortgage as aforesaid shall be paid half-yearly to the several Persons entitled thereto, in preference to any Dividends or Interest due and payable by virtue of this Act to the Persons subscribing as aforesaid.

Mortgages
and Bonds.

XXXIV. And be it enacted, That every Mortgage and Bond for securing Money borrowed by the said Commissioners shall be by Deed under the Hands and Seals of at least Five of the said Commissioners, duly stamped, and wherein the Consideration shall be truly stated.

Compelling
Payment of
Subscrip-
tions.

XXXV. And be it enacted, That the several Persons who have subscribed or shall hereafter subscribe any Money towards the said Undertaking shall pay the same respectively by them subscribed, or such Portions thereof as shall from Time to Time be called for by the Commissioners, at such Times and Places as shall be directed by the Commissioners according to the Provisions of this Act, and in default of Payment thereof shall be liable to be sued for the Amount thereof in any of Her Majesty's Courts of Law in *Dublin*.

Annual Ac-
count to be
made up,
and a Copy
transmitted
to the Clerk
of the Peace.

XXXVI. And be it enacted, That the Commissioners shall every Year cause an annual Account or Abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied by virtue of this Act, for the Year ending on the Thirty-first Day of *December*, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Commissioners, or some of them, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Wicklow*, on or before the Thirty-first Day of *January* then next; which Account shall be open to the Inspection of the Public, at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Commissioners shall omit to prepare or transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Power to
purchase
Lands.

XXXVII. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the said Commissioners to agree with the Owners of the Lands which they are hereby authorized to enter into and take for the Purposes of the said Harbour, for the

absolute

absolute Purchase, for a Consideration in Money, of any such Lands, or such Parts thereof as they shall think proper, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all Commonable or other Rights to which such Lands may be subject, and all other Estates or Interests in such Lands, of what Kind soever.

XXXVIII. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed of, or entitled to any such Lands, or any such Estate or Interest therein as aforesaid, to sell and dispose and convey or release the same to the said Commissioners, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Married Women seised in their own Right or entitled to Dower, Guardians, Committees of Lunatics and Idiots, Trustees or Feoffees in Trust for charitable or other Purposes, Executors and Administrators; and the Power so to sell and convey as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and as to such Married Women as if they were sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees, Executors, and Administrators, on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femmes Covert, or other Persons, and that to the same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

Parties under Disability enabled to sell and convey.

XXXIX. And be it enacted, That the Power herein-after given to enfranchise Copyhold Lands, as well as every other Power required to be exercised by the Lord of any Manor, pursuant to the Provisions of this Act, and the Power to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent, Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of or convey and release Lands to the said Commissioners.

Parties under Disability to exercise other Powers.

XL. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Lands which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Lands, or any Interest therein, which any Corporation, Tenant for Life, or for any other partial or qualified Interest, Married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Exe-

Purchase Money payable to Parties under Disability amounting to 200*l.* to be deposited in the Bank of Ireland.

1 G. 4. c. 35. Application of Monies deposited.

cutor, or Administrator, or Person under any Disability, shall be entitled to, and shall, under the Powers of this Act, be enabled to convey and dispose of the same, shall, if it amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, *ex parte* "The Commissioners of *Wicklow* Harbour," pursuant to the Method prescribed by an Act of the First Year of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Money and Effects paid into the Court of Exchequer at Dublin on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the Court, and for other Purposes*, and pursuant to the General Orders of the said Court; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; that is to say,

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Land in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes;

In the Purchase of other Lands to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands in respect of which such Money shall have been paid stood settled; or

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Exchequer shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

Order for Application.

XLI. And be it enacted, That such Money may be so applied as aforesaid, upon an Order of the Court of Exchequer made on the Petition of the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of *Three per Centum* Consolidated or *Three per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold or converted into Money for the Purposes aforesaid the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Lands; and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition.

Sums from 20l. to 200l. to be deposited, or invested in Trustees.

XLII. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *Ireland*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to

Two Trustees, to be nominated by the Parties entitled to the Rents or Profits of the Lands in respect whereof the same shall be payable, such Nomination to be signified by Writing under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last-mentioned Application of the Monies shall not be made, unless the Commissioners approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under their Common Seal; and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein-before directed with respect to Money paid into the Bank of *Ireland*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

XLIII. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Lands in respect whereof the same shall be payable, for their own Use and Benefit; or in case of the Coverture, Infancy, Idiocy, Lunacy, or other Incapacity of any such Parties, then such Money shall be paid, for their Use, to the respective Husbands, Guardians, Committees, or Trustees of such Persons.

Sums not exceeding 20*l.* to be paid to Parties.

XLIV. And for the Purpose of providing for the Payment and Application in certain Cases of the Purchase Money or Compensation to be paid in respect of any such Lands not belonging to Parties under Disability, be it enacted, That in the following Cases, (that is to say,) if the Owner of any such Lands, or any Interest therein, on Tender of the Purchase Money or Compensation, or if any such Person fail to make out a Title to the Lands in respect whereof such Purchase Money or Compensation shall be payable, or to the Interest therein claimed by him, to the Satisfaction of the Commissioners, or if such Owner be gone out of the Kingdom, or cannot be found, or be not known, or refuse to convey or release such Lands as directed by the Commissioners, it shall be lawful for the Commissioners to deposit the Purchase Money or Compensation payable in respect of such Lands, or any Interest therein, in the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, to the Credit of the Parties interested in such Lands (describing them, so far as the Commissioners can do), subject to the Control and Disposition of the said Court; and upon Receipt of such Money the Cashier of such Bank shall give to the Commissioners, or the Party paying in such Money, a Receipt for such Money, specifying therein for what and for whose Use (described as aforesaid) the same shall have been received, and in respect of what Purchase the same shall have been paid in, and thereupon all the Interest in such Lands in respect whereof such Purchase Money or Compensation shall have been deposited shall rest absolutely in the Commissioners.

Where Parties refuse to convey, or do not show Title, the Purchase Money to be deposited.

XLV. And

Application
of Monies so
deposited.

XLV. And be it enacted, That upon the Application by Petition of any Party making Claim to the Money so deposited as last aforesaid, or any Part thereof, or on the Application of any Person on behalf of whom such Money or any Part thereof shall be paid into the said Court of Exchequer, or of any Person interested in the Lands taken or used by the Commissioners, may in a summary Way, as to such Court shall seem fit, order the same to be laid out or invested in the Public Funds, or may order Distribution thereof, or Payments of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making Claim thereunto, and may make such other Order in the Premises as to such Court shall seem fit.

Court of Exchequer may direct Investment or Payment of Money in respect of Leases for Lives, Years, &c., or Reversions, as they may think just.

XLVI. Provided always, and be it enacted, where any such Purchase Money or Compensation so paid into the Court of Exchequer shall have been paid in respect of any Lease for Lives or Years, or any Estate in Lands less than the whole Fee Simple thereof, or any Reversion dependent on any such Lease or Estate, it shall be lawful for the Court of Exchequer, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid in such Manner as the said Court may consider will give to the Parties interested in such Money the same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be.

Party in Possession deemed the Owner.

XLVII. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Money should have been so paid or deposited as aforesaid, the Parties respectively in possession or receipt of the Rents of such Lands at the Time of such Lands being purchased or taken shall be deemed to have been lawfully entitled to such Lands until the contrary be shown to the Satisfaction of the Court, and unless the contrary be shown as aforesaid the Parties so in possession, and all Parties claiming under them, or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest, Annuities, or Securities, purchased therewith, and the same shall be paid and applied accordingly.

Consideration to be a gross Sum.

XLVIII. And be it enacted, That, except as herein-after mentioned, the Consideration to be paid for the Purchase of any such Lands, or for any Damage done thereto, shall be in a gross Sum.

Acceptance of Compensation for Price of or Damage to Lands.

XLIX. And be it enacted, That the Owners of any such Lands, or of any such Estate or Interest therein as aforesaid, and all Parties by this Act enabled to convey any such Lands, may agree to accept, and, subject to the Restrictions in this Act contained as to the Payment thereof, may accept, Satisfaction for the Value of such Lands, or any Interest therein, to which such Party shall be entitled; and in addition to Compensation for the Value of such Lands, or of the Interest therein, to be so conveyed, such Parties shall be entitled to, and may in like Manner accept Compensation for any Damage by them sustained by reason of the severing or dividing of such

such Lands, or otherwise owing to the Exercise of the Powers of this Act.

L. And with respect to the Consideration Money to be paid for any Lands to be purchased from any Party under any Disability or Incapacity; and not having Power to sell or convey, except under the Provisions in this Act contained, and the Compensation Money to be paid for any permanent Damage or Injury to any such Lands, be it enacted, That such Consideration Money or Compensation shall not, except where the same shall have been determined by the Verdict of a Jury, be less than shall determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the said Commissioners, and the other by the other Party, and if such Two Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

LI. And with respect to the Compensation Money to be paid for any Lands to be purchased from any Party who, by reason of Absence, or from any other Incapacity or Accident, is prevented from treating, or cannot be found, and the Compensation Money to be paid for any permanent Injury to such Lands, be it enacted, That such Consideration or Compensation shall not be less than shall be determined by the Valuation of such able practical Surveyor as Two Justices shall nominate for that Purpose; and such Surveyor shall annex to the Valuation a Declaration of the Correctness thereof.

Compensation to absent Parties to be ascertained by Valuation.

LII. And be it enacted, That if any Person seised in Fee of, or entitled to dispose of absolutely, for his own Benefit, any Lands authorized to be purchased for the Purposes of this Act, shall be willing to sell such Lands for a perpetual annual Rent-charge, in lieu of a Sum in gross, such Person may lawfully sell and convey such Lands, or any Part thereof, unto the said Commissioners, in consideration of an annual Rent-charge payable by the said Commissioners to the Person so selling and conveying, and to his Heirs and Assigns.

Purchase of Lands on Chief Rents.

LIII. And be it enacted, That the yearly Rents reserved by any such Conveyance shall be charged on the Tolls or Rates payable under this Act, and shall be paid by the said Commissioners as such Rents become payable; and if at any Time any such Rents be not paid within Thirty Days after they so become payable, and after Demand thereof in Writing, the Person to whom any such Rent shall be payable may either recover the same from the said Commissioners, with Costs of Suit, by Action of Debt in any of the Superior Courts, or it shall be lawful for him to levy the same by Distress of the Goods and Chattels of the said Commissioners.

Payment of Rents to be charged on Tolls.

LIV. And be it enacted, That all Conveyances so to be purchased as aforesaid may be according to the Form in the Schedules (B.) and (C.) respectively to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be

Forms of Conveyance.

effectual to vest the Lands thereby conveyed in the said Commissioners, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and to destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever of and in the Lands comprised in such Conveyances, as shall have been purchased or compensated for by the Consideration therein mentioned; but although Terms of Years be thereby merged they shall in Equity afford the same Protection as if they had been kept on foot, and assigned to a Trustee for the said Commissioners to attend the Reversion and Inheritance.

Costs of
Conveyances.

LV. And with respect to the Costs of the Conveyance of any such Lands purchased or taken by the said Commissioners, be it enacted, That all such Costs shall be borne by the said Commissioners, and such Costs shall include all Charges and Expences, incurred on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any such Lands, and of any outstanding Terms or Interests therein, and of deducing, evidencing, and verifying the Title to such Lands, Terms, or Interests, and of making out and furnishing such Abstracts and attested Copies as the said Commissioners may require, and all other Expences incident to the Investigation, Deduction, and Verification of such Title; and before the said Commissioners enter into possession of the Lands so purchased or taken, they shall pay the Amount of such Costs, and if there be any Dispute about the same they shall obtain an Order for the Taxation thereof, as herein-after provided; nevertheless, if, within Seven Days after Notice in Writing from the said Commissioners, the Parties from whom such Lands shall have been purchased do not deliver a Bill of their Costs to the said Commissioners, then the said Commissioners shall not be prevented from entering into the Possession of such Lands by reason of the Nonpayment of such Costs, or by reason of such Order for Taxation thereof not having been obtained.

Costs in Cases
of Money
deposited.

LVI. And with respect to Costs in Cases of Monies deposited in the Bank of *Ireland*, be it enacted, That the Court of Exchequer may in all such Cases, except where Monies shall have been so deposited by reason of the wilful Refusal of any Party entitled thereto to receive the same, or to convey or release the Lands in respect whereof the same shall be payable, order the Costs of the following Matters, including therein all reasonable Charges and Expences incident thereto, to be paid by the Commissioners; (that is to say,) the Costs of the Purchase or of the taking or using of the Lands, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for, and the Costs of the Investment of such Monies in Government or Real Securities, and for the Re-investment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Lands, and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of the Orders for the Payment of the Dividends and Interest of the Government or Real Securities upon which such
Monies

Monies shall be invested, and for the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities wherein the same shall have been invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants.

LVII. And for the Purpose of making a Provision for settling Cases of disputed Compensation arising under this Act, be it enacted, That if any Difference shall arise, or if no Agreement can be come to, between the Commissioners and the Owners of any Lands, or of any Interest in any such Lands, taken or required for or injuriously affected by the Execution of the Harbour, (including among such Owners all Parties by this Act enabled to sell or convey Lands,) as to the Value of such Lands, or of any Interest therein, or as to the Compensation to be made in respect thereof, or if by reason of Absence any such Owner be prevented from treating, or if any such Owner fail to disclose or prove his Title to any such Lands, or any Interest therein, or if by reason of any Impediment or Disability any such Owner be incapable of making any Agreement, Conveyance, or Release necessary for enabling the Commissioners to take such Lands, or to proceed in making the Harbour or Works, or if any such Difference arise as to the Amount of Damages occasioned to any Lands by the temporary Occupation thereof in the making of the Harbour, or otherwise in exercise of the Powers given by this Act, and for which any Party may be entitled to demand Compensation according to the Provisions of this Act, the Amount of the Compensation to be paid by the Commissioners in every such Case shall be settled by the Verdict of a Jury in manner herein-after mentioned.

Dispute as to Compensation to be settled by a Jury.

LVIII. Provided always, and be it enacted, That if the Compensation claimed in any of the Cases mentioned in the preceding Enactment shall not exceed Twenty Pounds, the same shall be settled by Two Justices.

Claims not exceeding 20*l.* to be settled by Two Justices.

LIX. And with respect to any such Question of Dispute, Compensation, or other Matter of Difference by this Act authorized to be referred to the Determination of Two Justices, be it enacted, That either Party may apply to such Justices in respect to any such Matter, and thereupon such Justices, in the Presence of the Parties, or such of them as shall appear, being duly summoned for that Purpose, shall examine into the Matter in dispute, and shall award such an Amount of Compensation, as shall make such Determination, in respect of the Matter so referred to them, as to them shall seem fit; and the Costs of every such Inquiry shall be in the Discretion of such Justices, and they shall settle the Amount thereof; and in default of Payment of such Costs as directed by such Justices, the same shall be levied by Distress, and the said Justices shall issue their Warrant accordingly.

Reference of Dispute as to Compensation to Justice or Sheriff.

LX. And be it enacted, That where it shall be necessary to refer any such Question to the Determination of a Jury by reason of any such Difference as aforesaid, then, One Month at the least before issuing their Warrant for summoning a Jury as herein-after provided,

Notice by Commissioners of Intention to have Jury summoned.

the Commissioners shall give Notice in Writing to the Party with whom such Difference shall have arisen of their Intention to cause such Jury to be summoned; and in such Notice the Commissioners shall state what Sum of Money they are willing to give such Party for his Interest in such Lands, and for the Damage to be sustained by him by the Execution of the Harbour.

Requisition by Party claiming Compensation that Jury be summoned.

LXI. And be it enacted, That if any Party who shall be entitled to any Compensation in respect of any Lands, or of any Interest therein, taken for or injuriously affected by the making of the Harbour, shall desire the Amount of such Compensation to be determined by a Jury, it shall be lawful for such Party to give Notice in Writing to the Commissioners of such his Desire, and he shall in such Notice state the Nature of the Interest claimed by him in such Lands, and the Amount of the Compensation claimed by him in respect thereof; and unless the Commissioners be willing to pay the Amount of Compensation so claimed, and shall enter into a written Agreement for that Purpose, then, within Twenty-one Days after the Receipt of any such Notice from any Party so entitled, they shall issue their Warrant to the Sheriff to summon a Jury accordingly in the Manner herein mentioned.

Warrant for summoning Jury to be addressed to the Sheriff.

LXII. And be it enacted, That in every Case in which any such Question of disputed Compensation shall be required to be determined by the Verdict of a Jury, the Commissioners shall issue their Warrant to the Sheriff, under their Common Seal, requiring him to summon a Jury for that Purpose; and if such Sheriff be interested in the Matter in dispute, by being a Shareholder, or otherwise, such Application shall be made to some Coroner of the County in which the Lands in question, or some Part thereof, shall be situate; and if all the Coroners of such County be so interested, such Application may be made to some Person having filled the Office of Sheriff or Coroner in such County, and who shall be then living there, and who shall not be interested in the Matter in dispute; and with respect to the Persons last mentioned, Preference shall be given to the one who shall have most recently served either of the said Offices.

Provisions applicable to Sheriff to apply to Coroner.

LXIII. And be it enacted, That throughout the Enactments contained in this Act relating to the Reference to a Jury, when the Term Sheriff is used, the Provisions thereto shall be held to apply to every Coroner or other Person lawfully acting in his Place; and in every Case in which any such Warrant shall have been directed to any other Person than the Sheriff, such Sheriff shall, immediately on receiving Notice of the Delivery of the Warrant, deliver over, on Application for that Purpose, to the Person to whom the same shall have been directed, or to any Person appointed by him to receive the same, the Jurors Book and Special Jurors List belonging to the County where the Lands in question shall be situate.

Summons of Jurymen.

LXIV. And be it enacted, That upon the Receipt of such Warrant the Sheriff shall summon a Jury of Twenty-four indifferent Persons, duly qualified to act as Common Jurymen in the Superior Courts,

Courts, to meet at the Time and Place named in the Warrant for that Purpose.

LXV. And be it enacted, That out of the Jurors appearing upon such Summons a Jury of Twelve Persons shall be drawn by the Sheriff in such Manner as Juries for Trials of Issues joined in the Superior Courts are by Law required to be drawn; and if a sufficient Number of Jurymen do not appear in obedience to such Summons, the Sheriff shall return other indifferent Men, duly qualified as aforesaid, of the Bystanders or others that can speedily be procured, to make up the Jury to the Number aforesaid; and all Parties concerned may have their lawful Challenges against any of the Jurymen, but no such Party shall challenge the Array. Impannelling
of Jury.

LXVI. And be it enacted, That Fourteen Days Notice of the Time and Place of the Inquiry shall be given in Writing by the Commissioners to the other Party. Notice of
Inquiry.

LXVII. And be it enacted, That the Sheriff shall preside on the said Inquiry, and the Party claiming Compensation shall be deemed the Plaintiff, and shall have all Rights and Privileges as the Plaintiff is entitled to in the Trial of Actions at Law; and, if either Party so request in Writing, the Sheriff shall summon before him any Person considered necessary to be examined as a Witness touching the Matters in question; and on the like Request the Sheriff shall order the Jury, or any Six or more of them, to view the Place or Matter in controversy, in like Manner as Views may be had in the Trial of Actions in the Superior Courts. Sheriff to
preside.
Witnesses
to be sum-
moned.

LXVIII. And be it enacted, That before the Jury proceed to inquire of and assess the Compensation or Damage in respect of which their Verdict is to be given, they shall make Oath that they will truly and faithfully inquire of and assess such Compensation or Damage, and the Sheriff shall administer such Oaths, as well as the Oaths of all Persons called upon to give Evidence. Oath of
Jurymen.

LXIX. And be it enacted, That such Jury shall deliver their Verdict for the Sum of Money to be paid for the Purchase of the Lands required for the Harbour, or of any Interest therein belonging to the Party with whom such Questions of disputed Compensation shall so have arisen, and also the Sum of Money to be paid for the Injury done to the Lands of any such Party by the Severance from such Lands of the Lands required by the Commissioners, and also the Sum of Money to be paid by way of Compensation for the Damage occasioned to any such Lands by the Execution of the Works, whether it be for Damage sustained before the Time of the Injury, or for future Damage, either temporary or permanent, or for any recurring Damage of which the Cause is then only in part obviated, and which cannot or will not be further obviated by the Commissioners; and the Sums of Money to be paid for the Injury done by any such Severance as aforesaid, or by way of Compensation for any such Damage as aforesaid, shall in every Case be assessed separately Verdict of
Jury to be
for Purchase
of Lands and
for Damage,
assessed se-
parately.

[*Local.*]

from the Value of the Lands, or the Sum to be paid for the Purchase thereof, as of any Interest therein.

Value of Interests previously purchased to be deducted.

LXX. And be it enacted, That in assessing the Sum of Money to be paid for the Purchase of any such Lands, the Value of any Interest in such Lands as shall have been heretofore rightfully purchased by the Commissioners shall be first deducted.

Verdict and Judgment to be recorded.

LXXI. And be it enacted, That the Sheriff before whom such Inquiry shall be held shall give Judgment for the Purchase Money or Compensation, assessed by such Jury, and the said Verdict and Judgment shall be signed by the Sheriff, and being so signed shall be kept by the Clerk of the Peace among the Records of the Quarter Sessions of the County in which the Lands, or any Part thereof, shall be situate, in respect of which such Purchase Money or Compensation shall have been awarded; and such Verdicts and Judgments shall be deemed Records, and the same, or true Copies thereof, shall be good Evidence in all Courts and elsewhere; and all Persons may inspect the said Verdicts and Judgments, and may have Copies thereof or Extracts therefrom, on paying for each Inspection thereof One Shilling, and for every One hundred Words copied or extracted therefrom Sixpence.

Costs of the Inquiry.

LXXII. And be it enacted, That on every such Inquiry before a Jury, where the Verdict of the Jury shall be given for the same or a greater Sum than the Sum previously offered by the Commissioners, all the Costs of such Inquiry shall be borne by the Commissioners; but if the Verdict of the Jury be given for a less Sum than the Sum previously offered by the Commissioners, one Half of the Costs shall be defrayed by the Owner of the Lands, and the other Half by the Commissioners: Provided always, that in every Case where by reason of Absence in Foreign Parts, or of any Disability, the Owner of the Land shall have been prevented from treating with the Commissioners, all the Costs shall be borne by the Commissioners.

Particulars of Costs.

LXXIII. And be it enacted, That such Costs shall be settled by the Sheriff, and such Costs shall include all reasonable Costs, Charges, and Expences incurred in summoning, impannelling, and returning the Jury, taking the Inquiry, the Attendance of Witnesses, the Employment of Counsel, recording the Verdict and Judgment thereon, and otherwise incident to such Inquiry, and also the Expences of the Bond, if any, given by the Party at whose Instance the Inquiry shall have been taken, for prosecuting his Claim and securing the Costs of such Inquiry; and with respect to any such Costs payable by the Commissioners, if within Seven Days after Demand such Costs be not paid to the Party entitled to receive the same, the same shall be recoverable by Distress, and on Application to any Justice he shall give his Warrant accordingly; and with respect to any such Costs payable by the Owner of the Lands, or of any Interest therein, the same may be deducted out of any Money awarded by the Jury to be paid to such Owner as so much Money advanced for his Use; and the Payment of the Remainder of such Money shall be a good Payment and Satisfaction of the whole thereof.

LXXIV. And

LXXIV. And be it enacted, That if the Sheriff make Default in any of the Matters herein-before required to be done by him in relation to any such Trial or Inquiry he shall forfeit Fifty Pounds for every such Offence; and if any Person summoned and returned upon any Jury under this Act, whether common or special, do not appear, or appear but refuse to make Oath, or in any other Manner unlawfully neglect his Duty, he shall, unless he show reasonable Excuse, to the Satisfaction of the Sheriff, forfeit a Sum not exceeding Ten Pounds; and every such Penalty payable by a Sheriff or Jurymen shall be applied in satisfaction of the Costs of the Inquiry, so far as the same will extend; and in addition to the Penalty imposed every such Jurymen shall be subject to the same Regulations, Pains, and Penalties as if such Jury had been returned for the Trial of any Issue joined in any of the Superior Courts.

Penalty on Sheriff and Jury for Default.

LXXV. And be it enacted, That if any Person duly summoned to give Evidence upon any such Inquiry, and to whom a Tender of his reasonable Expences shall have been made, fail to appear at the Time and Place specified in the Summons, without sufficient Cause, or if any Person, whether summoned or not, who shall appear as a Witness, refuse to be examined on Oath touching the Subject Matter in question, every Person so offending shall forfeit a Sum not exceeding Ten Pounds.

Penalty on Witnesses making Default.

LXXVI. And be it enacted; That if either Party desire any such Question of Dispute or Compensation as aforesaid to be tried before a Special Jury, and before the Commissioners have issued their Warrant to the Sheriff, give Notice in Writing of such Desire, such Question shall be so tried, and for that Purpose the Commissioners shall, by their Warrant to the Sheriff, require him to nominate a Special Jury for such Trial; and thereupon the Sheriff shall, as soon as conveniently may be after the Receipt by him of such Warrant, summon both the Parties to appear before him, by themselves or their Attornies, at some convenient Time and Place (not being less than Five Days from the Service of such Summons) appointed by him, for the Purpose of nominating a Special Jury; and at the Place and Time so appointed the Sheriff shall proceed to nominate and strike a Special Jury, in the Manner in which such Juries shall be required by the Laws for the Time being in force to be nominated or struck by the proper Officers of the Superior Courts; and the Sheriff shall appoint a Day for the Parties or their Agents to appear before him to reduce the Number of such Jury, and thereof shall give Four Days Notice to the Parties, and on the Day so appointed the Sheriff shall proceed to reduce the said Special Jury to the Number of Twenty, in the Manner used and accustomed by the proper Officer of the Superior Courts.

Special Jury to be summoned at the Request of either Party.

LXXVII. And be it enacted, That the Special Jury on such Inquiry shall consist of Twelve of the said Twenty who shall first appear on the Names being called over, the Parties having their lawful Challenge against any of the said Jurymen; and if a full Jury do not appear, or if after such Challenges if a full Jury do not remain, then, upon the Application of either Party, the Sheriff shall add to the

Deficiency of Jurymen.

the List of such Jury the Names of any other disinterested Persons qualified to act as Special or Common Jurymen who shall not have been previously struck off the aforesaid List, and who may then be attending the Court, or can speedily be procured, so as to complete such Jury, all Parties having their lawful Challenges against such Persons, and the Sheriff shall proceed to the Trial and Adjudication of the Matters in question by such Jury, and such Trial shall be attended in all respects with the like Incidents and Consequences as herein-before provided in the Case of a Trial by Common Jury.

Other Inquiries before same Special Jury by Consent.

LXXVIII. And be it enacted, That any other Inquiry than that for the Trial of which such Special Jury may have been struck and reduced as aforesaid may be tried by such Jury, provided the Parties thereto respectively shall give their Consent to such Trial.

Special Jurymen not to attend more than once.

LXXIX. And be it enacted, That no Special Jurymen shall, without his Consent, be summoned or required to attend any such Proceeding as aforesaid more than once in any Year.

Commissioners empowered to purchase the Interest in Lands, the Purchase whereof may have been omitted by Mistake.

LXXX. And be it enacted, That if at any Time after the Commissioners shall have entered upon any Lands which under the Provisions of this Act they were authorized to purchase, and which shall be permanently required for the Purposes of the Harbour, any Party shall appear to be entitled to any Estate, Right, or Interest in, or Charge affecting such Lands, which the Commissioners shall have failed or omitted duly to purchase, or to pay Compensation for them, whether the Period granted for the Purchase of Lands shall have expired or not, the Commissioners shall remain in the undisturbed Possession of such Lands; provided, within Six Calendar Months after Notice of such Estate, Right, Interest, or Charge, in case the same shall not be disputed by the Commissioners, or in case the same shall be disputed then within Six Calendar Months after the Right thereto shall have been finally established by Law in favour of the Party claiming the same, the Commissioners shall purchase or pay Compensation for the same, and shall also pay to such Party, or to any other Party who may establish a Right thereto, full Compensation for the Mesne Profits or Interest which would have accrued to such Parties respectively in respect thereof, during the Interval between the Entry of the Commissioners thereon and the Time of the Payment of such Purchase Money or Compensation by the Commissioners, so far as such Mesne Profits or Interest may be recoverable in Law or Equity; and such Purchase Money or Compensation shall be agreed on or awarded and paid in like Manner as, according to the Provisions of this Act, the same respectively would have been agreed on or awarded and paid, in case the Commissioners had purchased such Estate, Right, Interest, or Charge before their entering upon such Lands, or as near thereto as Circumstances will admit.

How Value of such Lands to be estimated.

LXXXI. And be it enacted, That in estimating any Compensation to be given for any such last-mentioned Lands, or any Estate or Interest in the same, or for any Mesne Profits thereon, the Jury shall assess the same at such Price as they shall find to be the Value of such Lands, Estate, or Interest, and Profits, without regard to any

Improvements or Works made in the said Lands by the Commissioners, as though the Harbour had not been constructed.

LXXXII. And be it enacted, That in addition to the said Purchase Money, Compensation, or Satisfaction, and before the Commissioners shall become absolutely entitled to any such Estate, Interest, or Charge, or to have the same merged or extinguished for their Benefit, they shall, when the Right to any such Estate, Interest, or Charge shall be disputed, pay the full Costs and Expences of any Proceedings at Law or in Equity for the Recovery of the same, to the Parties with whom any Litigation in respect thereof shall have taken place; and such Costs and Expences shall, in case the same shall be disputed, be settled by the proper Officer of the Court in which such Litigation took place.

Commissioners to pay the Costs of Litigation as to such Lands.

LXXXIII. And be it enacted, That if the said Commissioners and the Party entitled to any such Costs shall not agree as to the Amount thereof, such Costs shall be ascertained by the Court of Exchequer, and for that Purpose either Party may apply to the Court by Petition, and thereupon the Court shall order such Costs to be referred to one of the Masters, to be taxed in the usual Manner; and upon Proof of such Service the Master shall proceed to tax such Costs accordingly, Notice of such Taxation being given to the other Party; and after the Taxation thereof it shall be lawful to the Court to order the Amount at which the same shall be so taxed, together with the Costs of Taxation, or so much of the same as shall be payable by the said Commissioners, to be paid to the Party entitled thereto, and the same shall be paid accordingly; and the Expence of taxing such Costs, and of obtaining the Order referring the same to be taxed, shall be borne by the said Commissioners, unless on the Taxation One Sixth Part of the Costs be disallowed, in which Case the Expence shall be borne by the Party from whom the Lands shall have been purchased or taken.

Taxation of Costs.

LXXXIV. And whereas Plans and Sections describing the Lines, Levels, and Situation of the said Harbour and Works, and of the Lands upon or through which the same are intended to be made, and a Book of Reference containing a List of the Owners, Lessees, and Occupiers of such Lands, have been deposited with the Clerk of the Peace of *Wicklow*; be it enacted, That the Clerk of the Peace of *Wicklow* for the Time being shall keep the said Plans, Sections, and Book of Reference, and shall permit all Persons to inspect the same at seasonable Times, and shall make out Copies or Extracts therefrom for all Persons requiring the same, on being paid One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of any such Copy or Extract; and a Copy or Extract from any such Plan, Section, or Book of Reference, certified by the said Clerk of the Peace, shall be received in Evidence in all Courts of Justice.

Plans and Sections deposited with the Clerk of the Peace to remain there, and be open to Inspection.

LXXXV. And for the Purpose of making Provision for correcting any Omission, Mis-statement, or erroneous Description of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on

Errors and Omissions to be corrected.

[*Local.*]

35 T

the

the said Plans, or in the said Books of Reference, or the Schedule hereto, be it enacted, That the Correction of any such Matter may be referred by the said Commissioners to the Determination of Two Justices; 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 Clerks of the Peace of the several Counties, and Copies or Extracts thereof with the Clerks of the several Parishes, in which the Lands affected thereby shall be situate; and such Certificate, and such Extracts or Copies respectively, shall be kept by such Clerks of the Peace and Clerks of the Parishes respectively along with the Documents to which they relate, and thereupon such Document, or the Schedule to this Act, shall be deemed to be corrected according to such Certificate, and it shall be lawful for the said Commissioners to make the Harbour in accordance with such Certificate.

Certified
Copies to be
Evidence.

LXXXVI. And be it enacted, That true Copies of such Plans and Books of Reference, or of any Correction thereof, or Extracts therefrom, certified by any such Clerk of the Peace, shall be received in all Courts of Justice, or elsewhere, as Evidence of the Contents thereof.

Payment of
Price to be
made pre-
vious to
Entry, ex-
cept to sur-
vey, &c.

LXXXVII. And be it enacted, That the said Commissioners shall not, except by Consent of the Owner and Occupier, enter upon any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, until they shall either have paid to every Party having any Interest in such Lands, or deposited in the Bank of *Ireland*, in the Manner herein mentioned, the Purchase Money or Compensation agreed or awarded to be paid to such Parties respectively for their respective Interests therein: Provided always, that for the Purpose merely of surveying and taking Levels of such Lands, it shall be lawful for the said Commissioners to enter upon the same without the previous Consent of the Owners, making Compensation for any Damage thereby occasioned to the Owners or Occupiers of such Lands.

Penalty on
Commis-
sioners en-
tering upon
Lands with-
out Consent
before Pay-
ment of the
Purchase
Money.

LXXXVIII. And be it enacted, That if the said Commissioners or any of their Contractors shall, except as aforesaid, wilfully enter upon and take possession of any Lands which shall be required to be purchased or permanently used for the Purposes of this Act, without such Consent as aforesaid, or without having made such Payment or Deposit as aforesaid, the said Commissioners shall forfeit to the Party in possession of such Lands the Sum of Ten Pounds over and above the Amount of any Damage done to such Lands by reason of such Entry and taking possession as aforesaid, such Penalty and Damage respectively to be recovered before Two Justices; and if the said Commissioners or their Contractors shall, after Conviction in such Penalty as aforesaid, or after Notice from the Party in possession of such Lands, continue in unlawful Possession of any such Lands, the said Commissioners shall be liable to forfeit the Sum of Twenty-five

Pounds

Pounds for every Day they or their Contractors shall so remain in possession as aforesaid, such Penalty to be recoverable by the Party in possession of such Lands, with full Costs of Suit, in any of the Superior Courts: Provided always, that nothing herein contained shall be held to subject the said Commissioners to the Payment of any such Penalties as aforesaid, if they shall *bonâ fide* and without Collusion have paid or deposited the Compensation agreed or awarded to be paid in respect of the said Lands to any Person whom the said Commissioners may have reasonably believed to be entitled thereto, although such Persons may not have been legally entitled thereto.

LXXXIX. And be it enacted, That on the Trial of any Action for any such Penalty as aforesaid the Decision of the Justices under the Provision herein-before contained shall not be held conclusive as to the Right of Entry on any such Lands by the said Commissioners. Decision of Justices not conclusive as to Commissioners Right.

XC. And be it enacted, That when the said Commissioners shall require to purchase any of the Lands which by this Act they are authorized to purchase or take, they shall give Notice thereof to all the Parties interested in such Lands, or enabled by this Act to sell and convey or release the same, or such of them as shall be known to the said Commissioners, and by such Notice shall demand from such Parties the Particulars of their Estate and Interest in such Lands, and of the Claims made by them in respect thereof; and every such Notice shall be in Writing, and shall state the Particulars of the Lands so required, and shall state that the said Commissioners are willing to treat for the Purchase of the Interest of such Party in such Lands, and as to the Compensation to be made for the Damage that may be sustained by him by reason of the making of the Harbour. Notice of Intention to take Lands.

XCI. And be it enacted, That if for One Month after the Receipt of such Notice any such Party shall fail to state the Particulars of his Claim in respect of any such Land, or to treat with the said Commissioners in respect of his Interest therein, or if such Party and the said Commissioners shall differ as to the Amount of the Compensation to be paid to such Party for any such Interest, or for any Damage that may be sustained by him by reason of the Execution of the Harbour, the Amount of such Compensation shall be settled in the Manner herein-after provided for settling Cases of disputed Compensation. Parties interested in Lands to state their Claims.

XCII. And be it enacted, That, where according to the Provisions of this Act, the said Commissioners are authorized to enter upon and take possession of any Lands required for the Purposes of the Harbour, if the Owner or Occupier of any such Lands, or any other Person, refuse to give up the Possession thereof, or hinder the said Commissioners from entering upon or taking possession of the same, it shall be lawful for the said Commissioners to issue their Precept, under their Common Seal, to the Sheriff, to deliver possession of the same to the Person appointed in such Precept to receive the same, and upon the Receipt of such Precept the Sheriff shall deliver possession Proceedings in case of Refusal to deliver Possession of Lands.

possession of any such Lands accordingly ; and the Costs accruing by reason of the issuing and Execution of such Precept, to be settled by the Sheriff, shall be paid by the Persons refusing to give possession ; and such Costs, if not paid on Demand, shall be levied by Distress, and the Sheriff shall issue his Warrant accordingly.

Commis-
sioners em-
powered to
re-sell or
lease.

XCIII. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to sell and dispose of, or demise, and by Indenture under the Hand and Seal of any Seven or more of them to grant and convey or demise, unto any Person whomsoever, and either in consideration of a Sum of Money in gross, or in consideration of a perpetual or other annual Rent-charge, to be made payable in such Manner as the said Commissioners shall think fit, and to be issuing out of the Lands to be sold, all such of the Lands to be purchased by and conveyed to the said Commissioners as shall not be wanted for the said Harbour and Works ; and that to every Rent-charge to be granted or reserved, pursuant to this Clause, unto the said Commissioners, or unto any Person, shall be incident the usual Power of Entry into and upon the Perception of the Rents and Profits out of the Hereditaments out of which the same is to be issuing ; and the same shall be recoverable by all other Means in which Rent-charges are recoverable, and also by Action of Debt in any of Her Majesty's Courts of Record at *Dublin* against the Person for the Time seised or possessed of the Hereditaments whereout or whereof such respective Rent-charge reserved by virtue hereof shall be expressed to be reserved ; and that all such Grants, Conveyances, Demises, or other Assurances from the said Commissioners shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom, to the contrary thereof in anywise notwithstanding ; and upon Payment of the Money which shall arise by any such Lands as aforesaid ; or any Part or Parcels thereof, as shall be made for a Sum of Money in gross, it shall and may be lawful for the Treasurer of the Commissioners for the Time being to sign and give a Receipt for the Money for which the same shall be sold, which Receipt shall be a sufficient Discharge to the Purchaser for the Money for which such Premises shall be so sold as aforesaid, or for so much thereof as in such Receipt shall be acknowledged or expressed to be received, and such Person shall not be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money, or any Part thereof.

Not to de-
viate from
Section nor
more than
200 Yards
from Plan.

XCIV. And be it enacted, That the said Commissioners in making the said Harbour and Works shall not deviate from the said Section, nor to any greater Extent than Two hundred Yards from the Boundary Line described in the said Plans, with respect to such Harbour and other Works respectively ; and no Deviation shall extend beyond the Limits of Deviation marked in the said Plans, nor into the Lands of any Person not mentioned in the Book of Reference, without his previous Consent in Writing, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein-before provided.

XCV. And

XCV. And be it enacted, That the said Commissioners shall not take or injure any Property of the following Kinds, except such as shall be specified in the Schedule to this Act annexed, marked (D.), without the Consent in Writing of the Owners and Occupiers thereof, unless the Omission in such Schedule be certified, according to the Provisions herein-before contained, to have proceeded from Mistake; that is to say, any House or Building erected on or before the Thirtieth Day of *November* One thousand eight hundred and forty-one, or any Ground on or before that Day inclosed or set apart and used as a Garden, Orchard, Nursery Ground, Yard, Paddock, Plantation, planted Walk or Avenue to a House.

Houses and inclosed Grounds not to be taken unless specified in the Schedule.

XCVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from any of the Rights or Privileges of the Corporation of the Ballast Board of *Dublin*; and that nothing in this Act contained shall extend or be construed to extend to authorise or empower the said Commissioners to exhibit or alter any Beacon or other Sea Mark for the Guidance of Ships or Vessels navigating to or from the said Harbour, without having from Time to Time first obtained the Sanction in Writing of the Corporation of the Ballast Board of *Dublin* as to the Character of any such Beacon or Sea Mark, and the Mode of exhibiting the same.

Saving the Rights of the Ballast Board.

Sea Marks not to be exhibited or altered without the Sanction of the Ballast Board.

XCVII. And be it enacted, That it shall be lawful for the said Commissioners, upon the said Lands, and according to the Provisions herein contained, to make, build, alter, and maintain such Warehouses, Storehouses, and other Buildings and Works as they may deem necessary for the Security and Accommodation of any Goods, Merchandize, or Things shipped or unshipped within the said Harbour, or any of the Quays or other Works made under the Authority of this Act.

Warehouses and other Works.

XCVIII. And be it enacted, That it shall be lawful for the said Commissioners to erect or provide such Cranes, Weighing and other Machines, Conveniences, Weights, and Measures, upon the Piers or Quays made under this Act, as they may think necessary for loading, unloading, measuring, and weighing any Goods, Articles, or Things exported from or imported into the said Harbour.

Cranes, Weighing Machines, &c.

XCIX. And whereas the estimated Expences of completing the Works for the said Harbour amounts to Fifty-two thousand Pounds; be it enacted, as soon as the Works herein-after mentioned shall have been done and performed according to the Proviso herein-after contained, it shall be lawful for the said Commissioners to demand and receive, for every Vessel which shall enter within the Limits of the said Harbour, any Sum not exceeding the several Rates following; (that is to say,)

When Tolls for the Harbour to be taken.

1. Every Vessel coming into the Harbour, and leaving with the same Load, or coming in for Refuge, to pay for every registered Ton a Sum not exceeding - 4 Pence.
2. Every Vessel coming in loaded, discharging, and going out loaded, and not coming or going Coast-

[Local.]

35 U

ways,

- ways, to pay for every registered Ton a Sum not exceeding - - - - - 6 Pence.
3. Every such Vessel coming or going Coastways to pay for every registered Ton a Sum not exceeding - 6 ”
4. Every Vessel coming in or going out in Ballast, and when loaded, not coming or going Coastways, to pay for every registered Ton a Sum not exceeding - 4 ”
5. Every such Vessel, when loaded, coming or going Coastways, to pay for every registered Ton a Sum not exceeding - - - - - 3 ”

Lighters, &c.
under 15
Tons exempt
from Dues.

C. Provided always, and be it enacted, That nothing herein contained shall be construed to extend to make any Lighter, Boat, or other Vessel of less than Fifteen Tons Burden subject or liable to the Payment of the said Tonnage Dues by this Act imposed.

Commis-
sioners em-
powered to
lease the
Tolls.

CI. And be it further enacted, That it shall be lawful for the said Commissioners to let to farm the Tolls or Duties by this Act made payable, or any Part thereof, unto any Person, for any Term or Time which they shall think proper, not exceeding Seven Years; and the Lessee thereof, and also such Person as such Lessee shall appoint to collect and receive the Tolls and Duties so let, shall, during the Continuance of any such Lease, be deemed Collectors thereof, and shall have the same Power and Authority for collecting and recovering the same as if they had been appointed for that Purpose by the said Commissioners: Provided always, that public Notice of the Intention to let the said Tolls and Duties, or any Part thereof, be given by the Clerk to the said Commissioners, by Advertisement in Two Newspapers as aforesaid published in *Dublin*, and usually circulated in the said County, at least Fourteen Days prior to any Meeting at which the said Tolls or Duties, or any Part thereof, are proposed to be let.

Power of
Re-entry.

CII. And be it further enacted, That in case all or any of the Tolls, Rates, or Duties arising by virtue of this Act shall be demised or let to farm to any Person in any Manner whatsoever, and the Lessee or Farmer thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent agreed to be paid by such Lessee or Farmer, or any Part thereof, shall be in arrear or unpaid for the Space of Seven Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Agreement, or Contract for demising or letting such Tolls or Duties, or in case any such Lease, Agreement, or Contract shall in any other Manner become void, then and in any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the said County of *Wicklow*, upon Application made by Five or more of the said Commissioners, or by the Clerk or Treasurer for the Time being of the said Commissioners, by Warrant under their respective Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to remove such Lessee, Farmer, or other Person from the Collection of such Tolls or Duties, and to put the said Commissioners, or their new Lessee, Farmer, or Collector, into possession; and thereupon it shall

shall be lawful for the said Commissioners, if they shall see fit, to vacate and determine the Lease, Contract, or Agreement, if any, which was previously subsisting, and the same shall accordingly be utterly void, to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements, on the Lessee's Part,) as if such Lease, Contract, or Agreement had never been made; and it shall be lawful for the said Commissioners in every such Case again to demise or let to farm the said Tolls or Duties to any other Person, or cause them to be collected, in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

CIII. And be it enacted, That a Certificate, under the Hand of any Chairman of the Quarter Sessions of the Peace for the County of *Wicklow*, shall be conclusive Evidence of the Works having been done and performed according to the Proviso herein-after contained; and any such Chairman shall sign such Certificate, on proper Proof being adduced to him that such Works have been done and performed.

Certificate of the Chairman of Quarter Sessions to be Evidence of the Works done.

CIV. Provided always, and be it enacted, That if any Vessel for which the Rates herein-before mentioned shall have been paid shall, after leaving the said Harbour, be obliged, from Stress of Weather, or other Cause, to return with the same Cargo, the Rates so paid shall not again be payable in respect of such Vessel.

Exemption for Vessels returning from Stress of Weather.

CV. And be it enacted, That the Tonnage of every *British* Vessel liable to the Payment of any Tonnage Rate under this Act, and duly registered according to Law, shall be ascertained according to the certified Tonnage in the Register; and the Tonnage of all other Vessels shall be ascertained according to the Rules of Admeasurement established by an Act of Parliament passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to regulate the Admeasurement of the Tonnage and Burden of the Merchant Shipping of the United Kingdom*, or any Law for the Time being regulating such Admeasurement.

Tonnage of British registered Vessels to be ascertained by the Register; that of other Vessels by Measurement, according to 5 & 6 W. 4.

CVI. And be it enacted, That it shall be lawful for the said Commissioners to demand and receive, for all Goods, Articles, or Things in the Schedule marked (E.) to this Act annexed, which shall be shipped or unshipped, received or delivered, within the Limits of the said Harbour, any Sums not exceeding the several Rates in the said Schedule specified.

Rates on Goods shipped or unshipped within the Harbour.

CVII. Provided always, and be it enacted, That no Rate or Tolls authorized by this Act to be demanded and received shall be demanded or received as aforesaid until the said Commissioners shall, under the Powers herein-before granted, have deepened and excavated the Channel of the said River *Leitrim*, connected with the said Harbour, so that there may be at least Eight Feet of Water at Low Water, from the Mouth of the said River, up and including a certain Point Twenty Yards next above the several Quays and Wharfs

No Rates to be taken until the Channel of the River has been deepened;

nor when
Goods are
landed by
Lighters for
Want of
Water.

Wharfs now in the Possession of Messieurs *John Williams junior* and Brothers, nor until the public Quays and Wharfs, extending as aforesaid, now in a dilapidated State, shall have been substantially repaired or rebuilt; nor shall any Rate in the said Schedule specified be payable for or in respect of any Articles or Things which at any Time or Times hereafter shall be necessarily shipped or unshipped; loaded or landed, into or from any Vessels, by means of a Lighter, in consequence of an Insufficiency of Water.

Rates for
Cranes and
Weighing
Machines.

CVIII. And be it enacted, That it shall be lawful for the said Commissioners to demand and take, for the Use of any Cranes and Weighing Machines erected by the said Commissioners, of and from the Owner or Person having the Charge of any Goods, Articles, or Things loaded or unloaded, weighed or measured, by means of the same, such reasonable Rates as the said Commissioners shall from Time to Time appoint.

Lords of the
Treasury,
&c. may re-
duce Rates
on Foreign
Vessels.

CIX. And be it enacted, That it shall be lawful for Her Majesty, by an Order in Council, or for the Commissioners of Her Majesty's Treasury, or any Three or more of them, or the Lord High Treasurer for the Time being, by any Order in Writing, from Time to Time to reduce any of the Rates hereby made payable on Foreign Vessels or Goods to the same Rates as shall be payable in respect of *British* Vessels or Goods.

Rates to be
charged
equally.

CX. Provided always, and be it enacted, That the several Rates authorized to be taken by this Act shall at all Times be charged equally, and after the same Rate, in respect of the same Description of Vessel and Goods.

Masters to
report Ar-
rival of Ves-
sels within
the Harbour.

CXI. And be it enacted, That the Master or Commander of any Vessel liable to any of the said Rates shall, within Six Hours from Sunrise after the Arrival of such Vessel within the Limits of the said Harbour, report to the Harbour Master for the Time being the Arrival of such Vessel, and the Place from whence it came; and any Master or Commander of any such Vessel, who shall fail to make such Reports within the Time aforesaid, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Master of
Vessel to
produce
Certificate
of Registry.
Penalty.

CXII. And be it enacted, That the Master or Commander of every registered Vessel shall, on Demand, produce the Certificate of the Registry of such Vessel to any Person authorized by the said Commissioners to collect the Rate in respect of such Vessel, and if any such Master or Commander shall refuse or neglect to produce such Certificate to any such Person, on Demand, he shall forfeit any Sum not exceeding Five Pounds.

Recovery of
Rates by Dis-
tress of Ship
and Tackle.

CXIII. And be it enacted, That if any Master or other Person having Command of any Vessel in respect of which any Rates shall be payable to the said Commissioners shall refuse or neglect to pay the same, then it shall be lawful for the Person appointed by the said Commissioners to collect such Rates to go on board of such Vessel and demand such Rates, and on Nonpayment thereof, or any Part thereof, to take and distrain such Vessel, and all the Tackle,
Apparel,

Apparel, and Furniture belonging thereto, or any Part thereof, and to detain such Distress until the Rates shall be paid; and in case any of the said Rates shall remain unpaid for the Space of Fourteen Days next after any Distress so made, then it shall be lawful for the said Collector to cause such Distress to be appraised by Two or more Sworn Appraisers, and afterwards to sell the Distress, and therewith to satisfy the Rates so unpaid, and all the Expences of taking, keeping, appraising, and selling such Distress, rendering the Overplus (if any) to the Master or other Person having the Command of such Vessel, upon Demand.

CXIV. And be it enacted, That when the Cargo of any Vessel arriving within the Limits of the said Harbour, or any Part of such Cargo, shall be intended to be unshipped within the Limits of the said Harbour, the Master or Commander of such Vessel shall, within Twelve Hours after the Arrival of such Vessel within the Limits of the said Harbour, deliver to the Person for the Time being appointed to collect the last-mentioned Rates mentioned in the Schedule the following Particulars; (that is to say,)

Masters of Vessels to give Accounts of Goods intended to be unshipped within the Harbour, &c.

The Name of the Consignee of the Cargo, or Part of the Cargo, of such Vessel, intended to be unshipped within the Limits of the said Harbour:

And if the whole Cargo of such Vessel shall be intended to be unshipped within the Limits of the said Harbour, a Copy of the Bill of Lading or Manifest of the Cargo of such Vessel:

Or if Part only of the Cargo of such Vessel is intended to be so unshipped, a true Account in Writing of the Kinds, Weights, and Quantities of the several Goods, Articles, and Things intended to be so unshipped:

And every such Master or Commander shall, if required by the Person appointed to collect the Rates aforesaid, give to such Person Twenty-four Hours Notice of the Time at which the Cargo of such Vessel, or any Part of the same, is intended to be unshipped.

CXV. And be it enacted, That any Master or Commander of any Vessel, the Cargo or Part of the Cargo of which shall be intended to be unshipped within the Limits of the said Harbour, who shall fail to deliver or give any of the Particulars or the Notice herein-before required to be delivered or given by such Master or Commander, or shall deliver or give any false Particular or Notice, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty on Masters giving no Account or a false Account.

CXVI. And be it enacted, That the Master or Commander of any Vessel within the Limits of the said Harbour, on board of which any Goods, Articles, or Things shall be shipped, shall give to the Person for the Time being appointed by the said Commissioners to collect the last-mentioned Rates a true Account, signed by the Consignor, of the Kinds, Quantities, and Weights of such Goods, Articles, or Things, before the same shall be shipped in such Vessel; and any Master or Commander who shall fail to give such Account, or shall give a false Account, and any Consignor who shall sign a false Account of any such Goods, Articles, or Things, shall respectively

Masters of Vessels to give Accounts of Goods intended to be shipped.

Penalty.

for every such Offence be liable to a Penalty not exceeding Five Pounds.

In case of
Dispute,
Goods to be
weighed or
measured.

CXVII. And be it enacted, That if any Difference shall arise between the Person for the Time being appointed by the said Commissioners to collect the last-mentioned Rates, and the Master or Commander of any Vessel, or the Owner, Consignor, or Consignee of any Goods, concerning the Weight or Quantities of any Goods, Articles, or Things in respect of which any Rates are payable by this Act, it shall be lawful for such Collector to cause all such Goods, Articles, or Things to be weighed or measured, as the Case may require, and, if necessary, to detain the Vessel in which such Goods, Articles, or Things may be, until the same shall have been weighed or measured.

Expences of
weighing or
measuring
Goods.

CXVIII. And be it enacted, That if the Goods, Articles, or Things so weighed or measured shall be of greater Weight or Measure than shown from the Manifest, Account, or Statement delivered or made by the Master or Commander of the Vessel in which the same may be, or by the Owner, Consignor, or Consignee thereof, the Expences of such weighing or measuring shall be paid to the said Commissioners, or their Collector, and shall be recovered by the said Commissioners, or their Collector, by the same Means as herein provided for the Recovery of Rates due in respect of such Goods, Articles, and Things; but if such Goods, Articles, and Things shall be of the same or less Weight or Quantity than shown by the Manifest, Account, or Statement so delivered or made as aforesaid, the said Commissioners shall pay all the Expences of such weighing or measuring, and shall also pay to the Master or Commander of the Vessel, or to the Owner, Consignor, or Consignee of such Goods, Articles, or Things, all Expences which may be occasioned to any such Person by reason of such weighing or measuring.

Rates on
Goods by
whom and
when pay-
able.

CXIX. And be it enacted, That the Rates payable to the said Commissioners in respect of any Goods, Articles, or Things shipped or unshipped within the Limits of the said Harbour shall be paid as follows; (that is to say,) if such Goods, Articles, or Things shall be shipped, such Rates shall be paid by the Owner or Consignor of such Goods, Articles, or Things previous to the Shipment of the same, or if such Goods, Articles, or Things shall be unshipped, such Rates shall be paid by the Owner or Consignee of such Goods, either before the Expiration of One Calendar Month next after the same shall have been unshipped, or previous to the Removal of the same from the Premises of the said Commissioners, which shall first happen.

Recovery of
Rates on
Goods.

CXX. And be it enacted, That if Default be made in Payment of any Rates payable under this Act in respect of any Goods, Articles, or Things, it shall be lawful for the Person for the Time being appointed by the said Commissioners to collect such Rates to distrain any such Goods, Articles, or Things, or, if the same shall be removed without the Limits of the Harbour and Premises of the said Commissioners, to distrain any other Goods, Articles, or Things within the Limits of the Harbour or Premises of the said Commissioners, belonging

belonging to the Person liable to pay such Rates, and to sell any such Distress, and out of the Proceeds of such Sale to pay the Rates due to the said Commissioners, or it shall be lawful for the said Commissioners to recover such Rates by Action in any of the Superior Courts; provided that the Person collecting any such Rates shall, before making any such Distress as aforesaid, pay all Duties which may be payable to Her Majesty in respect of the Goods, Articles, or Things so distrained, and may retain the Amount of Duties so paid out of the Proceeds arising from the Sale of such Distress.

CXXI. And to the end that the Rates by this Act imposed may be effectually levied, be it enacted, That it shall be lawful for any Person appointed to collect any such Rates to enter, either alone or with any other Persons, into any Vessel within the Limits of the said Harbour, and to ascertain the Rates payable in respect of any such Vessel, or of any Goods, Articles, or Things therein.

Collector of Rates may enter Vessels.

CXXII. And be it enacted, That if any Master or Commander of any Vessel shall evade the Payment of any Rates payable to the said Commissioners, he shall pay to them Three Times the Amount of such Rates, and the same shall be recovered from such Master or Commander in the same Manner as Penalties imposed by this Act are directed to be recovered, or by Action in any of the Superior Courts.

Penalty on evading Payment of Rates.

CXXIII. And be it enacted, That it shall be lawful for the Collector or other proper Officer of Her Majesty's Customs within the said Harbour, with the Consent of the Commissioners of Her Majesty's Customs, to refuse to receive any Entry, or give any Cocquet, Discharge, or Clearance, or to take any Report, inwards or outwards, for any Vessel liable to the Rates imposed by this Act, until the Master or Commander of such Vessel shall produce to such Collector or Officer a Certificate, under the Hand of the Person appointed by the said Commissioners to collect such Rates, that the Rates payable under this Act in respect of such Vessel, and any Goods, Articles, or Things imported or exported by such Vessel, have been paid.

Collector of Customs may withhold a Discharge to any Vessel until Rates are paid.

CXXIV. And be it enacted, That if any Dispute shall arise concerning the Amount of any Rates due, or the Charges occasioned by any Distress to be taken by virtue of this Act, it shall be lawful for the Person distraining to detain such Distress until the Amount of the Rates due, or the Charges of such Distress, (as the Case may be,) shall be ascertained by some Justice of the Peace, who, upon Application made to him for that Purpose, shall determine the Amount of the Rates due, and award such Costs to be paid by either of the Parties to the other of them as he shall think reasonable; and such Costs, if not paid on Demand, shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Disputes concerning Rates and Distress to be settled by a Justice.

CXXV. And be it enacted, That the said Commissioners shall from Time to Time cause to be painted on Boards, in large and legible Characters, and affixed in the Front of the principal Office of Business of the said Commissioners, and on some conspicuous Part of the Quays

Lists of Rates to be set up.

Quays of the said Harbour, a List of the several Rates which shall be from Time to Time payable in respect of the said Harbour, and no Toll shall be payable in respect of the said Harbour during such Time as such Lists shall not continue so affixed, or for any Matter or Thing not specified in such List: Provided always, that if any such List shall be destroyed, injured, or obliterated, the Rates shall continue to be payable during such Time as may be reasonably required for the Restoration or Reparation of such List, in the same Manner as if such Lists had continued affixed and in the State required by this Act.

Power to appoint Harbour Master.

CXXVI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to appoint such Harbour Masters as they shall think necessary, and at Pleasure to remove such Harbour Masters.

Powers of Harbour Master.

CXXVII. And be it enacted, That it shall be lawful for the Harbour Master for the Time being to give Directions for all or any of the following Purposes; (that is to say),

For regulating the Time and Manner in which any Vessel shall enter into, go out of, or lie in the Limits of the said Harbour, and the Position, mooring or unmooring, placing, removing of any Vessel within the said Limits:

For regulating the Manner in which any Vessel shall take in or discharge its Cargo, or any Part thereof, or shall take in or deliver Ballast within the Limits of the said Harbour:

For regulating the Government of any Vessel within the said Limits:

Provided always, that it shall not be lawful for such Harbour Master to direct that any Vessel shall lie or be within the said Harbour, or within Twenty Yards of any Entrance to the same, or outside of the said Harbour, within One hundred Yards to any Entrance to the same.

Penalty on Harbour Master, &c. exercising Powers unreasonably.

CXXVIII. And be it enacted, That in case any Harbour Master appointed under this Act shall, without reasonable Cause, exercise any of the Powers or Authorities vested in him by this Act, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on not complying with Directions of the Harbour Master.

CXXIX. And be it enacted, That the Master or Commander of every Vessel within any Part of the Limits of the said Harbour, or within One hundred Yards of any Entrance to the same, shall regulate such Vessel according to the Directions of the Harbour Master for the Time being made in conformity with this Act; and any Master or Commander of any Vessel who, after Notice in Writing, signed by the said Harbour Master, of any such Direction served upon him, shall not forthwith regulate such Vessel according to such Direction, shall be liable to a Penalty not exceeding Five Pounds.

Power of Harbour Master to remove Vessels.

CXXX. And be it enacted, That if the Master or Commander of any Vessel within any Part of the Limits of the said Harbour, except as aforesaid, shall not moor, unmoor, place, or remove such Vessel according to the Directions of the said Harbour Master

for the Time being in Writing given to the said Master or Commander, it shall be lawful for any such Harbour Master to cause such Vessel to be moored, unmoored, placed, or removed according to the Directions aforesaid, and to employ a sufficient Number of Persons for that Purpose; and the Expences attending such mooring, unmooring, placing, or removing shall be paid by such Master or Commander, and shall, together with the Costs of ascertaining and recovering the same, be ascertained and recovered from any such Master or Commander in the same Manner as any Damages for the ascertaining and recovering of which no special Provision is contained in this Act are hereby directed to be ascertained and recovered.

CXXXI. And be it enacted, That if any Master or Commander of any Vessel within the Limits of the said Harbour, except as aforesaid, or any Person on board the same, shall hinder the said Harbour Master, or any Person employed by him, in mooring, unmooring, placing, or removing such Vessel in manner aforesaid, such Master or Commander or other Person shall forfeit for every such Offence a Sum not exceeding Ten Pounds.

Penalty on
Master or
Commander
for obstruct-
ing Har-
bour Master.

CXXXII. And be it enacted, That if any Master or Commander, or other Person on board of any Vessel which shall be moored or fastened within the Limits of the said Harbour, except as aforesaid, shall not, upon Demand of the said Harbour Master, unloose or slacken the Rope or Chain by which such Vessel shall be moored or fastened, or if there shall be no Person on board of any such Vessel so moored or fastened, it shall be lawful for the said Harbour Master to cut the Rope or slacken the Chain by which such Vessel shall be so moored or fastened as aforesaid: Provided always, that before the Harbour Master shall cut any Rope or slacken any Chain by which any Vessel without any Person on board shall be moored or fastened, he shall cause a sufficient Number of Persons for the Protection of the same to be put on board such Vessel; and all Expences thereby incurred shall be paid by the Master or Commander of such Vessel.

Harbour
Master may
cut Ropes.

CXXXIII. And be it enacted, That it shall be lawful for the said Harbour Master for the Time being to remove any Wreck or other Obstruction to the said Harbour, within the Limits aforesaid, and also any floating Timber which may impede the Navigation thereof; and the Expence of removing any such Wreck, Obstruction, or floating Timber shall be repaid by the Owner of the same.

Harbour
Master may
remove
Wrecks, &c.

CXXXIV. And in order that a sufficient Number of skilful Pilots may be appointed to take charge of Ships or Vessels trading to the said Port and Harbour, and that proper Persons may be appointed to regulate the placing of such Ships or Vessels as shall be therein, and to prevent Abuses committed by Persons employed in Lighters within the said Port and Harbour, and that the Conduct of such Pilots and other Persons so to be appointed may be properly regulated, be it enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to licence and appoint,
[Local.] 35 Y during

Commis-
sioners may
appoint
Pilots.

during their Will and Pleasure, such Number of skilful Pilots for the Purpose aforesaid as may be necessary: Provided always, that nothing herein contained shall affect or interfere with the Provisions of any general Act to be hereafter passed for regulating Pilots or Pilotage in *Ireland*.

Rates of Pilotage.

CXXXV. And be it enacted, That the Master, Commander, Owner or Owners, of every Ship or Vessel coming into the said Port and Harbour of *Wicklow* from the Sea, or going out of the same to the Sea, shall for every such Ship or Vessel, not being exclusively engaged in Her Majesty's Service, pay or cause to be paid, as and for Pilotage, to the aforesaid Harbour Master, Collector, Receiver, or other Officer, a Rate or Sum not exceeding the respective Rates or Sums specified in Schedule (F.) to this Act annexed: Provided always, that Vessels coming into the said Port or Harbour from Stress of Weather or contrary Winds shall pay One Half only of such respective Rates; and provided also, that Owners of Steam Vessels may, if they think fit, employ a Pilot or Pilots by private Agreement, without being liable to pay any of the said Pilot Rates, provided such Pilot or Pilots be approved of by the said Commissioners.

Exception in favour of Steam Vessels.

Persons offering to Pilot any Vessel, if not licensed, to pay a Penalty.

CXXXVI. And be it enacted, That every Person offering himself as Pilot to any Ship or Vessel off or in the said Port and Harbour shall declare whether he be duly appointed and licensed by the said Commissioners to act as Pilot pursuant to the Directions of this Act; and if any Person so offering himself, and not licensed, shall, at the Time or Times he shall so offer himself as Pilot, declare himself to be so authorized and appointed as aforesaid, every such Person shall for such Offence forfeit and pay any Sum not exceeding Five Pounds.

Master refusing Pilot.

CXXXVII. And be it enacted, That in case the Master, Owner, or other Commander of any Ship or Vessel (save and except Steam Vessels) inward or outward bound, who is required by this Act to employ a Pilot, shall refuse to take on board and employ a Pilot so to be licensed as aforesaid, who shall offer his Services, such Master, Owner, or Commander shall pay or cause to be paid the usual Pilotage to the said Commissioners for the Services of such Pilot who first offered his Services, and was refused as aforesaid, according to the different Rates and Prices directed to be paid, over and above any other Penalty to which such Master, Owner, or Commander may be liable.

Licensed Pilot neglecting his Duty to pay a Penalty.

CXXXVIII. And be it enacted, That if any such licensed Pilot as aforesaid who shall go on board any Ship or Vessel going into or coming out of the said Port or Harbour for the Purpose of piloting the same shall wilfully or in any Manner neglect or refuse to perform his Duty in piloting such Vessel, so as to cause any unnecessary Delay or Injury to such Ship or Vessel, and shall be thereof convicted, on the Oaths of Two or more credible Witnesses, before the Mayor for the Time being in the said Town of *Wicklow*, or any Justice of the Peace for the County of *Wicklow*, such Pilot shall

shall for every such Offence forfeit and pay such Sum as such chief Magistrate or Justice of the Peace shall think fit, not exceeding Five Pounds.

CXXXIX. And be it enacted, That if any Wharfinger or Servant of the said Commissioners shall give any undue Preference or show any Partiality in loading or unloading any Goods or other Things at any Wharf, Quay, House, Warehouse, Landing Place, Crane, or Machine belonging to the said Commissioners he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty for undue Preference of Wharfingers.

CXL. And be it enacted, That it shall be lawful for the said Commissioners to lease or grant the Use or Occupation of any Quays, Wharfs, Houses, Warehouses, Landing Places, Buildings, Cranes, Machines, or other Conveniences provided by them for the Purposes of this Act, at such Rents, Terms, and Conditions as shall be agreed upon between the said Commissioners and the Persons taking, using, or occupying the same; provided that no such Lease shall be granted for a longer Term than Three Years.

Power to lease Wharfs.

CXLI. And be it further enacted, That the said Commissioners may from Time to Time compound and agree, for any Time not exceeding One Year, with the Owner, Consignee, Agent, or other Person having the Charge or Management of any Steam Vessel resorting to the said Harbour, for the Payment of such Sum of Money or Tonnage Rates as they may think sufficient and proper, in lieu of the Tolls which would by this Act be payable on such Steam Vessels, and that such Composition Money shall be recovered, paid, and applied as the Tolls by this Act imposed would be recoverable, payable, and applicable.

Commissioners may compound for Dues on Steam Vessels.

CXLII. And be it enacted, That if any Tar, Pitch, Rosin, Spirituous Liquors, Turpentine, Oil, or combustible Thing, being on any Quay, Dock, or Wharf belonging to the said Commissioners, or on the Deck of any Vessel within the Limits of the said Harbour, shall not be removed from the Place where the same may be to a Place of Safety, within Two Hours after Notice in Writing for that Purpose, signed by the said Harbour Master for the Time being, shall have been served on the Owner or Person having the Charge of the same, every such Owner or Person shall for every such Offence forfeit a Sum not exceeding Twenty Pounds for every Hour such combustible Things shall remain in any such Place as aforesaid after the Expiration of Two Hours from the Service of the said Notice.

Com justible Matter on Quays, &c. to be removed.

Penalty.

CXLIII. And be it enacted, That if any such combustible Thing as aforesaid shall remain on any of the said Quays or Works, or on the Deck of any Vessel, within the Limits of the said Harbour, after Day-light, the Owner or Person having Charge of the same, or in his Default the said Commissioners, at the Expence of such Owner or Person, shall provide a sufficient Number of Persons to guard the same from One Hour before Sunset to One Hour after Sunrise; and such Expence, if not paid to the said Commissioners on Demand, shall

Combustibles to be guarded during the Night.

shall be ascertained and recovered in the same Manner as Damages for the Recovery of which no special Provision is herein contained are by this Act directed to be ascertained and recovered.

Penalties
for certain
Offences.

CXLIV. And be it enacted, That every Person who shall commit any of the following Offences shall be liable to a Penalty not exceeding Ten Pounds; (that is to say,)

1. Every Person who shall boil or heat any Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter, in any Vessel lying in the Limits of the said Harbour or Works, or in any Place within the said Harbour or Works, except in such Place and in such Manner as shall be specially appointed by the said Commissioners for that Purpose :
2. Every Person who shall have or cause to be had any Fire or lighted Candle or Lamp in any Vessel within the Limits of the said Harbour or Works, except with the Permission of the said Commissioners :
3. Every Person who shall bring any loaded Gun on the Piers, Quays, or Works of the said Harbour, or into the Works of the same, or shall have or suffer to remain any loaded Gun in any Vessel in the said Harbour, or within One hundred Yards of the Piers, Quays, or Works of the said Harbour :
4. Every Person who shall, without the Permission of the said Commissioners, bring or suffer to remain any Gunpowder on the Quays, Piers, or Works of the said Harbour.

Penalty for
throwing
Ballast, &c.
into Harbour.

CXLV. And be it enacted, That if any Person shall throw or put any Ballast, Earth, Dust, Ashes, Stones, or other Thing into the said Harbour, within the Limits aforesaid, or into or upon any of the said Works, to the Injury or Prejudice thereof, or do any other Injury to the same, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Penalty for
cutting
Ropes.

CXLVI. And be it enacted, That if any Person, other than the Harbour Master in execution of the Powers of this Act, shall wilfully cut, break, or destroy any Rope or other Thing by which any Vessel lying in the Limits of the said Harbour or Works shall be moored or fastened, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Remedies
for Damage
to Quay, &c.

CXLVII. And be it enacted, That every Master, Pilot, or other Person having the Charge of any Vessel or Float of Timber, through whose wilful Act or Negligence any Damage shall be done to the said Harbour, or to the Quays, Piers, Wharfs, Machinery, or other Works or Property of the said Commissioners, by means of such Vessel or Float of Timber, shall pay for and repair all such Damage; and all such Damage, if the Amount claimed does not exceed Twenty Pounds, shall be ascertained and recovered in the same Manner as any Damages for the Recovery of which no special Provision is contained in this Act are hereby directed to be recovered; and in addition to the Remedies hereby provided for the Recovery of the same, it shall be lawful for the Justice before whom the same is recovered to cause the Vessel or Float of Timber causing such
Damage,

Damage, and any Tackle and Furniture thereof, to be distrained and detained until the Amount of Damage and Costs awarded by him shall be paid, and, if the same shall not be paid within Seven Days after the taking of such Distress, to cause the Property so distrained, or any Part thereof, to be sold, and out of the Proceeds of such Sale to pay the Amount of Damage and Costs awarded by such Justice, and all the Charges incurred by the Distress, Detention, and Sale of such Property.

CXLVIII. And be it enacted, That the Owner or Master or Com- Owners or
mander of every Vessel or Float of Timber shall be answerable to the Masters of
said Commissioners for any Damage done by such Vessel or Float of Vessels an-
Timber, or any Person employed about the same, to the said Harbour, swerable for
or any Quays, Piers, Wharfs, Machinery, or other Works or Property Servants.
of the said Commissioners; and all such Damage, in case the
Amount claimed in respect thereof shall not exceed Twenty Pounds,
shall be ascertained by and be recovered before any Justice; and it
shall be lawful for the Harbour Master for the Time being appointed
under this Act to detain any such Vessel until sufficient Security
shall have been given for the Amount of the Damage done by the
same, or by any Person employed therein.

CXLIX. And be it enacted, That if the Owner, Master, or Com- Masters may
mander of any Vessel shall make Satisfaction for any such Damage recover from
as aforesaid done by any Person employed in such Vessel, the Person their Ser-
doing such Damage shall repay to the said Owner, Master, or Com- vants.
mander the Amount of the Damage so paid, together with the Costs
(if any) incurred by him in respect of such Damage; and the
Amount of such Damage, together with the Costs, shall, if such
Damage does not exceed Twenty Pounds, be ascertained by and
recovered before any Justice.

CL. And be it enacted, That it shall be lawful for any Two Harbour
or more Justices to appoint such Persons as shall be nominated for Police.
that Purpose by the said Commissioners to be Special Constables
within the Limits of the said Harbour and Premises of the said
Commissioners; and every Person so appointed shall be sworn in by
any such Justices duly to execute the Office of a Constable within
the Limits aforesaid, and when so sworn in shall have the same
Powers, Protections, and Privileges within the Limits aforesaid, and
shall be subject to the same Liabilities as Constables have or are
subject to by the Common Law of *England*.

CLI. And be it enacted, That it shall be lawful for any Two Power of
or more Justices to dismiss any such Constable from his Office, and Justices to
upon such Dismissal all Powers, Protections, and Privileges vested in dismiss
such Constable shall cease. Constables.

CLII. And be it enacted, That any Person who shall assault any Penalty for
Constable or obstruct him in the Execution of any Duty which assaulting
he is authorized by this Act to perform shall forfeit a Sum not Constables.
exceeding Five Pounds.

Penalty for obstructing Constables from entering Vessels.

CLIII. And be it enacted, That any Person who shall obstruct or aid in obstructing any Constable or other Person having Instructions from the said Commissioners or their Harbour Master from entering into or being in any Vessel within the said Harbour for the Purpose of searching for or extinguishing any Fire, Candles, or Light in or suspected to be in such Vessel, contrary to the Provisions of this Act, or of any Bye Law made in pursuance thereof, or for the Purpose of discovering any Theft or Embezzlement suspected to have been committed therein, or of quelling any Disturbance, or for any Purpose authorized by this Act, or any Bye Law made in pursuance thereof, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Power to appoint Meters and Weighers.

CLIV. And be it enacted, That it shall be lawful for the said Commissioners to appoint and license a sufficient Number of Persons to be Meters and Weighers in the said Harbour, and to remove any such Persons at their Pleasure, and to make Regulations for their Government, and to fix reasonable Rates to be paid to such Meters and Weighers for weighing or measuring any Goods, Articles, or Things.

Power to provide Towing Vessels.

CLV. And be it enacted, That it shall be lawful for the said Commissioners to provide such Steam Vessels for towing and assisting Vessels entering into, using, or going out of the said Harbour, within the Limits aforesaid, and for conveying Persons to such Vessels, as they shall think expedient, and to take such reasonable Rates for the Use of the same as the said Commissioners shall appoint, not exceeding the Rates following; (that is to say,)

For every Vessel, *per* Ton, Two-pence :

For every Person, One Penny.

Power to exhibit Beacons and place Buoys, with Consent of Ballast Board at Dublin.

CLVI. And be it enacted, That it shall be lawful for the said Commissioners to erect Beacons for the Guidance of Vessels, of such Character, and to be exhibited in such Mode, and to lay down such Buoys, of such Description, and in such Situation, within the Limits of the said Harbour, as shall from Time to Time be prescribed by the Corporation of the Ballast Board at *Dublin*, in Writing, signified under the Hand of the Secretary for the Time being.

Power to make Bye Laws.

CLVII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to make such Bye Laws as they shall think fit for all or any of the following Purposes; (that is to say,)

For governing or regulating the Use of the Piers, Quays, and other Works hereby authorized to be made :

For regulating the placing and removing of Vessels entering, lying in, or going out of the said Harbour, within the Limits aforesaid, and for the good Order and Government of all such Vessels :

For regulating the Exercise of the several Powers hereby vested in the Harbour Master to be appointed by the said Commissioners :

For regulating the shipping, unshipping, landing, warehousing, stowing, depositing, and removing of all Goods, Articles, or Things

Things from, in, or on the Piers, Quays, Wharfs, or Warehouses of the said Commissioners :

For regulating the Duties and Conduct of all Persons, as well the Servants of the said Commissioners, as others who shall be employed in the Quays and Premises of the said Commissioners :

For preventing Damage or Injury to any Vessel, Goods, Articles, or Things in or on the Premises belonging to the said Commissioners :

For regulating the Police of the said Harbour, and the Times and Manner in which the Police Officers shall perform their Duties :

For regulating the Use of the Cranes, Weighing Machines, Weights, and Measures belonging to the said Commissioners, and the Duties and Conduct of all Weighers and Meters appointed by them :

For regulating the Duties and Conduct of the Carriers employed on the Premises of the said Commissioners, and fixing the Rates to be paid to them for carrying any Goods, Articles, or Things from or to the same :

And it shall be lawful for the said Commissioners, from Time to Time as they shall think fit, to repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Laws of the United Kingdom, or the Provisions of this Act, and be reduced into Writing, and have affixed thereto the Common Seal of the said Commissioners, and, if affecting other Persons than the Officers or Servants of the said Commissioners, be printed and published as herein provided.

CLVIII. And be it enacted, That it shall be lawful for the said Commissioners, by the Bye Laws so to be made by them, to impose such reasonable Penalties as they shall think fit, not exceeding Five Pounds for each Offence : Provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby is sought to be recovered to order the Whole or Part only of such Penalty to be paid.

Enforcing
Bye Laws.

CLIX. And be it enacted, That no Bye Law which shall be made by the said Commissioners under the Authority of this Act, except such as may relate solely to the Shareholders or Directors of the said Commissioners, or their Officers or Servants, shall be valid or binding, unless the same shall be allowed by some Judge of one of the Superior Courts, or by the Justices assembled at some General or Quarter Sessions of the Peace for the County of *Wicklow* ; and it shall be incumbent on such Justices, on the Request of the said Commissioners, to inquire into any Bye Laws which may be tendered to them for that Purpose, and to allow or disallow of the same, as they shall think meet : Provided always, that no such Bye Laws shall be confirmed, unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more Newspapers of the County of *Wicklow* One Month at least before the hearing of such Application ; and any Person aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the said Commissioners Ten Days before the hearing of such Application, may, by himself or his Attorney or Agent, be heard thereon, but not so

Confirmation
of Bye Laws.

One Month's
Notice to be
given of In-
tention to
apply for
such Con-
firmation.

as

as to allow more than One Party to be heard on the same Matter of Objection.

Copy of Bye Laws to be kept for public Inspection for One Month previous to such Application.

CLX. Provided always, and be it enacted, That for One Month at least previous to any such Application a Copy of such proposed Bye Laws shall be kept at the principal Office of the said Commissioners, and it shall be lawful for all Persons, at all seasonable Times, to inspect such Copy, without Fee or Reward, and to be furnished by the said Commissioners with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every One hundred Words.

Bye Laws, when confirmed, to be printed on Boards, and hung up.

CLXI. And be it enacted, That such Bye Laws, when confirmed, shall be printed on Boards, and hung up, affixed, and continued on the Front or some conspicuous Part of the principal Office of the said Commissioners, and also on some conspicuous Part of the Works of the said Harbour, according as such Bye Laws may relate to the Harbour, and such Boards shall be from Time to Time renewed as often as the same or any Part thereof may be obliterated or destroyed.

Bye Laws to be binding on all Parties.

CLXII. And be it enacted, That such Bye Laws, when so confirmed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Parties acting under the same.

Evidence of Bye Laws.

CLXIII. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the said Commissioners, authenticated by the Signatures of Three Directors, shall be Evidence of the Existence and of the due making of such Bye Laws, in all Prosecutions under the same; and, with respect to the Proof of the Publication thereof, it shall be sufficient that painted Boards, containing a Copy thereof, were affixed or continued in the Manner by this Act directed; and in case of any of such Boards being afterwards destroyed or obliterated, it shall be sufficient to prove that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Boards did not contain a Copy of the Bye Law under which he shall be prosecuted, or that Boards were not affixed or continued to be affixed as required by this Act.

Penalty on pulling down Boards on which Bye Laws are painted.

CLXIV. And be it enacted, That any Person who shall destroy, pull down, injure, or deface any Board on the Premises of the said Commissioners, on which any Bye Law of the said Commissioners, or any Rate to be taken under this Act shall be painted, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Provision for Damages not otherwise provided for.

CLXV. And be it enacted, That in all Cases where any Damages or Charges are by this Act directed or authorized to be paid, and the Method of ascertaining the Amount thereof is not provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by One or more Justices; and when by this Act any Damage or Charges are directed to be paid, in addition to the Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of

any Dispute concerning the same, shall be determined by the Justice or Justices by whom the Offender shall be convicted of such Offence; and on Nonpayment of the Damages or Charges in any of the Cases aforesaid, on Demand, the same shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

CLXVI. And be it enacted, That where in this Act any Question of Compensation or Damages is referred to the Determination of any Justice, it shall be lawful for such Justice to examine the Parties to such Question, and their Witnesses, on Oath, and to administer the Oaths necessary for that Purpose; and the Costs of every such Inquiry shall be in the Discretion of such Justice; and if either Party to any such Question fail to appear at the Time and Place appointed by the Justice for going into any such Question, without reasonable Excuse to the Satisfaction of such Justice, due Notice of such Appointment having been given to such defaulting Party, it shall be lawful for such Justice to proceed *ex parte*.

Justices to
examine
Parties and
Witnesses.

CLXVII. And with respect to any Sum of Money under the Provisions of this Act adjudged by any Justice to be paid by the said Commissioners, for which no other Mode of Proceeding is provided by this Act, be it enacted, That if such Money be not paid by the said Commissioners to the Party entitled to receive the same, within Three Days after Demand thereof in Writing, stating the Order of the Justice for the Payment of such Money, the Amount may be recovered by Distress, and the Justice by whom such Sum of Money shall have been ordered to be paid, or any other Justice, on Application, shall issue his Warrant accordingly; and if sufficient Goods or Effects of the said Commissioners cannot be found whereon to levy such Sum of Money, the same may be recovered by Distress of the Goods of the Treasurer of the said Commissioners, and the Justice aforesaid, or any other Justice, on Application, shall issue his Warrant accordingly, but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, have been given to such Treasurer, or left at his Residence.

Distress
against the
Commis-
sioners.

Distress
against the
Treasurer.

CLXVIII. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid he may retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the said Commissioners coming into his Custody or Control, or he may sue for the same against the said Commissioners by Process of Law.

Reimburse-
ment of the
Treasurer.

CLXIX. And for the Purpose of providing for the due Publication of all Penalties and Forfeitures exigible under this Act, or any Bye Law of the said Commissioners, affecting other Persons than the Shareholders, Officers, or Servants of the said Commissioners, be it enacted, That from Time to Time the said Commissioners shall publish the short Particulars of the several Offences for which any such Penalty is imposed by this Act, and of the Amount of every such Penalty, and shall cause such Particulars to be painted on a Board, or printed upon Paper and pasted thereon, and shall cause such

Publication
of Penalties.

Board to be hung up or affixed on some conspicuous Part of the principal Place of Business of the said Commissioners, and where any such Penalties are of local Application shall cause such Boards to be affixed in some conspicuous Place in the immediate Neighbourhood to which such Penalties are applicable or have reference; and such Particulars shall be renewed as often as the same, or any Part thereof, is obliterated or destroyed; and no such Penalty shall be recoverable unless it shall have been published and kept published in the Manner herein-before required.

Defacing
Boards used
for Publica-
tion of Bye
Laws.

CLXX. And be it enacted, That if any Person pull down or break or deface any such Board put up or affixed as required by this Act for the Purpose of publishing any Bye Law or Penalty, or shall obliterate any of the Letters or Figures thereon, he shall forfeit for every such Offence a Sum not exceeding Five Pounds, and he shall also defray the Expences attending the Restoration of such Board, and such Expences shall be recoverable as any Penalty by this Act imposed may be recovered.

Penalties to
be summarily
recovered
before Two
or more
Justices.

CLXXI. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance thereof, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before Two or more Justices; and on the Complaint being made to any such Justice he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance, or upon the Default to appear, of the Party offending, it shall be lawful for any Two or more Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any Two or more Justices to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction, as such Justices shall think fit.

Penalties to
be levied by
Distress.

CLXXII. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture and of such Costs as aforesaid be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any Two Justices shall issue their Warrant of Distress accordingly.

Imprison-
ment, in
default of
Distress.

CLXXIII. And be it enacted, That it shall be lawful for the Justices to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture

feiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Justices, for his Appearance before them on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if, before issuing such Warrant of Distress, it shall appear to the Justices, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, they may, if they think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justices, then such Justices shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

CLXXIV. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Informer or any Person sueing for the same, and the other Half to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish.

Application
of Penalties.

CLXXV. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalties to
be sued for
within Six
Months.

CLXXVI. And be it further enacted, That if any Person who shall be summoned as a Witness before any Justice touching any Offence committed against this Act, or any Bye Law made by virtue thereof, shall, without reasonable Excuse, refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath or to give Evidence before such Justice, every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalty on
Witnesses
making De-
fault.

CLXXVII. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the said Commissioners, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and Residence shall be unknown to such Officer or Agent, and may convey him, with all convenient Dispatch, before some Justice or other Magistrate, without any Warrant or other Authority than this Act; and such Justice shall proceed, with all convenient Dispatch, to the hearing and determining of the Complaint against such Offender.

Transient
Offenders.

CLXXVIII. And

Form of
Conviction.

CLXXVIII. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (A.) to this Act annexed.

Informali-
ties.

CLXXIX. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Distress how
to be levied.

CLXXX. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same, and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress not
unlawful for
Want of
Form.

CLXXXI. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Parties may
appeal to
Quarter Ses-
sions on
giving Secu-
rity.

CLXXXII. And be it enacted, That if any Person shall think himself aggrieved by any Determination or Adjudication of any Justice under the Provisions of this Act, he may appeal to the General Quarter Sessions for the County in which the Cause of Appeal shall have arisen; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Determination or Adjudication, and unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, and unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Court to
make such
Order as
they think
reasonable.

CLXXXIII. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable, and they may make such Order concerning the

Costs.

Costs,

Costs, both of the Adjudication and of the Appeal, as they may think reasonable.

CLXXXIV. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, or any Vessel employed in the Service of Her Majesty, or of the Ordnance, Customs, Excise, or of Her Majesty's Postmaster General, or to prejudice or derogate from any of the Rights or Privileges, Jurisdiction or Authority of the Corporation of the *Trinity House* of *Deptford Strond*, or any Lord of the Manor within the Limits of the said Harbour. Saving of Rights.

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

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

Words importing the Masculine Gender shall include Females :

The Word "Month" shall mean Calendar Month :

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Dublin* :

The Word "Oath" shall include Affirmation in the Case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of Persons exempted by Law from the Necessity of taking an Oath :

The Word "Secretary" shall include the Word Clerk :

The Word "Lands" shall extend to Lands, Tenements, and Hereditaments of any Tenure :

The Word "Justices" shall mean Justices of the Peace for the County or Place where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter :

The Expression "the Commissioners" shall mean the Commissioners incorporated by this Act :

The Word "Vessel" shall include Ship, Lighter, Vessel, Barge, and Boat.

CLXXXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such. Public Act.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Form of Conviction.

to wit.
 BE it remembered, That on the _____ Day of _____ in
 the Year of our Lord _____ A.B. is convicted before me, C.D.,
 One of Her Majesty's Justices of the Peace for the County of L., [*here describe
 the Offence generally, and the Time, Place, when and where committed*]. Given
 under my Hand and Seal, the Day and Year first above written. C.D.

SCHEDULE (B.)

Form of Conveyance.

I _____ of _____ in consideration of
 the Sum of _____ paid to me, [*or, as the Case may be,*
 into the Bank of Ireland, in the Name and with the Privity of the Accountant
 General of the Court of Exchequer, ex parte "The Commissioners of Wicklow
 Harbour," (*or to A.B. of _____ and C.D. of _____*
 Two Trustees appointed to receive the same,] pursuant to an Act passed) &c.,
 intituled, &c., by the [*here name the said Commissioners*] incorporated by the said
 Act; do hereby convey to the said Commissioners, their Successors and Assigns,
 all [*describing the Premises to be conveyed*], together with all Ways, Rights, and
 Appurtenances thereto belonging, and all such Estate, Right, Title, and Interest
 in and to the same as I am or shall become seised or possessed of, or am by the
 said Act empowered to convey; to hold the Premises to the said Commissioners,
 their Successors and Assigns for ever, according to the true Intent and Meaning
 of the said Act. In witness whereof I have hereunto set my Hand and Seal,
 the _____ Day of _____ in the Year of our Lord _____

SCHEDULE (C.)

Form of Conveyance on Chief Rent.

I _____ of _____ in consideration of the
 Rent-charge to be paid to me, my Heirs and Assigns, as herein-after mentioned,
 by "The Commissioners of Wicklow Harbour," established and incorporated
 by virtue of an Act passed, &c., intituled, &c., do hereby convey to the said
 Commissioners, their Successors and Assigns, all [*describing the Premises to be
 conveyed*], together with all Ways, Rights, and Appurtenances thereunto
 belonging, and all my Estate, Right, Title, and Interest in and to the same and
 every Part thereof; to hold the said Premises to the said Commissioners, their
 Successors and Assigns for ever, according to the true Intent and Meaning of
 the said Act, they the said Commissioners, their Successors and Assigns,
 yielding and paying unto me, my Heirs and Assigns, one clear yearly Rent
 of _____ by equal quarterly [*or half-yearly, as agreed
 upon,*] Portions, henceforth on the [*stating the Days*], clear of all Taxes
 and Deductions. In witness whereof I have hereunto set my Hand and Seal,
 this _____ Day of _____ in the Year of our
 Lord _____

SCHE-

SCHEDULE (D.)

County of Wicklow, Parish of Rathnew in the Union of Wicklow.

No. on Plan.	Owners or reputed Owners Names.	Lessees or reputed Lessees Names.	Occupiers Names.	Description of Property.
1	The Crown. The Corporation of Wicklow.	- - -	The Corporation of Wicklow.	River Leitrim or Harbour of Wicklow.
2	Corporation of Wicklow.	Themselves -	Themselves -	Shore or Beach, being Part of the Murragh of Wicklow.
3	Ditto -	Michael O'Rorke -	Himself - -	Ditto.
4	Ditto -	John Synge, Esq. -	Himself - -	Yard and Warehouse or Shed, and Premises.
5	Ditto -	Representatives of George David Ronan.	Mrs. Howard, John Newbold, James Dillon.	Ditto.
6	Ditto -	Representatives of George David Ronan.	Messrs. Perrin and Nolan.	Yard and Premises.
7	Ditto -	James Halpin -	James Halpin; Coast Guard, Andrew Monks, Messrs. Williams.	Yard, House, and Warehouses or Sheds, and Premises.
8	Ditto -	Representatives of George David Ronan.	Mathew Travers -	Yard, Shed, and Premises.
9	Ditto -	Representatives of Solomon Williams.	Mathew Travers -	Yard, Warehouses and Sheds, and Premises.
10	Ditto -	Themselves -	Themselves -	Public Quays in front of Properties herein numbered 3, 4, 5, 6, 7, 8, and 9.
11 } 12 } 13 }	Ditto -	Ditto -	Ditto -	Roads.
14	Ditto - The Lords of the Admiralty. The Crown.	Robert Gun Cuninghame, Esq., Representative of Archibald Hamilton Foulkes, Esq.	Messrs. Perrin and Nolan.	Shore or Beach, being Part of the Murragh of Wicklow.

Parish of Kilpool in the Union of Wicklow.

No. on Plan.	Owners or reputed Owners Names.	Lessees or reputed Lessees Names.	Occupiers Names.	Description of Property.
1	The Crown -	- - -	The Corporation of Wicklow.	River Leitrim or Harbour of Wicklow.
2	Ditto -	Corporation of Wicklow, for the Uses of a School.	William Corcoran, Mrs. Byrne.	Castle Lands and Shore.
2a	Corporation of Wicklow.	Representatives of John Revel.	James Byrne -	Land.
3	Ditto -	Themselves -	Themselves -	Shore or River Leitrim or Wicklow Harbour.
4	Ditto -	Ditto -	Ditto - -	Public Quays of the said River Leitrim or Harbour of Wicklow.
5	Ditto -	Robert Gun Cuninghame, Esq., Representative of Archibald Hamilton Foulkes, Esq.	Mrs. Dudgeon, Representative of Christopher Dudgeon.	Warehouse or Shed and Premises.
6	Ditto -	Robert Gun Cuninghame, Esq., Representative of Archibald Hamilton Foulkes, Esq., Thomas Byrne.	Messrs. Perrin and Nolan.	Yard and Warehouse.
7	Ditto -	Sir William Fownes, Thomas Goodison, Representative of William Goodison, Representative of Thomas Byrne.	Ditto - -	Yard, Limekilns, and Sheds and Premises.
8	Ditto -	Sir William Fownes, Thomas Goodison, Representative of William Goodison.	Representatives of Thomas Byrne.	Yard, House, and Premises.
9	Ditto -	James Halpin -	Himself - -	Bridge Hotel, House, Yard, and Premises.
	The Lords of the Admiralty. The Crown.			

SCHEDULE (E.)

Rates on Goods shipped or unshipped within the Harbour.

	£	s.	d.		£	s.	d.
Acid, per Pipe - - -	-	0	6	Cider, per Pipe - - -	-	0	4
Ditto, per Carboy - - -	-	0	0½	Ditto, per Hogshead - - -	-	0	2
Anchors, each - - -	-	1	0	Cork Wood, per Ton - - -	-	2	6
Apples, per Hogshead - - -	-	0	2	Cables (Chain), per Ton - - -	-	1	0
Ditto, per Barrel or Hamper - - -	-	0	1	Cables, Hempen, per Ton - - -	-	1	0
Alum, per Ton - - -	-	0	4	Cordage, per Ton - - -	-	1	0
Alabaster, per Ton - - -	-	0	3	Colours, per Ton - - -	-	1	0
Ashes, Pot or Pearl, per Barrel - - -	-	0	2	Clover Seed, per Sack - - -	-	0	3
Ditto, Dantzic, per Barrel - - -	-	0	1½	Cream of Tartar, per Ton - - -	-	1	0
Barilla, per Ton - - -	-	0	6	Calf Skins, per Bundle - - -	-	0	0½
Bark, per Ton - - -	-	0	10	Cattle (Black), Bulls, Oxen, or			
Bacon, per Bale or Tierce - - -	-	0	1	Cows, each - - -	-	0	3
Beef, per Tierce - - -	-	0	1	Drugs, per Hogshead - - -	-	1	0
Ditto, per Barrel - - -	-	0	0½	Ditto, per Tierce - - -	-	0	9
Ditto, per Half Barrel - - -	-	0	0¼	Ditto, per Barrel - - -	-	0	6
Butter, per Firkin - - -	-	0	0¼	Ditto, per Firkin - - -	-	0	2
Ditto, per Half Ditto, or Crocks - - -	0	0	⅛	Dye Stuffs, per Hogshead - - -	-	0	4
Barley, per Barrel - - -	-	0	4	Ditto, per Tierce - - -	-	0	3
Beer or Ale, per Hogshead - - -	-	0	3	Ditto, per Barrel - - -	-	0	2
Ditto, per Barrel - - -	-	0	2	Dye Woods, per Ton - - -	-	0	6
Brimstone, per Ton - - -	-	0	4	Dust, Founders, per Hogshead - - -	-	0	3
Blacking, per Hogshead - - -	-	0	6	Eggs, per Thousand - - -	-	0	2
Bricks (Fire), per Thousand - - -	-	0	9	Earthenware, per Load - - -	-	2	6
Ditto, Building - - -	-	0	6	Ditto, per Crate and Hogshead - - -	-	0	4
Bearers or Blocks, each - - -	-	0	0⅛	Ditto, per Tierce - - -	-	0	3
Blue, in Boxes, each - - -	-	0	0¼	Fruit (Dry), per Ton - - -	-	2	0
Boilers, each - - -	-	1	0	Flour, per Ton - - -	-	0	6
Ditto, Steam - - -	-	5	0	Fish (Dry), per Ton - - -	-	0	8
Barm, per Puncheon - - -	-	0	4	Ditto, per Hogshead - - -	-	0	4
Bones, per Ton - - -	-	0	2	Ditto, per Barrel - - -	-	0	2
Boxes, Chests, or Trunks, each - - -	-	0	2	Furniture, per Package - - -	-	0	6
Bran, per Ton - - -	-	0	4	Freestone, per Ton - - -	-	0	3
Books and Stationery, per Package - - -	0	3		Flax, Hemp, or Tow, per Ton - - -	-	1	0
Coals or Culm, per Ton - - -	-	0	3	Flax Seed, per Hogshead and Bag - - -	0	2	
Cotton in Packages, each - - -	-	0	4	Ditto, per Barrel - - -	-	0	1
Cotton Wool and Waste, per Bale - - -	0	3		Flags, per Ton - - -	-	0	3
Copper Ore, per Ton - - -	-	0	3	Feathers, per Bale - - -	-	0	9
Copper, in Ingots, Tile, or Sheet, per Ton - - -	-	1	0	Fowls, per Crate or Skip - - -	-	0	2
Cheese, per Ton - - -	-	1	0	Ginger, per Ton - - -	-	1	6
Copperas, per Ton - - -	-	0	4	Guns, in Cases, each - - -	-	0	6
Clay, per Ton - - -	-	0	2	Gum (British), per Ton - - -	-	0	6
Candlewick, per Bale - - -	-	0	4	Ditto (Foreign), per Ton - - -	-	1	0
Candles, per Box - - -	-	0	0¼	Gunpowder, per Cask or Package - - -	-	0	2
Coaches or Chariots, each - - -	5	0		Glass, per Hogshead - - -	-	0	6
Coffee, per Ton - - -	-	1	0	Ditto, per Crate or Tierce - - -	-	0	4
Carts, each - - -	-	0	6	Glass Bottles (Wine), per Gross - - -	-	0	1
Cement, per Ton - - -	-	0	4	Ditto, Carboys, each - - -	-	0	0⅛
Canvas, per Bale - - -	-	0	4	Grindstones, each - - -	0	6	
				Greaves, per Ton - - -			4

[Local.]

36 C

	£	s.	d.		£	s.	d.
Gigs and Cars, each	-	2	6	Mules and Asses, each	-	0	6
Garden Seeds, per Sack	-	0	3	Manure, per Ton	-	0	4
Ditto, per Bag	-	0	2	Madder, per Hogshead	-	0	9
Hardware, per Hogshead	-	0	8	Nuts, per Bag or Barrel	-	0	2
Ditto, per Tierce	-	0	6	Oil, per Hogshead or Pipe	-	0	6
Ditto, per Barrel	-	0	4	Ditto, per Barrel	-	0	3
Hosiery, per Bale or Package	-	0	6	Ditto, per Chest	-	0	1
Hair, per Bale	-	0	4	Ditto, per Jar	-	0	1
Hats, per Package	-	0	6	Oats, per Barrel	-	0	3½
Hatters Stuff, per Hogshead	-	0	3	Oatmeal, per Ton	-	0	4
Herrings, per Barrel	-	0	0½	Onions, per Basket	-	0	0½
Hops, per Pocket or Bag	-	0	4	Oakum, per Ton	-	0	4
Hoops, Hogshead, per Thousand	-	1	0	Oranges and Lemons, per Chest	-	0	3
Ditto, Tierce, per Thousand	-	0	8	Ditto, per Box	-	0	1
Ditto, Barrel, per Thousand	-	0	6	Paper, per Package	-	0	3
Ditto, Half Barrel, per Thousand	-	0	4	Paints, per Ton	-	1	0
Ditto, Firkin, per Thousand	-	0	3	Peas, per Bag	-	0	2
Hides (Cow or Ox), each	-	0	0¼	Pepper, per Bag	-	0	3
Ditto, Kips, each	-	0	0⅛	Pork, per Tierce	-	0	1
Haberdashery, per Package	-	0	6	Ditto, per Barrel	-	0	0½
Hams, per Hogshead	-	0	3	Ditto, per Half Barrel	-	0	0¼
Ditto, per Tierce	-	0	2	Ditto, per Hogshead	-	0	3
Horses, Mares, or Geldings, each	-	1	6	Ditto, per Barrel	-	0	2
Hay, per Truss	-	0	1	Potatoes, per Ton	-	0	6
Hemp, Flax, or Tow, per Ton	-	1	0	Pitch, per Barrel	-	0	1
Iron (Pigs), per Ton	-	0	3	Pianofortes, each	-	1	0
Ditto (Bars), per Ton	-	0	4	Pigs, each	-	0	1
Ditto (Castings), per Ton	-	0	6	Planks, per Load of Fifty Cubic			
Ditto, per Bundle	-	0	2	Feet	-	0	8
Indigo, per Chest	-	0	6	Quicksilver, per Bottle	-	0	1
Jewellery, per Case	-	1	0	Rags, per Bale	-	0	3
Kelp, per Ton	-	0	4	Reeds (Cane), per Bundle	-	0	0¼
Leather, per Package	-	0	3	Rice, per Ton	-	1	0
Lead, per Ton	-	0	9	Rum and other Spirits, per Pun-			
Lead Ore, per Ton	-	0	4	cheon	-	0	4
Liquor, per Pipe or Puncheon	-	0	4	Rum and other Spirits, per Hogs-			
Lamp Black, per Cask	-	0	4	head	-	0	3
Liquorice, per Case	-	0	2	Rosin, per Barrel	-	0	1
Liquorice Juice, per Box	-	0	3	Skins, per Bundle	-	0	1
Lard, per Firkin	-	0	0¼	Saddlery, per Package	-	0	6
Ditto, per Hogshead	-	0	4	Shot (Lead), per Ton	-	1	0
Ditto, per Tierce	-	0	3	Salt, per Ton	-	0	3
Linens, per Package	-	0	4	Salts (Bleacher's), per Cask	-	0	2
Lime, per Hogshead	-	0	3	Saltpetre, per Ton	-	0	1
Limestone, per Ton	-	0	2	Sheep and Lambs	-	0	0½
Mahogany, per Ton	-	1	0	Soap, per Box	-	0	1½
Machinery, per Case	-	0	6	Ditto, Black, per Firkin	-	0	0½
Molasses, per Puncheon	-	0	4	Straw, per Ton	-	0	6
Ditto, per Hogshead	-	0	3	Smalts, per Cask	-	0	3
Malt, per Ton	-	0	4	Staves (Pipe), per One hundred and			
Manganese, per Ton	-	0	4	twenty, above Fifty Inches long	-	0	5
Marble, per Case	-	0	8	Staves (Pipe), per One hundred and			
Ditto, per Ton	-	0	6	twenty, under Fifty Inches long	-	0	4
Masts, each	-	0	6	Staves (Hogshead), per One hun-			
Mats, per Bundle	-	0	0¼	dred and twenty	-	0	2
Millstone, each	-	1	0	Staves (Barrel), per One hundred			
Mustard, per Keg	-	0	0¼	and twenty	-	0	1

	£	s.	d.		£	s.	d.
Slates, per Ton	-	0	3	Timber, per Load of Fifty Feet	-	0	8
Seeds, per Bushel	-	0	2	Deals, per One hundred and			
Sugar, per Hogshead	-	0	8	twenty	-	1	6
Ditto, per Tierce	-	0	6	Ditto, Ends, per One hundred			
Ditto, per Barrel or Bag	-	0	2	and twenty	-	0	6
Sugarcandy, per Box	-	0	1	Ditto Battens, per One hun-			
Starch, per Hogshead	-	0	4	dred and twenty	-	1	0
Ditto, per Tierce	-	0	3	Ditto Batten Ends, per One			
Ditto, per Box	-	0	2	hundred and twenty	-	0	4
Stones and Flags, per Ton	-	0	2	Vitriol (Oil of), per Bottle	-	0	0½
Shocks, Puncheon or Barrel, per				Vinegar, per Pipe	-	0	4
Bundle	-	0	1	Ditto, per Hogshead	-	0	3
Sulphur Ore, per Ton	-	0	3	Woollens, per Package	-	0	6
Sulphur, per Box	-	0	6	Whiskey, per Puncheon	-	0	4
Tea, per Chest	-	1	0	Ditto, per Hogshead	-	0	3
Turpentine (Spirits of), per Pun-				Wine, per Pipe	-	0	6
cheon	-	0	6	Ditto, per Hogshead	-	0	4
Ditto (raw), per Barrel	-	0	1	Ditto, per Case or Quarter Cask	0	3	
Tiles, per Thousand	-	0	2	Wheat, per Half Barrel	-	0	4
Tin Plates, per Box	-	0	0½	Whiting, per Barrel	-	0	0½
Tin Blocks, each	-	0	1	Wool, per Bale	-	0	3
Tar, per Barrel	-	0	2	Yarn, per Bale	-	0	4
Tallow, per Cask	-	0	3	Ditto, per Skip	-	0	3
Tobacco, per Cwt.	-	0	7	Ditto, per Beam	-	0	2
Thread, per Box	-	0	3	Yeast, per Puncheon	-	0	4

For all other Goods, Wares, and Merchandize not herein-before particularly specified, shipped or landed on or within the said Pier or Harbour, or the Limits thereof, by the Ton Weight or Measurement, according to the Nature thereof respectively, the Sum of 4*d.*

SCHEDULE (F.)

Containing the Rates of Pilotage at the Harbour of Wicklow.

Registered Tonnage.	No. 1. Vessels not having British Registers, arriving from or sailing on a Foreign Voyage.			No. 2. Vessels with British Registers, arriving from or sailing on a Foreign Voyage.			No. 3. Vessels not Steamers trading to or from a Port in the United Kingdom.		
	£	s.	d.	£	s.	d.	£	s.	d.
30 and under 40	0	12	0	0	9	0	0	6	0
40 — 50	0	15	0	0	11	3	0	7	6
50 — 60	0	18	0	0	13	6	0	9	0
60 — 70	1	1	0	0	15	9	0	10	6
70 — 80	1	4	0	0	18	0	0	12	0
80 — 90	1	7	0	1	0	3	0	13	6
90 — 100	1	10	0	1	2	6	0	15	0
100 — 110	1	13	0	1	4	9	0	16	6
110 — 120	1	16	0	1	7	0	0	18	0
120 — 130	1	19	0	1	9	3	0	19	6
130 — 140	2	2	0	1	11	6	1	1	0
140 — 150	2	5	0	1	13	9	1	2	6
150 — 160	2	8	0	1	16	0	1	4	0
160 — 175	2	11	0	1	18	3	1	5	6
175 — 200	2	14	0	2	0	6	1	7	0
200 — 225	2	17	0	2	2	9	1	8	6
225 — 250	3	0	0	2	5	0	1	10	0
250 — 275	3	3	0	2	7	3	1	11	6
275 — 300	3	6	0	2	9	6	1	13	0
300 — 325	3	9	0	2	11	9	1	14	6
325 — 350	3	12	0	2	14	0	1	16	0
350 — 375	3	15	0	2	16	3	1	17	6
375 — 400	3	18	0	2	18	6	1	19	0
400 and upwards -	4	1	0	3	0	9	2	0	6

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1842.