



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. liv.

An Act to amend and enlarge the Powers of an Act passed in the Eleventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for making and maintaining a Navigable Cut or Canal from Lough Corrib to the Bay of Galway, and for the Improvement of the Harbour of Galway.* [23d August 1831.]

WHEREAS an Act hath been passed in the last Session of Parliament, intituled *An Act for making and maintaining a Navigable Cut or Canal from Lough Corrib to the Bay of Galway, and for the Improvement of the Harbour of Galway*: And whereas the Completion of the Works contemplated by the said Act are of vast Importance to the Counties of *Mayo* and *Galway* as well as the County of the Town of *Galway*, and to the Province of *Connaught* in general, as tending immediately to open to the Sea vast Tracts of Land hitherto unreclaimed, stretching along the Shores of the said Lake and Lough *Mask* and Lough *Carra* upwards of One hundred and twenty Miles in Extent, thereby bringing the said Lands into profitable Cultivation, and incalculably promoting the Fisheries of that Part of *Ireland*: And whereas the annual Income of the Commissioners appointed by the said Act, according to the Schedule of Tolls, Rates, and Duties thereby legalized, is quite inadequate to carry
[Local.] 10 0 into

11G.4. c.122.

Powers of
former Act
extended to
this Act.

into full Effect Objects of such Magnitude and of such national Importance; and the Inhabitants of the said Town and Neighbourhood have agreed to increase the said Income as herein-after mentioned: And whereas it would be highly beneficial to the said Inhabitants, and to the Inhabitants of the Counties of *Mayo* and *Galway*, and of the Province of *Connaught* in general, that the said Works and Undertaking should be constructed with all convenient Speed, and that the annual Income of the said Commissioners, available thereto, should be increased so as to be fully adequate to the said Undertaking; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Penalties, Forfeitures, Restrictions, Matters, and Things whatsoever contained in the said recited Act, save and except such as are varied, altered, or repealed by this Act, shall extend to and be in force for the Purposes of this Act, as fully and effectually to all Intents and Purposes as if the same and every Part thereof were repeated and re-enacted in this Act, and were made Part thereof.

Repealing
Rates in
former Acts,
and making
new ones.

II. And be it further enacted, That from and after the passing of this Act, the Rates and Duties mentioned and contained in the Schedules marked (A.) and (B.) in the said recited Act shall be and the same are hereby repealed; and the Rates and Duties in the Schedules marked (A.), (B.), and (C.) to this Act annexed, shall be demanded and taken by the said Commissioners for the Execution of this Act and the said recited Act, in lieu or stead thereof.

Enabling
Grand Juries
to present for
Works, &c.

III. And be it further enacted, That it shall and may be lawful to and for the Grand Jury or Grand Juries for the Counties of *Mayo* and *Galway*, and the County of the Town of *Galway*, at the Spring and Summer Assizes assembled, and they are hereby authorized and empowered, in case they shall so think fit, from Time to Time or at any Time or Times after the passing of this Act, to present such Sum or Sums of Money towards the said Works and Undertaking as they shall deem proper and expedient, or to borrow Money upon the Security of such Sum or Sums of Money, and to direct their respective Treasurer or Treasurers to pay over the same to the Commissioners for the Time being for the Execution of the said recited Act; provided however, that no Sum or Sums of Money to be so presented by any of the said Grand Juries shall exceed at any One Assizes the Sum of Two hundred and fifty Pounds Sterling.

So much of
recited Act
as authorizes
the borrow-
ing of Money
from Exche-
quer Bill
Commission-
ers repealed.

IV. And whereas the Power and Authority of the Commissioners for the Execution of the said recited Act to borrow Sums of Money, on the Security of the Rates and Duties thereby legalized, for the Completion of the said Works and Undertaking, and to mortgage or assign the said Rates and Duties for securing the Payment of the Principal and Interest thereof, is limited to obtaining Advances of
Money

Money from the Commissioners under a certain Act of Parliament passed in the Third Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to authorize the further Advance of Money out of the Consolidated Fund for the Completion of Works of a Public Nature, and for the Encouragement of the Fisheries, in Ireland*, and to borrowing at Interest other Sums of Money in addition to the Sums which might be advanced under the said recited Act of the Third Year of the Reign of King George the Fourth, giving a Priority and Preference in favour of any Mortgage or Assignment of the said Tolls, Rates, and Duties to be made to the Commissioners for the Execution of the said recited Act of the Third Year of the Reign of King George the Fourth: And whereas the Commissioners for the Execution of the said last-mentioned Act have not in their Hands any Funds to advance for the Completion of the said Works; and no Sums of Money can be borrowed from any other Quarter by reason of such the Inability of the said Commissioners, and also on account of the Priority and Preference to be given to the Advances of the Commissioners for the Execution of the said last-mentioned Act: And whereas no Money has been borrowed from the said Commissioners by virtue of the Provisions of the said recited Act: And whereas Sums of Money could be easily borrowed from different Quarters upon the Security of the said Rates and Duties, and the Income of the said Commissioners for the Execution of this Act and of the said recited Act; be it therefore enacted, That so much of the said recited Act as authorizes the borrowing of Money from the said Commissioners, as therein mentioned, shall be, and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

V. And be it further enacted, That it shall and may be lawful for the said Commissioners to raise and contribute amongst themselves, and such others as shall be willing to contribute to the said Works and Undertaking, in such Proportions as to them shall seem meet and convenient, the said Sum of Forty thousand Pounds by the said recited Act authorized to be borrowed for the Execution of the Purposes thereof, or such Part thereof as they shall think necessary, and that the same shall be divided into such Number of Parts or Shares as herein-after directed; and the Money so to be raised as aforesaid, or a sufficient Part thereof, shall be laid out, applied, and disposed of for and towards the making, completing, and maintaining of the said Works and Undertaking respectively, and for the several and respective Purposes of the said recited Act.

For raising
Money by
Shares.

VI. And be it further enacted, That the said Sum or Sums of Money so to be borrowed shall be divided into equal Shares of One hundred Pounds each, and that no Person shall take or subscribe for less than One Share in the said Undertaking; and such Shares shall be numbered in regular numerical Progression, and every Share shall be for ever afterwards distinguished by the Number to be appointed for the same; and the said Shares shall be and they are hereby vested in the several Persons subscribing for and undertaking to contribute the same, and their respective Executors, Administrators, and Assigns, who shall subscribe for any Share or Shares in the said Undertaking,

Regulating
the Shares.

taking, and pay such Sum or Sums of Money as shall be demanded on account thereof, not exceeding in the whole their proportionable Share of the Sum or Sums of Money which shall be so borrowed towards the carrying on and completing the said Canal and other Works by said Act authorized to be made, and shall be entitled to and receive from the said Commissioners an annual Interest not exceeding Five Pounds *per Centum per Annum*, to be paid half-yearly, until the full Amount of the said Shares, or such Part thereof as shall be advanced on account thereof, with Interest as aforesaid, shall be fully paid off and satisfied.

Shares to be deemed Personal Estate.

VII. And be it further enacted, That all and every the Shares and Proportions of all Person or Persons of and in the said Works, or the Joint Stock of the said Commissioners, shall be deemed Personal Estate, and not of the Nature of Real Estate.

**Names of
Shareholders
to be entered
in a Book,
and num-
bered ;**

VIII. And be it further enacted, That the said Commissioners shall cause the Names and Additions of the several Persons who shall be entitled to any Share or Shares in the said Capital or Joint Stock, and the Number of Shares to which they shall be respectively entitled, and also the proper Number by which every such Share shall be distinguished, to be fairly and distinctly entered in a regular Book to be kept by the Clerk of the said Commissioners, and after such Entry to cause the Common Seal of the said Commissioners to be affixed to such Entry, which said Book shall from Time to Time be altered or corrected, and new Books shall from Time to Time be sealed with the said Common Seal, as the Change of Proprietors and Transfer of Shares shall make necessary; and the said Clerk shall also cause as many Tickets or Instruments to be prepared as there shall be Shares in the said Capital or Joint Stock, bearing respectively the same Numbers as in the said Book, and the Common Seal of the said Commissioners to be affixed to each of the said Tickets or Instruments, and thereupon to cause to be delivered to every Subscriber, upon Demand, a Ticket or Tickets specifying the Share or Shares to which he or she is entitled; and every such Ticket or Tickets shall be admitted as Evidence in all Courts whatsoever of the Title of such Subscriber, his Executors, Administrators, or Assigns, to the Share therein specified; but the Want of any such Ticket or Instrument shall not hinder or prevent the Owner of any Share from selling or disposing thereof, or from receiving the Interest or Principal thereof; which said Ticket shall be in the Words following:

**and Tickets
to be de-
livered.**

Galway Navigation.

Form of Ticket.

‘ Number
‘ THESE are to certify, That of is
‘ possessed of the Share or Number in the said Navigation or
‘ Undertaking, subject to the Rules, Orders, and Regulations of the
‘ Commissioners, and that the said his [or her]
‘ Executors, Administrators, or Assigns, is entitled to the Profits and
‘ Interest therein. Given under my Hand, at *Galway*, this
‘ Day of One thousand eight hundred .’

IX. And

IX. And be it further enacted, That it shall and may be lawful for the Proprietors of the said several Shares, and their respective Executors, Administrators, and Assigns, to sell and dispose of any Share or Shares to which he, she, or they shall be entitled, subject to the Rules and Conditions herein mentioned; the Transfer of which Shares shall be in the Form and to the Effect following:

Shares may be sold.

I of the Sum of of in consideration paid to me by of do hereby bargain, sell, assign, and transfer to the said his Executors, Administrators, and Assigns, Shares in the Capital of the *Galway* Navigation, being Number of the Shares in the said Navigation, to hold to the said his Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions, that I held the same before the Execution of these Presents; and I the said do hereby agree to accept and take the said Shares, subject to the same Rules, Orders, Restrictions, and Conditions.
Witness our Hands and Seals this Day of in the Year of our Lord

Form of Transfer of Shares.

And on every such Sale the said Transfer (being executed by the Seller or Sellers and the Purchaser or Purchasers thereof) shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk to the said Commissioners shall have registered, in a proper Book or Books to be kept by the said Commissioners for that Purpose, an Entry of such Sale or Transfer for the Use of the Commissioners, and shall have indorsed or certified the Entry of such Transfer accordingly on the same, and the said Clerk is hereby required to enter the same accordingly, for which he shall be entitled to a Fee of Two Shillings and Sixpence from the Purchaser or Purchasers on each Share; and until the same shall be entered as above directed, the said Purchaser or Purchasers shall have no beneficial Interest in the said Share or Shares.

Transfers of Shares to be registered by the Clerk.

X. And be it further enacted, That such Subscriber or Shareholder shall, within the Space of One Month after the Subscription for the said Share shall be closed, pay in Five *per Centum* on each Share to the said Commissioners, or to such Person or Persons as shall be appointed by them for that Purpose, and in default thereof the Subscriptions of every Person failing to pay shall be absolutely void to all Intents and Purposes whatsoever, and the said Commissioners shall open a new Subscription for filling up such Deficiency, and shall proceed in Manner herein-before described.

Limiting the Per-centage to be paid on each Share

XI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, convened as in the said recited Act directed, from Time to Time and at all Times, as Occasion shall require, to make One or more Call or Calls upon the several Proprietors of the said Shares, Joint Stock, or Capital, for such Parts of the Amount of their respective Shares as the said Commissioners shall deem necessary for carrying on the said Works, provided that such

For making Calls.

[Local.]

10 P

Calls

Calls shall not exceed the Sum of Twenty-five Pounds *per Centum* in the several original Shares in any One Year; and in case any of the Proprietors of the said Joint Stock, their Executors, Administrators, or Assigns, shall refuse or neglect to pay the Sums so called, for within Thirty Days after the Time appointed by the said Commissioners for Payment thereof; Notice shall be given in One or more Newspapers that the said Commissioners, or such Person or Persons as they shall appoint, will proceed to sell by public Auction, on such Day or Days as shall be specified in the said Notice, the Share or Shares of the Person or Persons, so neglecting to pay; and such Proprietor or Proprietors shall thenceforth be for ever barred from such Share or Shares, and all Profits or Interest arising therefrom, and such Share or Shares shall thenceforth be vested in the Purchaser or Purchasers thereof; provided however, that such Notice or Notices shall be given as aforesaid at least Thirty Days before such Sale, including the Days of Notice and Sale.

For borrow-
ing Money on
Debentures.

XII. And be it further enacted, That if the said Commissioners shall so think fit it shall and may be lawful for them to take up and borrow upon the Credit of the said Works and Undertaking, and their Estate therein, and the Rates, Tolls, and Duties by this Act and by said recited Act legalized, the said Sum of Forty thousand Pounds, or any Part thereof, at any Rate of Interest not exceeding Five *per Centum per Annum*, and to strike Debentures for such Sums so borrowed, in such Manner as the Commissioners by their Bye Laws shall appoint, which Debentures shall be an actual Charge on the said Works and Undertaking, and their Estate therein, and the said Tolls, Rates, and Duties.

Defining the
Extent of
Docks and
Quays.

XIII. And be it further enacted, That the Docks and Quays by the said recited Act of the Eleventh Year of the Reign of King *George* the Fourth, authorized to be erected shall be deemed, construed, and taken to comprise the Works therein and the present Docks and Quays of the said Port, including the North and South Piers, and the *Claddagh* and *Fairhill* Quays.

Power to pur-
chase small
Parcels of
Land lying
near the
Canal.

XIV. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners to purchase any small Pieces or Parcels of Land lying adjacent or near to the said Canal or other Works, that may be necessary for the Erection of Wharfs and Cranes, as in the said recited Act mentioned, or that may contain any Materials proper for the maintaining and repairing of the said Canal or other Works, or that may be useful to the said Commissioners for the Purposes in the said recited Act mentioned; not exceeding Twenty *Irish* Acres in the whole, and, if necessary for the said Purposes, to embank and enclose the same, and, when the said Canal and other Works shall be completed, to resell such Portions of the said Lands as may not be requisite for the Purposes aforesaid; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

XV. And

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

SCHEDULE (A.) to which this Act refers.

	s.	d.
For and upon every Ton of the Measurement of every Vessel reporting at the Custom House of Galway, a Sum not exceeding (to be calculated on the Register Tonnage) - - -	0	6
For and upon every Ton of the Measurement of every Vessel lying in the Floating Dock, for any Time not exceeding One Month, a Sum not exceeding - - -	0	8
And for every Week after One Month, a Sum not exceeding - - -	0	2
For and upon every Turf Boat laden, passing into or through the Floating Dock or Canal, a Sum not exceeding - - -	0	6
And for and upon every Boat discharging or loading Turf in the Floating Docks or Canal, a Sum not exceeding - - -	1	0
For every Corn Boat or Pleasure Boat, or other Boat, laden, passing into or through the Floating Dock or Canal, a Sum not exceeding - - -	1	0
And for every Boat discharging or loading Corn or other Goods in the Floating Docks or Canal, a Sum not exceeding - - -	2	6
For and upon every Boat or other Vessel which shall enter the said Canal, a Sum not exceeding - - -	1	0
For and upon each Boat trading to the Port of Galway, an annual Sum not exceeding - - -	5	0
For every Horse or other Beast passing on any of the Ways or Towing Paths of the said Commissioners, (save and except such as shall be hauling or drawing any Ship, Boat, or Vessel,) a Sum not exceeding - - -	0	3

SCHEDULE (B.) to which this Act refers.

IMPORTS.

		<i>s.</i>	<i>d.</i>
Agriculture and Garden Seeds	- per Hundred Weight	0	6
Ashes, Pot and Pearl	- per Barrel	0	6
Alum and Copperas	- per Ton	1	0
Barilla	- per Ton	1	0
Beer, Porter, or Ale	- per Barrel of Thirty-two Gallons	0	2
Books and Paper	- per Bale or Box	0	6
Brimstone	- per Hundred Weight	0	2
Bricks and Tiles	- per Thousand	1	0
Cheese	- per Hundred Weight	0	6
Coaches or Chariots	- each	5	0
Coals	- per Ton	0	2
Copper	- per Hundred Weight	0	6
Cotton Wool	- per Bale or Bag	1	0
Cordage	- per Ton	3	0
Cider	- per Pipe	1	0
Ditto	- per Hogshead	0	6
Coffee	- per Hundred Weight	1	0
Cork Wood	- per Ton	2	0
Dye Woods	- Ditto	1	0
Earthenware	- per Hundred Weight	0	1
Cured Fish—Herrings	- per Barrel	0	2
Ditto	- per Twelve hundred in Bulk	0	4
Ditto, Cod or Ling	- per Ton	2	6
Fire Blocks	- per Score	0	6
Flax Seed	- per Hogshead	0	4
Ditto	- per Half Hogshead	0	2
Fruit, Lemons or Oranges	- per Chest or Box	0	2
Glass	- per Crate or Crib	0	4
Ditto Bottles	- per Gross of Twelve Dozen	0	3
Gunpowder	- per Hundred Weight	1	0
Hats	- per Case	6	0
Hardware	- per Hundred Weight	0	6
Hemp and Flax	- per Ton	2	0
Hides	- per Hundred Weight	0	3
Hops	- per Bag	0	6
Ditto	- per Pocket	0	3
Iron and Steel	- per Ton	0	6
Indigo	- per Hundred Weight	3	0
Kelp	- per Ton	0	3
Leather	- per Hundred Weight	0	6
Lead and Lead Shot	- per Ton	1	0
Mahogany	- Ditto	2	0
Marble	- Ditto	1	0
Metal Ware	- Ditto	1	0
Mats, Russia or Bass	- per One hundred and twenty	0	3
Molasses	- per Ton	2	0
Musical Instruments	- per Case	2	0
Oak Bark	- per Ton	0	6
Oil	- Ditto	1	0
Ditto Blubber	- Ditto	0	6

	s.	d.
Oil of Vitriol - - - - - per Carboy	0	4
Paints and Colours - - - - - per Hundred Weight	0	6
Pepper, Pimento, and Ginger - - - - - Ditto	0	6
Pitch, Tar, Rosin, and Turpentine - - - - - per Barrel	0	2
Portland Stone - - - - - per Ton	1	0
Plaster of Paris - - - - - per Hundred Weight	0	1
Raisins, Figs, and Currants - - - - - Ditto	0	2
Rice - - - - - Ditto	0	1
Sacks of Hemp, Flax, or Tow - per One hundred and twenty	1	0
Sail Cloth - - - - - per Pièce or Bolt	0	1
Salt, White or Bay - - - - - per Ton	0	4
— Rock Salt - - - - - Ditto	0	3
— Saltpetre - - - - - per Hundred Weight	0	6
Slate - - - - - per Ton	0	4
Sugar - - - - - per Hogshead	1	0
— - - - - per Cask under Ten Hundred Weight	0	6
— East India - - - - - per Bag	0	2
Stones - - - - - per Ton	0	10
Scythes - - - - - per Dozen	0	6
Sickles - - - - - Ditto	0	1
Staves, Pipe - - - - - per Thousand	1	0
— Hogshead - - - - - Ditto	0	6
— Barrel - - - - - Ditto	0	2
Tallow - - - - - per Hundred Weight	0	3
Tea - per Chest or Package of One hundred and twelve lbs.	1	0
Tin - - - - - per Box	0	2
Tobacco - - - - - per Hogshead	3	0
Vinegar - - - - - per Tierce	0	4
Wine - - - - - per Pipe	3	0
— - - - - per Hogshead	1	6
— - - - - per Quarter Cask	0	9
Wood, Timber - - - - - per Ton	0	4
— Deals, Twelve Feet or over Twelve Feet long } per One hundred and twenty }	1	0
— Ditto, under Twelve Feet long - - - - - Ditto	0	6
— Lathwood - - - - - per Fathom	0	4
Woollen or Cotton Goods - - - - - per Bale	3	0
Wood Hoops - - - - - per Thousand	1	0

All other Articles of Import not enumerated, for each Entry an ad valorem Duty of One Half per Cent., and in proportion.

SCHEDULE (C.) to which this Act refers.

EXPORTS.		s.	d.
Bacon and Hams	per Ton	1	0
Butter, Lard, and Tallow	per Ton	1	0
Calf Skins	per Dozen	0	6
Calves' Velves	per Barrel	0	6
Candles and Soap	per Ton	1	0
Flour	per Ton	0	6
Glue	Ditto	1	0
Hides	per Dozen	1	0
Leather	per Hundred Weight	0	6
Kelp	per Ton	0	3
Marble	per Ton	0	6
Oatmeal	Ditto	0	4
Oats, Barley, and Malt	Ditto	0	3
Provisions, salted	per Tierce	0	2
Ditto	per Barrel	0	1
Quills or Feathers	per Hundred Weight	0	2
Rags	per Ton	0	3
Rape and Linseed Oil	Ditto	1	0
Ditto Cake	Ditto	0	2
Spirits	per Puncheon	1	0
Ditto	per Hogshead	0	6
Wheat, Rape Seed, Peas, and Beans	per Ton	0	4
Wool	per Hundred Weight	0	3
All other Goods exported, and not herein enumerated, per each Entry		1	0

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1831.