

Pounds of Alum for Sale Three-pence; for every Hide tanned, fresh (green) or salted, and put or to be put into Juice in the said Town and without as far as the Island which is called *Eniskyreach*, One Halfpenny; for every Pound of Silk for Sale Three-pence; for every Piece of Legis for Sale Four-pence; for every Piece of *English* Cloth for Sale Three-pence; for every Piece of *Irish* Linen Cloth containing Twelve Yards One Halfpenny; for every Hundred Weight of Iron for Sale Two-pence; for every Bundle of Rods of Iron for Sale One Penny; for every Seme of Sables for Sale One Penny; for One hundred Stones of *Spanish* Iron for Sale Four-pence; for every Fotmel of Lead for Sale One Halfpenny; for One hundred Pounds of Scroff One Penny; for all Kinds of Goods of the Value of Twelve-pence for Sale One Farthing; for One thousand Spike Nails for Sale One Penny; for every Frail of Batry for Sale Eight-pence; for every large Kettle or large Dish for Sale Four-pence; for every Hundred of Batry for Sale Four-pence; for every Tun of Wine for Sale Six-pence; for every Pipe of Wine for Sale Three-pence; for every Crannock of common Malt for Sale One Penny; for every Crannock of best Malt for Sale Two-pence; for every Crannock of Wheat for Sale Two-pence; for every Seme of Corn for Sale One Halfpenny; for every Seme of Butter for Sale One Penny; for every Last of Butter for Sale One Penny; for every Stone of Tallow for Sale One Halfpenny; for every Mease (Five hundred) of Herrings for Sale One Halfpenny; for every Crannock of Salt for Sale One Penny; for every Crannock of Barley, Beans, and Peas for Sale One Penny; for every Crannock of Oats and other Corn for Sale One Penny; for every Stone of Wool for Sale One Penny; for every Sack of Wool for Sale Four-pence; for every Hide tanned, fresh or salted, for Sale, One Halfpenny; for all Manner of Hides of the Value of Twelve-pence, and of other Hides of Shorlings, for Sale, One Penny; for One hundred Woolfells for Sale One Penny; for One hundred Lamb Skins for Sale Two-pence; for the Value of Twelve-pence of other Skins for Sale One Farthing; for every Horse of the Price of Forty Shillings and upwards for Sale Sixpence; for every Pack Horse, Steer, Bull, Ox, and Cow, for Sale, One Penny; for every Calf for Sale One Farthing; for every large Hog for Sale One Penny; for every Sheep or Goat for Sale One Halfpenny; for every small Hog One Halfpenny; for One hundred Rabbit Skins for Sale Two-pence; for One hundred Woolfells for Sale Three-pence; for every Hundred dry Fish for Sale One Halfpenny; for One Horse-load of Fish for Sale Two-pence; for every Salmon for Sale One Farthing; for One thousand Eels and Merlings for Sale One Penny; for every Kind of Timber, and also for Carts, small Carts, and Boards, of the Value of Four Shillings, One Penny; for every Falcon or Hawk for Sale One Penny; for every Tercel or Tercelet for Sale One Halfpenny; for every Mill Quern One Penny; for Two Hand Querns One Farthing; for Twelve Crannocks of Coal for Sale One Penny; for every Stone of Butter, Hogs Lard, Tallow, and Cheese, for Sale, One Halfpenny; for every Ton of Honey for Sale Eight-pence; for every Pipe of Salmon for Sale Eighteen-pence; for every Hundred Weight of Glass for Sale One Penny; for every Hundred Weight of Scalphyn or other Fish, salt, dry, or hard, for Sale, One Penny; for Two thousand Onions for Sale One Penny;

for

for Eight Pounds of Hemp and Flax for Sale One Penny; for Eight Shanes of Garlic for Sale One Farthing; for every new Chest or Box, and every Thousand Dishes and Wooden Platters, for Sale, One Farthing; for One hundred Pounds of Pitch or Rosin for Sale One Halfpenny; for One hundred Gads of Steel for Sale One Halfpenny; for every Kind of Ware of the Value of Twelve-pence, of which no Mention is above made, One Farthing; for every Kind of Ware of the Value of Six Shillings and Eight-pence for Sale, not above expressed, One Halfpenny; and for every of Kind of Ware of the Value of Thirteen Shillings and Four-pence for Sale, likewise not therein-before contained, One Penny; and therefore He commanded the aforesaid Provost, Bailiffs, and Commonalty of the said Town of *Galway* that they should cause and order the said Customs and Tolls, and every of them, from Day to Day, to be levied, collected, received, and had in the said Town in manner aforesaid; provided always, that the Monies arising therefrom should be faithfully expended on the Murage and Pavage of the said Town, and not otherwise; Her said Majesty Queen *Elizabeth* granted, confirmed, ratified, and approved, unto the Mayor, Bailiffs, Burgesses, and Commonalty of the said Town, and their Successors for ever, by whatsoever Name or Names of Incorporation or other Name they or any of them, in any Letters Patent of any of Her Progenitors or Predecessors, or in any other Manner, was or were at any Time incorporated, called, named, or known, all and singular the Privileges, Franchises, Liberties, and Customs in the aforesaid Letters Patent granted, specified, and expressed; and Her said Majesty did give and grant unto the aforesaid Mayor, Bailiffs, Burgesses, and Commonalty, and their Successors for ever, that no Merchant or Merchants, Foreign or Native, who should import or unload, transport or load any Merchandize, saleable Goods or Wares whatsoever, to the Town aforesaid, or the Port or Bays of the said Town, or from the Town aforesaid, or from the Port Quay of the same, by Land or Water, should pay or give, or be compelled to pay or give Customs, Poundage, Tolls, or other Burthens, Things, or Dues whatsoever to Her Majesty, Her Heirs or Successors, or to any other Person or Persons, for such Merchandize, saleable Goods or Wares, or any Part of the same, save only the Customs and Burthens therein particularized, (being the same as those mentioned and set forth in the aforesaid Letters Patent of King *Richard* the Second,) all and singular which Customs, Burthens, and Usages aforesaid She did give and grant to the aforesaid Mayor, Bailiffs, Burgesses, and Commonalty, and their Successors for ever, granting and commanding that they the Usages, Burthens, and Customs aforesaid, and every of them, in the Town aforesaid, in Form aforesaid, from Day to Day should cause and ordain to be levied, collected, received, and had; provided always, that the Monies arising thereout should be faithfully expended on the Murage and Pavage of the said Town, and not elsewhere nor otherwise: And whereas by Letters Patent bearing Date the Fourteenth Day of *August* One thousand six hundred and seventy-six King *Charles* the Second did grant, ratify, and confirm unto the Mayor, Sheriffs, Free Burgesses, and Commonalty of the Town and County of the Town of *Galway*, and their Successors for ever, all Liberties, Franchises, Customs, Tolls, Privileges, Rights, and Hereditaments received and enjoyed by them in or upon the Twenty-

Charter of
King Charles
II., dated
14th August
1676.

second

Decree of
Lord Chan-
cellor of
Ireland,
6th Febru-
ary 1829.

second Day of *October* One thousand six hundred and forty-one by virtue of any previous Charters or Letters Patent, by whatsoever Name or Names or by whatsoever Incorporation they had been incorporated or known; and did thereby grant and declare, that, after Satisfaction of certain Sums therein mentioned, the Charter, Market, and Petty Duties and Customs of the said Town should remain to the said Mayor, Sheriffs, Free Burgesses, and Commonalty of the said Town, and their Successors, to such Uses whereunto the same were by any former Charter of the said Town granted or designed: And whereas by a Decree of the Lord Chancellor of *Ireland*, bearing Date the Sixth Day of *February* One thousand eight hundred and twenty-nine, made in a certain Cause or Information in which His Majesty's Attorney General, at the Relation of *Valentine Blake* and *Thomas Blakeney*, was Plaintiff, and the Mayor, Sheriffs, Free Burgesses, and Commonalty of the Town and County of the Town of *Galway* were Defendants, it was ordered, adjudged, and decreed that the said Tolls and Duties are vested in the Corporation of *Galway* for the Purpose of paving the Streets and supporting the Walls of the Town of *Galway*, according to the Terms of the Charter of His Majesty King *Richard* the Second, and that the Application thereof in Payment of the Officers of the Corporation was a Misapplication and a Breach of Trust; and it was further ordered, that it should be and was thereby referred to *John Sealey Townsend* Esquire, One of the Masters of the said Court, to inquire whether the Streets of the Town of *Galway* were well and properly paved, and if they were then it was further ordered, that it should be referred to the said Master to inquire and report at what Time since the putting in the Answer of the Defendants the Corporation in the said Cause, and at whose Expence, such Repairs and Amendments had been made, and in case the said Master should find that the Streets of the said Town were not well and sufficiently paved, then he was to inquire and ascertain what Sum of Money was necessary to be expended in paving and putting the Pavement of the said Streets in perfect and good Order and Condition, and any of the Parties were to be at liberty to lay before the Master a Plan or Scheme for that Purpose, to enable him to cause such paving and repairing of the Pavement to be carried into execution, by appointing either Commissioners or Agents to superintend the Work, and for any other necessary Purposes, and the Master was to make a separate Report of the Sums then necessary to be expended on such paving and repairing, and any Party was to be at liberty to apply for Directions on such separate Report, and the said Master was to enquire whether there were any Works or other Defences for the Safety and Protection of the said Town of *Galway* in the Nature of Murage to which in his Opinion any Part of the said Tolls could be applied according to the Terms and Intent of the said Charter of His said Majesty King *Richard* the Second, and he was to state the Grounds of his Opinion; and it appearing by the Master's Report that the Officers of the Corporation who had received the Sums mentioned therein were a fluctuating Body, and none of them Parties to the Suit, so as to subject them personally to refund what they had received, and it being alleged that the Corporation of *Galway* has not any Corporate Estate whereout the Balance reported to be due from them could be ex-
acted,

acted, the Court did not think it useful or expedient at that Time to make any Order touching the Balance so reported, but without Prejudice to any Application that any Party might thereafter be advised to make for an Order touching such reported Balance; and it was further ordered, that it should be referred to the Master to approve of a Receiver or Receivers to get in and collect such Tolls; but in case any Party should lay before him Proposals for letting the said Tolls or any of them to a Renter, instead of appointing a Receiver, it was further ordered, that the said Master do consider the same, and act therein as to him should seem expedient; and it was further ordered, that the Costs of the Relaters should be taxed as between Solicitor and Client; and it was further ordered, that they should be at liberty to apply for Payment thereof out of the first Monies to arise from such Tolls; and it was further ordered, that the Costs of the Defendants should be reserved until after the Master should have made his Report, and if it should appear upon the Master's Report that there was any Surplus of the Money arising from the said Tolls beyond the necessary Expenditure for the Purpose expressed in the said Charter, then his Lordship reserved the Consideration for what Purpose and under what Authority such Surplus ought to be applied; and further Directions and subsequent Costs were reserved, and all Parties were to be at liberty to apply to the Court as they might be advised: And whereas the Mayor, Sheriffs, Free Burgesses, and Commonalty of the said Town and County of the Town of *Galway* appealed from the said Decree to the House of Lords, but such Appeal was afterwards, on their Petition, dismissed: And whereas the Town of *Galway* has for a long Time ceased to be a walled Town, and the annual Produce of the said Tolls is considerably more than sufficient to answer and defray the Expence of the Pavage of the said Town of *Galway*, and the Surplus of the said Tolls ought to be applied as or in the Nature of a charitable Use to such public Purposes of and in the said Town of *Galway* as may best and nearest correspond with the original Uses to which the Produce of the said Tolls was destined by the said Charters, and as may be most for the Aid, Relief, and Benefit of the Inhabitants of the said Town: And whereas in respect of many of the said Tolls and Duties granted and specified by and in the said Charters having become by the Lapse of several Centuries inapplicable to the Circumstances and Convenience of the present Times, it is expedient, and would be beneficial to the said Town of *Galway*, and to the Trade and Commerce thereof, that the List or Schedule of Tolls contained in the said Charters should be altered and amended so as to adapt the same to the Circumstances of the present Time: And whereas it is expedient, and would be greatly for the Benefit of the said Town and the Inhabitants thereof, that such Tolls as altered and amended should be vested in Commissioners, and that the Monies arising therefrom should be applied, by or under the Direction of such Commissioners, in the first place in answering and defraying the Expence of paving and flagging the said Town, and of cleansing, lighting, and watching the said Town, and next in watering the said Town, and in erecting Fountains therein, and providing Fire Engines, and in erecting a Market House and Shambles, and also public Cranes and Weighing Places within the said Town, and generally for the Benefit of the said Town and the Environs,
[Local.]
thereof

The Charter
Tolls to be
abolished;
and other
Tolls to be
substituted,
and vested in
Commis-
sioners.

Merchandize
imported
into or ex-
ported from
the Port
of Galway
under
11G.4. c.122.
to be exempt
from Duties
chargeable
under this
Act.

thereof within the Distance of One Mile from the same Town, and that the said Commissioners should be incorporated, and should have and be invested with all such Powers and Authorities as are usual in such Cases, for the better regulating and improving the said Town of *Galway* and the Environs thereof within the Distance aforesaid; but the Purposes aforesaid cannot be effected without the Aid 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 from and immediately after the Twenty-ninth Day of *September* next the several Customs, Tolls, or Duties granted by or mentioned and set forth in the said recited Letters Patent of Queen *Elizabeth* shall cease and determine, and the same or any of them shall no longer be levied, collected, received, had, or taken in the said Town of *Galway*, and that in the Place and Stead thereof there shall and may, from Time to Time and at all Times hereafter, be had, levied, received, and taken, for saleable Things coming to the said Town by Land or by Water, the several Customs, Tolls, or Duties particularly mentioned and set forth in the Schedule (A.) to this Act annexed, and for saleable Things passing from the said Town by Land or by Water the several Customs, Tolls, or Duties particularly mentioned and set forth in the Schedule (B.) to this Act annexed; and that such several Customs, Tolls, or Duties mentioned and set forth in the said Schedules (A.) and (B.) to this Act annexed shall, from and immediately after the Twenty-ninth Day of *September* next, be or become vested in, and be paid and payable to, and be levied, recovered, received, and taken by, the Commissioners for the Time being appointed or to be appointed for the Purposes of this Act, and their Successors for ever: Provided always, that from and after the passing of this Act, and thence to the Twenty-ninth Day of *September* One thousand eight hundred and thirty-eight, the present Lessee of the Customs, Tolls, or Duties hereby abolished, and his Executors, Administrators, and Assigns, shall be entitled to receive and take instead thereof the Customs, Tolls, or Duties hereby established and made payable, he paying as a Rent for the same to the Commissioners for the Purposes of this Act the Sum of Eight hundred and forty Pounds on the Twenty-ninth Day of *September* One thousand eight hundred and thirty-six, the like Rent or Sum on the Twenty-ninth Day of *September* One thousand eight hundred and thirty-seven, and the like Rent or Sum on the Twenty-ninth Day of *September* One thousand eight hundred and thirty-eight: Provided always, that any Goods, Wares, Merchandizes, or Commodities coming by Water and chargeable with Rates or Duties under an Act of Parliament made and passed in the Eleventh Year 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*, shall be freed and discharged of and from all or any Custom, Toll, or Duty mentioned and set forth in the said Schedule (A.) to this Act annexed; and that any Goods, Wares, Merchandizes, or Commodities exported from the said Port of *Galway*, and chargeable with Rates or Duties under the said Act of Parliament of the Eleventh of King *George* the Fourth, shall

shall be freed and discharged from all or any Custom, Toll, or Duty mentioned and set forth in the said Schedule (B.) to this Act annexed.

II. And be it further enacted, That all Monies, if any, which at the Time of the passing of this Act shall be in the Hands of the Receiver or otherwise under the Administration of the said Court of Chancery in *Ireland* in the aforesaid Information, or which are or shall be due or owing from any Person or Persons, Body or Bodies Politic or Corporate, in respect or on account of the Customs, Tolls, or Duties hereby abolished or determined, shall from and immediately after the passing of this Act be paid and payable to the Commissioners for the Purposes of this Act, and that all Proceedings in the aforesaid Information shall cease and determine.

Monies due in respect of the former Tolls to be paid to the Commissioners.

III. And be it further enacted, That *Lachlan Maclachlan, James Browne, John Ireland, Mark Anthony Lynch, Patrick Mark Lynch, James Fynn, John Lushington Reilly, James Veitch* Doctor of Medicine, *Richard Marcus Lynch, James Lynch, Patrick Commins, John Gunning, James Joyes, Henry Comerford, Francis Fitzgerald, Edward M'Donnell, James Duggan, John Costello, Edward Killeen, Lawrence Blake Burke, John Atkinson, Arthur Ireland, Michael O'Brien*, and the Survivors of them, shall be Commissioners for the Purposes of this Act, from and immediately after the passing of this Act up to and until the Twenty-ninth Day of *September* One thousand eight hundred and thirty-six, when there shall be such Election of Twenty-one Commissioners for the Purposes of this Act as herein-after mentioned; and that the several Persons lastly herein-before named, and their Successors, shall be One Body Corporate by the Name of "The *Galway* Town Commissioners;" and that when any Person or Persons to be hereafter elected shall die, or cease to be a Commissioner, then and in every such Case it shall and may be lawful to and for the Persons who are or shall be qualified as Electors by this Act, at any Meeting for the Purposes of this Act, to elect and appoint any fit Person or Persons to be a Commissioner or Commissioners in the Place of any such Person or Persons so then deceased, or ceasing to be a Commissioner, so as to keep the Number of Commissioners equal to the Number Twenty-one; and the said Commissioners shall have One Common Seal, and shall and may sue and be sued in all Courts of Law or Equity in any Cause or Causes, or Suit or Suits, by or against them, and may take any Securities upon any Contracts by them for any Purposes authorized by this Act by and in the said Corporate Name as aforesaid, in order to the more effectually carrying of this Act into execution.

Names of Interim Commissioners.

Commissioners incorporated.

IV. And be it further enacted, That from and after the said Twenty-ninth Day of *September* One thousand eight hundred and thirty-six no Person shall be capable of being chosen or acting as a Commissioner in the Execution of this Act unless he shall be registered according to the Provisions of the Act for amending the Representation of the People of *Ireland* as a Voter in and for the said Town or County of the Town of *Galway* in respect of Freehold or Leasehold Estate of the clear yearly Value of Twenty Pounds at the least, or in respect of the Occupation or Tenancy of a House or other

Qualifications of a Commissioner.

Penalty on acting without Qualification.

other Property of the like clear yearly Value at the least, or unless (not being registered as aforesaid) he shall be, for the Term of One whole Year at the least next before the Day of Election of Commissioners, rated in the Book or Books of the Collector of the Grand Jury Cess as an Occupier of Property in the said Town and County of the Town of *Galway* of the Value of Twenty Pounds a Year at the least; and no Person shall be capable of being chosen or acting as such Commissioner as aforesaid unless he shall have been resident in the said Town, or within the Distance of One Mile from the Collegiate Church of *Saint Nicholas* in the same Town, for the Term of One Year at the least next before the Day of Election of Commissioners; and if any Person not qualified as aforesaid shall nevertheless presume to act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, to be recovered in any of His Majesty's Courts of Record in *Dublin* or elsewhere by Action of Debt, or on the Case, where no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person had acted as a Commissioner in the Execution of this Act: Provided always, that all Acts that shall have been done by any such Person touching the Execution of this Act previous to his being convicted of or a Verdict given against him for the Offence before mentioned shall, notwithstanding such Conviction or Verdict, be as valid and effectual as if such Person had been duly qualified to act as a Commissioner according to the Directions of this Act.

Qualification of Electors.

V. And be it further enacted, That the Qualifications of the Electors of the said Commissioners shall be as follows, that is to say, every Elector shall be registered, according to the Provisions of the said Act for amending the Representation of the People of *Ireland*, as a Voter in and for the said Town or County of the Town of *Galway*, in respect of Freehold Estate of the clear yearly Value of Ten Pounds at the least, or in respect of Leasehold Estate of the clear yearly Value of Twenty Pounds at the least, or in respect of the Occupation or Tenancy of a House or other Property of the clear yearly Value of Ten Pounds at the least, or (not being registered as aforesaid) he shall, for the Term of One whole Year at the least next before the Day of the Election of Commissioners, be rated in the Book or Books of the Collector of the Grand Jury Cess as an Occupier of Property in the said Town and County of the Town of *Galway* of the Value of Twenty Pounds at the least; and no Person shall be qualified to vote as an Elector unless he shall have been resident in the said Town, or within the Distance of One Mile from the Collegiate Church of *Saint Nicholas* in the same Town, for the Term of One Year at the least next before the Day of the Election of Commissioners, and no Person or Persons shall be capable of voting in or for the Election of any Commissioner or Commissioners for the Purposes of this Act unless he or they shall be qualified in some or one of the Ways herein-before recited.

VI. And

VI. And be it further enacted, That on the Twenty-sixth Day of *September* One thousand eight hundred and thirty-six a Meeting shall be held at or in the said Town of *Galway* at the Hour of One of the Clock in the Afternoon, by the Commissioners herein named, and that at such Meeting the Commissioners present, or the major Part of them, shall elect and appoint One of the Commissioners herein named to be Chairman of the public Meeting next herein-after mentioned, and shall also appoint Two such Persons as they shall think fit to be Assessors to aid and assist the Chairman in taking the Poll as herein-after mentioned.

The Commissioners herein named to appoint a Chairman to preside at a public Meeting.

VII. And be it further enacted, That on the Twenty-ninth Day of *September* One thousand eight hundred and thirty-six, and on the same Day every Three Years, unless such Day be a *Sunday*, and in that Case on the Day following, a public Meeting shall and may be held at or in the Court-house in the said Town of *Galway*, at the Hour of One of the Clock in the Afternoon, for the Election of Twenty-one Commissioners for the Purposes of this Act in the Place of the Commissioners herein named, and that at such public Meeting the Person who shall have been so chosen as herein-before in that Behalf mentioned shall be the Chairman; and it shall be lawful to and for all Persons duly qualified as Electors according to the Provisions of this Act to attend such public Meeting; and the said Twenty-one Commissioners shall be elected in manner following; (that is to say,) each Candidate shall be proposed by some Person duly qualified, and shall be seconded by some other Person duly qualified to vote thereat; and if more Candidates than Twenty-one shall be proposed, and a Poll shall be demanded by any Two Persons qualified to vote on behalf of any of such Candidates, then the Chairman shall adjourn the said Meeting until Eleven of the Clock in the Forenoon of the Day next succeeding, unless such Day shall be *Sunday*, and in that Case to the same Hour on the *Monday* following, and shall at such Time and at the same Place open and proceed with such Poll, and take the Votes of all Persons duly qualified and desiring to vote, in manner following; that is to say, every such Voter shall deliver to the Chairman a Voting Paper, setting forth the Names of the Candidates for whom he votes, together with the respective Places of Abode and Additions of such Candidates, such Paper being previously signed by the Voter with his Name and Place of Abode; and if the Votes of all Persons duly qualified and desiring to vote cannot be conveniently collected and taken by Five of the Clock of the same Day, then the said Chairman shall adjourn the Poll to the next Day, or if that shall be a *Sunday* then to the *Monday* following, at the same Hour and Place, and the Poll shall finally close at Five of the Clock of such Second Day of polling, and shall also at any Time finally close on either of the said Days after the Lapse of One Hour without any Elector offering to vote; and so soon after the Close of the Poll as possible the Chairman shall at the Place aforesaid cause to be declared and proclaimed the Names of the Persons chosen as Commissioners as aforesaid, and after such Declaration the Persons so chosen shall have all the Powers of Commissioners for executing this Act.

On the 29th Day of September 1836, and triennially thereafter, an Election of Commissioners to take place.

Mode of Election.

[Local.]

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VIII. And

Attendance
of Clerk of
the Peace
and Tax
Collector.

VIII. And be it further enacted, That it shall be lawful for the said Chairman, or the Person or Persons employed in taking the said Poll, to require the Clerk of the Peace or Deputy Clerk of the Peace of the said Town and County of the Town of *Galway* to attend the aforesaid Election of Commissioners with the Affidavits of Registry of the Voters registered under the Act for amending the Representation of the People of *Ireland*, and to require the Collector or Collectors of the Grand Jury Cess or Tax to attend with the Rate Book or Rate Books under which the said Cess or Tax is collected; and in case the Certificate of Registry under the said last-mentioned Act shall not be produced by any Elector claiming to vote under such Registry as aforesaid, the original Affidavit shall and may be referred to; and in case any Elector shall claim to vote in respect of such Rating as aforesaid the Rate Book or Books shall and may be referred to as the Evidence of the Right of any such Elector; and in case the Clerk of the Peace, or his Deputy, or the Tax Collector, shall respectively refuse, decline, or neglect to attend as aforesaid, he or they shall for every such Offence forfeit to the said Commissioners the Sum of One hundred Pounds, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record in *Dublin*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information.

Expences of
the Poll.

IX. And be it further enacted, That it shall be lawful for the Chairman aforesaid to procure, and he is hereby required to procure, proper Books for taking the said Poll, and entering the Names, Descriptions, and Abodes of the Voters, and the Name or Names of the Candidate or Candidates, and to employ such Clerks or other Persons as shall be necessary for taking the Poll; and that all reasonable Costs incurred in providing Books and Clerks, and otherwise as aforesaid, shall be paid by the said Commissioners out of the first Monies to be received by them as such Commissioners.

First Com-
missioners to
go out of
Office at End
of Third
Year.

Commis-
sioners re-
eligible at
triennial
Elections;
and outgoing
Commis-
sioners to
appoint a
Chairman for
next public
Meeting.

X. And be it further enacted, That the Persons to be first elected as such Commissioners as aforesaid shall go out of Office on the Twenty-ninth Day of *September* in the Third Year from such first Election, and in place of such Commissioners a like Number of Persons to be elected in like Manner shall come into Office as Commissioners, and shall be such Commissioners for a Term of Three Years, and so on for ever there shall be a triennial Election of Commissioners: Provided always, that any Commissioner herein named, or any Commissioner or Commissioners going out of Office as aforesaid, shall be in all Cases of any Election under this Act re-eligible and may be re-elected: Provided also, that in every Case of an Election after the said Twenty-ninth Day of *September* One thousand eight hundred and thirty-six the outgoing Commissioners shall, previously to the Expiration of their Term of Office, elect and appoint One of themselves to be Chairman of the public Meeting to be held for the Election of the succeeding Commissioners, and shall also appoint Two such Persons as they shall think fit to be Assessors.

On Death or
Resignation

XI. And be it further enacted, That in case any Commissioner or Commissioners shall die or resign, or become bankrupt, or shall take
the

the Benefit of any Act or Acts for the Relief of Insolvent Debtors, or shall cease to reside within the said Town or within One Mile of the Collegiate Church aforesaid for One whole Year, or shall otherwise cease to be a Commissioner or Commissioners under this Act before the Expiration of his or their full Term of Office, the remaining Commissioners shall, as soon as conveniently may be, convene a public Meeting for the Election of a new Commissioner or Commissioners in the Stead or Place of the Person or Persons so dying, resigning, or ceasing as aforesaid, and shall give Seven Days Notice thereof at the least in some or One of the public Newspapers in the said Town of *Galway*, and on the Day fixed for such Election such One of the said Commissioners as they or the major Part of them present at a Meeting for that Purpose shall have previously elected and appointed shall be Chairman, and thereupon an Election shall take place and be made in the same Manner and under the same Regulations as the triennial Elections herein-before mentioned, and the Person or Persons so elected shall go out of Office at the same Time or Times as the Person or Persons in whose Place or Stead he or they shall be elected would have gone out of Office in case no such Vacancy had taken place.

a new Election to be had.

Seven Days Notice to be given.

XII. And be it further enacted, That no Chairman of any such Meeting as herein-before mentioned, or any such Assessor as aforesaid, shall by reason of such his Office of Chairman or Assessor be in anywise excluded from being eligible as a Commissioner or from voting as an Elector.

Chairman or Assessor not disqualified.

XIII. And be it further enacted, That it shall be lawful for the Commissioners for the Execution of this Act, from Time to Time and at all Times hereafter, to meet and assemble whensoever and wheresoever in the said Town of *Galway* as they may think proper, for any of the Purposes of this Act, and that, unless otherwise specially provided, all Powers and Authorities by this Act granted to the said Commissioners shall and may be exercised by the major Part of the Commissioners who shall attend at any Meeting to be holden in pursuance of this Act, the whole Number of the Commissioners present at such Meeting not being less than Seven; and all the Acts, Orders, and Proceedings of the major Part of such Commissioners present at any such Meeting for any Purpose whatsoever shall have the same Force and Effect as if the same were made or done by all the said Commissioners for the Time being; and at every Meeting of the said Commissioners a Chairman shall and may be chosen and appointed by the Commissioners present or the major Part of them, and when and as often at it shall happen that there shall be an Equality of Votes on any Question, including the Vote of the Chairman, then and in every such Case the Chairman shall have and he is hereby empowered to give One additional, decisive, or casting Vote: Provided nevertheless, that if such Chairman so appointed shall leave or quit such Meeting before the Adjournment of the same, then and in such Case the remaining Commissioners present at such Meeting, being not less than Seven, shall and may nominate and appoint another Chairman, being a Commissioner present at such Meeting, to replace the said former Chairman, and to preside at such Meeting as aforesaid

Meetings of Commissioners.

said during the Remainder of the Time of such Meeting until the same be adjourned.

Application
of Tolls
and other
Monies to be
received
under this
Act.

XIV. And be it further enacted, That all the Tolls, Rates, and Duties payable to the Commissioners for executing this Act, or the Produce thereof, and all other Sums of Money payable to and to be received by the said Commissioners by virtue of this Act, shall form One Fund for the Purposes of this Act, and be applied in the first place in answering and defraying the Expence of paving and flagging the said Town of *Galway*, and in the second place in answering and defraying the Expence of cleansing, lighting, and watching the same, and in case there shall be any Residue or Surplus, then in watering the said Town and in erecting Fountains therein, and in providing a Fire Engine or Fire Engines, and in erecting a Market-house and Shambles, and also public Cranes and Weighing Places within the said Town, and generally for the Benefit and Improvement of the said Town and the Environs thereof within the Distance of One Mile from the Collegiate Church of *Saint Nicholas*, as the said Commissioners shall think fit; and it shall be lawful for the said Commissioners to make such Bye Laws and Regulations respecting the Markets, Shambles, Cranes, and Weighing Places, and otherwise for regulating and improving the said Town and the Environs thereof within the Distance aforesaid, and to demand, receive, and take such reasonable Rates or Charges for the Use of the said Markets, Shambles, Cranes, and Weighing Places as they shall think fit: Provided always, that such Bye Laws as aforesaid shall not be repugnant to the Laws of the Realm or the Provisions of this Act.

Power to
purchase,
with Consent
of Owners,
for improv-
ing Streets.

XV. And be it further enacted, That if any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, shall be adjudged by the said Commissioners to project into or obstruct any of the Streets, Ways, Lanes, Passages, and Places within the said Limits of the said Town of *Galway*, or the free Use thereof, or it shall be adjudged by the said Commissioners that by taking down the same or any Part thereof the Passage of the same may be widened, bettered, or improved, and the Owner thereof shall be willing to sell the same, or so much of such Houses, Buildings, Lands, Tenements, or Hereditaments as shall be so adjudged to project into or obstruct the same, or that shall be necessary for the widening, bettering, or improving thereof, the said Commissioners shall and may and they are hereby empowered to purchase and the Owner or Owners thereof to sell the same for the Purposes aforesaid, and to pay for the same such Sum and Sums of Money as shall be agreed upon by the said Commissioners and the Owner thereof out of the said Fund, and to take down such Houses or Buildings, and lay the Sites thereof, or of so much thereof as they the said Commissioners shall think proper, into the said Streets, Ways, Lanes, Passages, and Places.

Commis-
sioners em-
powered to
sell Ground
not wanted

XVI. And whereas by reason of the Purchases which the said Commissioners are empowered and required to make by virtue of this Act they may happen to be seised of some Piece or Pieces of Ground, Buildings, or Premises over and above what shall be necessary for
effecting

effecting the Purpose of this Act; be it therefore further enacted, That it shall be lawful for the said Commissioners to sell and dispose of such Ground, Buildings, or Premises, either altogether or in Parcels, by public Auction or private Contract, as they shall find most convenient and advantageous, to such Person or Persons as shall be willing to contract for and purchase the same.

for the Pur-
poses of this
Act.

XVII. And be it further enacted, That if any Door, Hatchway, or Shop Window, Crate, Stone, Plate, Board, or other Covering giving Light or Air to or securing any Cellar, Coal-hole, Vault, Office, or other underground Room or Apartment, or of any Area or Sewer opening into any of the said Streets or Ways within the said Town, shall be left open or without being properly secured after Sun-set, without being sufficiently lighted in order to prevent Accidents happening therefrom, the Occupier thereof, or of the House or Premises to which the same belong, shall for every such Offence forfeit and pay to the Use of the said Commissioners any Sum not exceeding Forty Shillings.

Cellars not
to be left
open.

XVIII. And be it further enacted, That the several Occupiers of Houses and other Buildings situate in the several Streets, Lanes, Roads, Highways, or other public Places within the said Limits of the said Town of *Galway* are hereby authorized and required, within Thirty Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Three or more of the said Commissioners, to cause all and every Penthouses, Porches, Sheds, Spouts, Signs, Sign Irons, Stalls, Poles, projecting Windows, Palisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Frontsteads, Courtyards, and other Obstructions and Projections, now erected, standing, and being, or which shall in future be erected, set up, affixed, laid down, or be against or in front of or belonging to their respective Houses or other Buildings, which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Roads, Highways, Passages, or other public Places within the said Limits, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Buildings as aforesaid shall neglect or refuse to cause any such Penthouse, Porch, Shed, Spout, Sign, Sign Iron, Stall, Pole, projecting Window, Palisade, Rail, Post, Fence, Step, Cellar Window, Hatchway, Frontstead, Courtyard, or other Projection or Obstruction whatsoever so erected, set up, affixed, laid down, or being against or in front of or belonging to his House or other Building, and which shall be considered an Annoyance or Nuisance as aforesaid, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by some Person acting under their Authority; and the Costs and Charges attending the same, having been ascertained by a Justice of

Projections
to be re-
moved by
Occupiers.

the Peace, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when received the same shall be paid to the Treasurer of the said Commissioners, and be carried to the Credit of the said Fund; and it shall be lawful for the Occupier of any such House or Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his Rent, and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he shall bear the Expence of altering or removing the same: Provided always, that nothing herein contained shall extend or be construed to extend to any Bow Windows, Balconies, or Verandas of and belonging to any House already erected or hereafter to be erected within the said Limits, during all such Time as the same shall be and be used only as and for private Dwelling Houses, such Verandas being open at the Sides, and such Bow Windows, Balconies, or Verandas not projecting beyond the Bow Windows, Balconies, or Verandas of the adjoining Houses, or the average Line of Houses on each Side thereof, and so as such Bow Windows, Balconies, or Verandas do not project beyond the Areas of the respective Houses to which they may respectively belong.

Regulations
relative to
rebuilding
Houses.

XIX. And be it enacted, That where any House or Building the Front or Foundation of which now stands or projects beyond the Front of the Houses or Buildings on each Side or of the House or Building on either Side thereof in any of the Streets, Ways, or public Places within the said Limits of the said Town of *Galway*, shall be taken down to be rebuilt, altered, or amended, whether wholly or in part, the same shall be set back to the Line of the adjoining Houses or Buildings or adjoining House or Building on the Site of every such House or Building so taken down as aforesaid, in such Manner as to the said Commissioners shall appear most convenient and expedient for the Improvement of such Street, Way, or public Place wherein such House or Building shall be situate; and in Cases where the next House or Houses, Building or Buildings, shall not adjoin the House or Building to be so taken down, but shall be separated therefrom by any Passage, Lane, or Street, then the same shall be set back to the Line of such House or Building on either Side thereof, as the said Commissioners shall direct; and every Person who shall act contrary to the Directions of the said Commissioners therein shall forfeit for every such Offence any Sum not exceeding Fifty Pounds, for the Use of the said Commissioners, to be recovered in a summary Way before the Mayor of the said Town of *Galway*, or some Justice or Justices of the Peace for the County of the Town of *Galway*, in like Manner as Penalties payable under this Act are authorized to be so recovered; and it shall and may be lawful to and for the said Commissioners to order any House or Building which shall be erected contrary to the Provisions of this Act to be taken down, altered, or regulated

regulated at the Charges and Expences of the Owner or Proprietor thereof, to be recovered in a summary Way, in like Manner.

XX. And be it further enacted, That no Shop or Warehouse Window in any public Street, Way, Lane, Passage, or Place within the said Limits of the said Town of *Galway* shall project more than Twelve Inches from the perpendicular Line of Front from the Foundation of the House or Building to which such Shop or Warehouse shall belong, and if any Person shall at any Time extend his Shop or Warehouse Window beyond the Distance of Twelve Inches aforesaid it shall and may be lawful for any Three of the said Commissioners, by Writing under their Hands, to order the same to be taken down and removed by such Person as they shall direct or appoint, and the Costs and Charges thereof shall be paid and reimbursed to the said Commissioners or their Order by the Owner of such Shop or Warehouse, and in default of Payment thereof on Demand the same may be recovered in a summary Way before the Mayor of the said Town of *Galway*, or some Justice or Justices of the Peace for the County of the Town of *Galway*, in like Manner as Penalties payable under this Act are authorized to be so recovered.

Shop Fronts not to project more than Twelve Inches.

XXI. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners to admit any Building within the said Limits of the said Town of *Galway* to be advanced in the Front thereof, for the Purpose of improving and conforming to the general Line of the Street or Place in which such Building shall be situate, or of the Buildings adjacent thereto.

Commissioners may authorize the Advancement of Buildings.

XXII. Provided always, and be it further enacted, That where any House or Building shall be in the whole or in part altered, amended, or rebuilt, pursuant to the Proviso herein contained, and by reason whereof the Owner or Proprietor of such House or Building shall have suffered Loss, it shall be lawful for the said Commissioners and they are hereby required to make such reasonable Compensation to each Owner or Proprietor for such Loss or Damage so sustained as aforesaid out of the said Fund as the said Commissioners shall deem reasonable and proper.

Power to compensate Owners for Loss by Alterations.

XXIII. And be it further enacted, That for the Purpose of obtaining Improvements within the said Limits of the said Town of *Galway*, and widening the several Streets, Lanes, Ways, Passages, and public Places within the same, it shall and may be lawful to and for the said Commissioners and they are hereby authorized and empowered to enter into any Agreement relative to the Line or Direction or Mode of erecting, altering, or building any Houses, Edifices, or Buildings fronting or adjoining or abutting to or on any of the present or future Streets, Ways, Lanes, Passages, or public Places in the said Limits, or to any Alteration or Change of the Line or Direction in which any old Houses or Buildings now stand, or relative to any Projections or other Changes in the Line or Form thereof, with the Owner or Owners or Proprietor or Proprietors thereof, and to make or give such Compensation or Satisfaction for any Injury, Loss, or Damage which the said Owner or Proprietor may sustain by acceding to

Power to compensate Owners agreeing to erect their Buildings in such Manner as shall be an Improvement to the Town.

to any such Plan of Improvement as the said Commissioners shall think reasonable to give for the Object of the Improvement to be thereby obtained, and to pay such Compensation or Satisfaction out of the said Fund.

Costs of obtaining and executing this Act.

XXIV. And be it further enacted, That all the Costs, Charges, and Expences of and incidental to the obtaining and passing of this Act, and of carrying the same at all Times hereafter into effect, shall and may be defrayed and paid by the said Commissioners out of the Monies received or to be received by them under the Authority of this Act, in preference to any other Payment.

Commissioners under this Act to be Commissioners under the 9 G. 4. c. 82. if adopted.

XXV. And whereas by an Act of Parliament made and passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make Provision for the lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in Ireland, in certain Cases*, certain Provisions are made applying the said Act to any City or Town in *Ireland* in case at a public Meeting to be held as therein mentioned it shall be determined that the Provisions of that Act shall be adopted for all or any of the Purposes of the said Act: And whereas it will be proper and expedient that, in case the said Provisions of the said Act shall be adopted in the said Town of *Galway*, the Commissioners for carrying the same into effect should be the same Persons as the Commissioners for carrying this Act into effect; be it therefore further enacted, That in case it shall be determined that the Provisions of the said recited Act shall be adopted in and for the said Town of *Galway* for all or any of the Purposes of the said Act, the Persons who shall for the Time being and from Time to Time be Commissioners for the Purposes of this Act shall also be the Commissioners for carrying into effect the said recited Act, any thing therein contained to the contrary thereof in anywise notwithstanding.

Commissioners to keep Books, &c.

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

XXVII. And

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, from Time to Time, when and as often as they shall think necessary or expedient, at any such Meeting, to give and sign Orders for the Payment of all Sums which they shall deem or judge to be necessary for carrying into execution the Purposes of this Act, and to elect and appoint a Treasurer without Salary, a Clerk at a Salary not exceeding Fifty Pounds *per Annum*, and any Receiver or Receivers, Collector or Collectors of the several Tolls, Dues, and Customs hereby empowered to be levied: Provided always, that the Payment of all such Sums as aforesaid and the Payment of such Salary shall be made out of such Sums of Money as shall be received by the said Commissioners in pursuance of this Act.

Power of the Commissioners to sign Orders for paying Monies and to appoint Officers.

XXVIII. And be it further enacted, That no Person who shall be a Commissioner under this Act shall during the Time he shall be such Commissioner hold any Place or Office of Profit or Emolument connected with the Execution of this Act, or enter into any Contract with the said Commissioners, or be Surety for any Person contracting with the said Commissioners; and if any Person, being such Commissioner, shall accept any Place or Office under this Act, or shall enter into or be concerned or interested in any Contract, or shall be Surety for any Person contracting with the said Commissioners, such Person shall cease to be a Commissioner from the Time of his Appointment to and Acceptance of such Place or Office, or of his entering into or being concerned in such Contract, or becoming Surety for any Person contracting with the said Commissioners, as the Case may be; and in case any Person or Persons so ceasing to be a Commissioner or Commissioners as aforesaid shall do any Matter or Thing in the Execution of this Act after he or they shall so cease to be a Commissioner or Commissioners, he or they shall incur for every such Offence a Penalty of Fifty Pounds, to be recovered in any of His Majesty's Courts of Law in *Dublin* by any Person who shall sue for the same: Provided, however, that all such Act or Acts as he or they shall do as Commissioner or Commissioners before Conviction or a Verdict given against him or them for such Offence shall be good and valid in Law, any thing in this Act contained notwithstanding.

No Commissioner to have any Place or Profit under this Act.

Penalty on a Commissioner acting if interested.

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

Commissioners to take Security from certain Officers.

XXX. 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 the Clerk to the said Commissioners in the Execution of this Act, or the Partner of such Clerk, or the Clerk or other Person

Clerk and Treasurer not to be the same Person.

in the Service or Employ of such Clerk or of his Partner or Partners, to be the Treasurer for the Purposes of this Act, nor to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person or Persons in the Service or Employ of any such Treasurer or of his Partner or Partners, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Commissioners (other than that of Treasurer), every Person so offending shall for every such Offence forfeit the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record in *Dublin*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Penalty.

Treasurer to
keep proper
Accounts.

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

All Officers
to render
Accounts
when re-
quired.

XXXII. And be it further enacted, That every such Treasurer, Clerk, Receiver, Collector, or other Officer so to be appointed shall, so often as they shall be thereunto required by the said Commissioners, render and deliver to the said Commissioners, or to such Persons as they shall appoint, distinct, true, and perfect Accounts in Writing, signed with their own Hands respectively, of all Matters and Things committed to their Charge by virtue of this Act, and also of all Monies which shall have been by such Officers or Persons respectively received by virtue of such Appointment or for or on account of the said Commissioners, and how much thereof hath been applied, and for what Purpose or Purposes, together with proper and legal Receipts and Vouchers for such Payments respectively, and shall pay all such Monies as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they the said Commissioners shall from Time to Time direct and appoint; and if any such Officer or Person so appointed as aforesaid shall not render and deliver, signed with his own Hand, all and every such Statements and Accounts within a reasonable Time after he shall have been thereunto required as aforesaid, or shall not produce and deliver up the Receipts and Vouchers relating to all the Monies received and paid by him or them, or shall not pay the Monies received by him, or being in his Hands, to such Commissioners, or to such Persons as
the

the said Commissioners shall direct or appoint, or shall not deliver up to such Commissioners, or to any other Person or Persons whom they shall appoint, all Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, within Twenty-one Days next after he or they shall be required to do so by a Notice in Writing signed by the major Part of the said Commissioners, or by the Clerk of the said Commissioners, and delivered to and left at the last or usual Place of Abode of such Officer or Officers, then and in such Case it shall be lawful for the said Commissioners, and they are hereby required, authorized, and empowered, to bring or cause to be brought any Action or Actions against any such Officer or Officers so neglecting or refusing as aforesaid, for the Recovery of the Money that shall be in the Hands of such Officer or Officers, or against the Person or Persons having become Surety for him or them, or his or their or any of their Executors or Administrators; or it shall be lawful for such Commissioners, or any other Person whom they shall direct and appoint for that Purpose, to make Complaint of any such Refusal or Neglect as aforesaid to the Mayor of the said Town of *Galway*, or to any One Justice of the Peace for the County of the Town, or to any One Justice of the Peace for the County, County of a City or Town, Borough, or Place wherein such Officer so neglecting or refusing shall be or reside, and thereupon it shall be lawful for such Mayor or Justice of the Peace, and he is hereby authorized and empowered, by Warrant under his Hand and Seal, to cause such Officer or Officers so neglecting or refusing, and against whom such Complaint shall be made, to be brought before him, and upon his appearing or not being to be found to hear and determine the Matter in a summary Way; and if upon the Conviction of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, or upon the Testimony of any credible Witness or Witnesses of the People called Quakers upon Affirmation, (which Oath or Affirmation such Mayor or Justice is hereby empowered to administer,) it shall appear to such Mayor or Justice that any of the Monies that shall have been received by any such Officer or Person shall remain due from any such Officer or Person, then it shall be lawful for such Mayor or Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Money, and all Costs, Charges, and Expences incurred and to be incurred by such Complaint, to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively; and if no Goods and Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the full Costs, Charges, and Expences of distraining, removing, and selling the said Goods, Chattels, and other Effects, and all such Costs and Charges as aforesaid, or if it shall in manner aforesaid appear to such Mayor or Justice of the Peace that such Officer or Person shall not have rendered such perfect and true Accounts, signed as aforesaid, or shall have detained any Receipts or Vouchers, Documents, Books, Papers, or Writings as aforesaid, then and in each and every of such Cases such Mayor or Justice shall commit every such Offender to the Common Gaol or House of Correction of the County, County of the City, Town, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have rendered, signed, and delivered

vered as aforesaid such true and perfect Accounts as aforesaid, and shall have delivered as aforesaid all Receipts and Vouchers relating thereto, and shall have paid all such Monies remaining in his Hands, or shall have compounded with the said Commissioners for all such Money to their Satisfaction, and shall have paid the Amount of such Composition in such Manner as they shall approve, and which Composition the said Commissioners are hereby empowered to make and accept, or until he shall have delivered all such Books, Papers, and Writings aforesaid in his Custody or Power, or shall have given Satisfaction in respect thereof, to the said Commissioners: Provided always, that no such Officer or Person so committed as aforesaid shall be detained and kept in Prison by virtue of any such Warrant for any longer Space of Time than Twelve Calendar Months.

Sureties not
to be dis-
charged.

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

Commission-
ers to keep
Accounts
and publish
the same.

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

XXXV. And

XXXV. And be it further enacted, That it shall and may be lawful to and for the Commissioners for the Execution of this Act, from Time to Time and at all Times hereafter, to contract or agree with, or to employ any Person or Persons to contract and agree with, the Owner or Owners of any Stone Quarry or Quarries, or of any Lands containing any Stone Quarry or Quarries, for the Purpose of getting Stone from and out of the same, to be used for the Purposes of this Act, and shall and may pay the Compensation Money for the Stone to be so gotten with and out of any Monies to be received by virtue of this Act.

Power to make Contracts for Stone.

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

Power to make other Contracts.

XXXVII. And be it further enacted, That a Table of the several Tolls and Duties hereby made payable to the said Commissioners shall be posted and fixed up in some conspicuous Place or Places on the Outside of or adjoining to the Office of the said Commissioners, or in some conspicuous Place in the said Town of *Galway*, and renewed as often as the same shall be obliterated, defaced, or altered; and that if any Person or Persons shall at any Time or Times wilfully and designedly pull down, destroy, obliterate, or deface any Table of Tolls, Rates, or Duties which shall be affixed under the Authority of this Act, or any Part of such Table, or any of the Words or Figures thereon, every Person so offending shall for every such Offence forfeit and pay to the Use of the said Commissioners any Sum not exceeding Twenty-five Pounds.

Table of Tolls to be put up.

Penalty on defacing the same.

Schedules of
the Tolls to
be published.

XXXVIII. And be it further enacted, That the Commissioners for the Purposes of this Act shall cause Copies of the Schedules annexed to this Act to be printed and published once every Year in every Newspaper printed in the said Town of *Galway*.

Collector's
Name to be
put up.

XXXIX. And be it further enacted, That every Collector of the said Tolls and Duties, whether appointed by the said Commissioners, or by any Lessee or Lessees, Tenant or Tenants of the said Commissioners, to collect the Tolls and Duties by this Act granted, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Houses, or Toll Gate or Toll Gates, immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length and of a Breadth in proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and every such Collector shall place or cause to be placed on the Front of the Toll House or Toll Houses, or Gate or Gates, at which such Collector shall be stationed, the Board herein directed to be provided by the Commissioners, and also the List of the Tolls and Duties payable at the Gate or Place where such Collector shall be stationed as aforesaid; and if any Collector of the said Tolls and Duties shall not place such Board and List as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll or Duty from any Person than he shall be authorized to do by virtue of this Act, or shall refuse to permit or suffer any Person or Persons to read, or shall in anywise hinder any Person or Persons from reading, such Board or List, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or Duties or any of them, or shall in answer to such Demand give a false Name or Names, or, upon the legal Toll or Duty being paid or tendered, shall unnecessarily detain, or wilfully obstruct, hinder, or prevent any Stock, Goods, Chattels, Matters, or Things hereby chargeable with Toll from passing into or out of the said Town, or shall make use of any scurrilous or abusive Language to any Commissioner, Treasurer, Clerk, or other Officer acting under this Act, or Person liable to pay Toll, then and in every such Case every such Toll Collector shall forfeit and pay to the said Commissioners any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, to be recovered and applied as herein mentioned.

Penalty on
Collector in
default.

For settling
Disputes
about Tolls.

XL. And be it further enacted, That in case any Dispute or Disputes shall happen respecting the demanding or taking the Payment of Toll or Duty, or about the Amount of Toll due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined by any Justice of the Peace for the County of the said Town of *Galway*, who, upon Application made to him for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses (which Oath every such Justice is hereby authorized and empowered to administer); and shall determine the
Amount

Amount of the Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue), and the Overplus (if any), after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

XLII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and they are hereby authorized and empowered to erect and build a Toll House or Toll Houses, and a Toll Gate or Toll Gates, at or in such convenient Place or Places in the Town, or within One Mile from the Collegiate Church aforesaid, as they shall think fit, and the said Commissioners shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at every such Toll House or Toll Gate, a Table painted on a Board in distinct and legible Letters, in Black on a White Ground or in White on a Black Ground, containing a List of all the Tolls and Duties which are to be paid respectively: Provided always, that it shall not be lawful for the said Commissioners to demand or take, or cause to be demanded or taken, any of the Rates, Tolls, or Duties herein-before mentioned or referred to but for and during such Time only as such Table shall remain posted and fixed up where such Rates, Tolls, and Duties shall be demanded or taken as aforesaid.

Power to erect Toll Houses, &c.

XLIII. And be it further enacted, That if any Person or Persons shall assault or obstruct any Collector or any other Person or Persons whomsoever employed by the Commissioners, or assisting or acting for any Person so employed in the Collection of any Tolls and Duties, in the Performance and Execution of his Duty under this Act, each and every Person so offending, and being convicted thereof by the Oath of One or more credible Witness or Witnesses, before the Mayor of the said Town, or One or more Justice or Justices of the Peace of the County of the said Town, shall for every such Offence forfeit to the said Commissioners a Sum not exceeding Five Pounds, to be recovered and applied as herein mentioned.

Penalty on any Person assaulting Collectors, &c.

XLIII. And be it further enacted, That in case any Person or Persons having the Charge or Possession of any Stock, Goods, Wares, Merchandizes, Matters, or Things chargeable with the Rates or Duties granted by this Act shall refuse or neglect to pay such Rates or Duties, then and in such Case it shall and may be lawful to and for the Commissioners for the Execution of this Act, or for any Person or Persons authorized or appointed by the said Commissioners in pursuance of this Act to receive such Rates and Duties, to demand such Rates and Duties, and on Nonpayment thereof to take and distrain all or any Part of the Stock, Goods, Wares, Merchandizes, Matters, or Things in respect whereof such Rates and Duties shall be payable, and the same to retain until the respective Rates and Duties shall

Power of Distress in case of Refusal to pay Toll;

or Commis-
sioners may
bring Action
of Debt.

shall be satisfied and paid; and in case of any Neglect or Default in Payment of the said Rates and Duties for the Space of Eight Days after any Distress so made and taken, it shall and may be lawful to and for the said Commissioners, or the Person or Persons authorized or appointed as aforesaid, to cause the said Distress to be appraised by One or more sworn Appraisers, or other sufficient Persons, and afterwards to sell the same or any Part thereof, and out of the Produce of the Sale thereof to satisfy themselves or himself, as well for and in respect of their or his reasonable Charges in taking, keeping, appraising, and selling such Stock, Goods, Wares, Merchandizes, Matters, or Things, and also for and in respect of the Rates and Duties payable in respect of the same and every of them, rendering the Overplus to the Owner, if any such there be, upon Demand; and that it shall and may be lawful for the said Commissioners, in case of Nonpayment of any such Rates and Duties, instead of recovering the same in manner aforesaid, or in case the whole shall not be recovered, to proceed for the Recovery of such Rates and Duties, or so much thereof as shall not have been recovered as aforesaid, by Action of Debt in the Civil Bill Court before the Assistant Barrister for the County of *Galway*.

Penalty on
Collector
levying ex-
cessive Tolls.

XLIV. And be it further enacted, That if any Receiver or Receivers or Collector or Collectors of any Tolls, Rates, or Duties payable under or by virtue of this Act shall exact from or compel any Person to pay any Rate, Duty, or Toll not authorized by this Act, or any Sum or Sums of Money, in respect and under Pretext of any such Toll, Rate, or Duty, higher or greater than the Toll, Rate, or Duty payable by this Act, such Receiver or Receivers or Collector or Collectors shall for every such Offence forfeit and pay to the Party injured any Sum not exceeding Five Pounds, to be recovered as herein mentioned, and upon Conviction of such Offence shall be discharged from his Office, and shall be and is hereby declared to be disqualified and incapacitated from holding any Office or Place under the Commissioners for the Execution of this Act.

Power to let
the Tolls.

XLV. And be it further enacted, That it shall and may be lawful for the Commissioners for the Execution of this Act, on the First *Monday* in the Month of *October* in every Year, after giving Fifteen Days Notice in One or more public Newspaper or Newspapers, and posting such Notice on the Door of the Court-house of the said Town, to demise and let all or any and every of the Tolls, Rates, or Duties from Time to Time payable by virtue of this Act, by public Cant or Auction, in the Court-house, for any Term not exceeding Three Years, at the highest Rent that shall be offered and bid for such Rates, Tolls, or Duties, or any of them, by any solvent Person or Persons, and to appoint the Person or Persons to whom any such Tolls, Rates, or Duties shall be so let or demised to receive or collect any such Tolls, Rates, or Duties for such Term as aforesaid; and it shall be lawful for the said Commissioners to make and give such Rules, Regulations, and Orders as they shall adjudge necessary and expedient for the better collecting the Tolls, Rates, and Duties aforesaid by such Person or Persons.

XLVI. And

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

Distress not to be unlawful for Want of Form.

XLVII. And be it further enacted, That no Verdict, Judgment, or other Proceeding made or had or given touching or concerning any Matter under this Act, nor any Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record in *Dublin*, any Law or Statute to the contrary thereof in anywise notwithstanding.

No Proceeding to be vacated for Want of Form.

XLVIII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the Commissioners for the Execution of this Act, or any Writ or Writs, or other legal Proceedings, the Service thereof upon the Clerk of the said Commissioners, or at the Office of such Clerk, or left at his last or usual Place of Abode, or at the Office of the said Commissioners, or upon any Agent or other Officer employed by the said Commissioners, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Services of Notices on Commissioners.

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

No Action to be brought against Commissioners without Notice, nor after Tender of Amends.

No Action to
be brought
after Six
Months.

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

Power to
Justices to
administer
Oath.

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

Recovery
and Appli-
cation of
Penalties.

LII. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof is not hereby particularly directed) may in case of Nonpayment thereof be recovered in a summary Way by the Order and Adjudication of the Mayor of the Town of *Galway*, or some Justice or Justices of the Peace for the County of the Town of *Galway*, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such respective Mayor, Justice, or Justices, who is and are hereby
autho.

authorized and required to summon and examine Witnesses upon Oath of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall have been issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for the said Mayor, Justice or Justices, to order the Offender so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Mayor, Justice or Justices, on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Three Days from the Time of taking any such Security, and which Security the said Mayor, Justice or Justices, is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of the Mayor or Justice or Justices, upon the Confession of the Offender or Offenders or otherwise, that he, she, or they have or hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Mayor, Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Mayor, Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or to any House of Correction in the County of the Town of *Galway*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalty, and all Costs and Charges incident to and attending such Proceedings as aforesaid (to be ascertained by such Mayor, Justice or Justices), shall be sooner paid or discharged.

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

Penalty on
Witnesses
for Default.

LIV. Pro-

Appeal.

LIV. Provided always, and be it further enacted, That it shall be lawful for any Person who shall think himself or herself aggrieved by any Law or Judgment made or given in pursuance of any Rule, Bye Law, or Order of the Commissioners for the Execution of this Act, or by the Conviction or Determination of any Mayor or Justice of the Peace in pursuance of this Act, within Three Calendar Months after such Order, Judgment, Conviction, or Determination shall be made or given, to appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be holden in and for the said County of the Town of *Galway*, the Person or Persons appealing giving first at least Ten Days clear Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the said Commissioners, as the Case may be, and within Three Days after such Notice entering into Recognizance before the Mayor of the said Town, or some Justices of the Peace of the County of the said Town, with Two sufficient Securities, conditioned to prosecute such Appeal, and to abide the Order and Award of the said Court thereupon ; and it shall be lawful for the Justices, upon due Proof of such Notice and Recognizance having been given and entered into, to hear and determine such Complaint either at the General Quarter Sessions, or, if the said Justices think proper so to do, to adjourn the Hearing thereof until the next General Quarter Sessions ; and it shall be lawful for the said Justices at such Sessions, if they see Cause so to do, to mitigate any Forfeiture or Fine, and to order any Money to be returned which may have been levied, and to award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper ; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes.

Form of Conviction.

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

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

And every such Conviction shall, if required, be written fairly upon Parchment, and be returned to the Clerk of the Peace of the County of
 of

of the Town of *Galway*, to be filed by him, and to remain and to be kept among the Records of the County of the said Town.

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

Form of
Warrant for
levying Pen-
alties.

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

WHEREAS on the Day of now
last past of was duly convicted
before me [or us], Mayor [or One or Two of His Majesty's Jus-
tices of the Peace for the County of the Town of *Galway*], by virtue
of an Act passed in the Sixth Year of the Reign of King *William*
the Fourth, intituled [*here insert the Title of this Act*], of having
[specifying the Offence and the Time when the same was committed, as
the Case may be,] contrary to the said Act, and thereupon the said
hath become liable to a Fine or Penalty of ;
I [or we] do therefore by these Presents authorize and command
you and each of you to take into your Custody the Goods of the
said or a Sufficiency thereof for the levying the
said Sum thereout, wherever you shall find the said Goods in the
County of the said Town; and if such Goods shall not be redeemed
by Payment of the said Sum within Days after taking the
same, you are hereby authorized and required by public Sale thereof
to levy the said Sum, rendering unto the said the
Overplus (if any); and the said Sum so levied you shall bring to me
without Delay, to be disposed of according to Law. Given under
my Hand and Seal this Day of .

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

Warrant to
commit.

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

And the Form of Committal for committing any such Offender to
Prison shall follow the Form of such Warrant, save only that the Di-
rection thereof shall be to the proper Gaoler, and that from and after
the Words 'I do therefore hereby authorize and command' then
[Local.] 59 A shall

shall follow these Words: ' to receive into your Custody the Body of
 ' the said and him or her safely keep for
 ' from the Date hereof, unless the said
 ' Sum shall be sooner paid. Given under my Hand this
 ' Day of '

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

Distress not to be unlawful for Want of Form.

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

Process not to be quashed for Want of Form.

LVIII. And be it further enacted, That no Verdict, Judgment, or other Proceeding made or had or given touching or concerning any Matter under this Act, nor any Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari or by any other Writ or Process whatsoever into any of His Majesty's Courts of Record in *Dublin*, any Law or Statute to the contrary thereof in anywise notwithstanding.

Public Act.

LIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Act may be amended this Session.

LX. Provided always, and be it further enacted, That the present Act may be altered, varied, or amended in or by any Act of Parliament to be passed in the present Session.

SCHEDULE OF IN-GATE TOLLS.

Being Schedule (A.) in this Act mentioned.

	s.	d.
Agriculture and Garden Seeds, per Hundred Weight	- 0	2
Ashes, Pot and Pearl, per Barrel	- 0	1
Alum and Copperas, per Cask	- 0	1
Barilla, per Ton	- 0	4
Beer, Porter, and Ale, per Hogshead	- 0	1½
Ditto - ditto - ditto, per Barrel	- 0	1
Books and Paper, per Bale or Box	- 0	1
Brimstone, per Hundred Weight	- 0	1
Butter, per Hundred Weight	- 0	1
Cheese, per Hundred Weight	- 0	6
Coals, per Ton	- 0	2
Copper, per Hundred Weight	- 0	2
Cotton, per Bale or Bag	- 0	1
Cordage, per Ton	- 1	0
Cider, per Pipe	- 0	6
Ditto, per Hogshead	- 0	3
Coffee, per Hundred Weight	- 0	2
Cork-wood, per Ton	- 1	0
Candles and Soap, per Hundred Weight	- 0	1
Dye-wood, per Cask	- 0	1
Earthenware, per Hogshead or Crate	- 0	1
Cured Fish, per Barrel	- 0	1
Cod or Ling, per Ton	- 0	6
Fresh Lemons or Oranges, per Box	- 0	0½
Gunpowder, per Hundred Weight	- 0	3
Hats, each	- 0	0¼
Hardware, per Package	- 0	1
Ditto, per Hogshead	- 0	6
Hides and Skins, raw, per Hundred Weight	- 0	0½
Sheep Skins, raw, per Gross	- 0	1
Hops, per Bag or Pocket	- 0	3
Ham, per Ton	- 1	0
Glue, per Hundred Weight	- 0	1
Leather, per Hundred Weight	- 0	1
Iron, per Hundred Weight	- 0	0
Steel, per Hundred Weight	- 0	1
Lead, per Hundred Weight	- 0	1
Indigo, per Hundred Weight	- 1	0
Mahogany, per Ton	- 1	0
Metal Ware, per Ton	- 0	10
Mats, not Irish, per 120	- 0	3
Molasses, per Cask	- 0	6
Musical Instruments, per Case	- 1	0
Pork, per Ton	- 0	6

	s.	d.
Oil, per Cask	0	2
Oil of Vitriol, per Carboy	0	1
Paints and Colours, per Cask	0	2
Pitch, Tar, Resin, and Turpentine, per Barrel	0	1
Portland Stone, per Ton	0	6
Plaster of Paris, per Barrel	0	1
Raisins, Figs, and Currants, per Hundred Weight	0	2
Rice, per Hundred Weight	0	1
Quills and Feathers, per Stone	0	0½
Rags, per Ton	0	3
Rape and Linseed Oil, per Ton	0	6
Spirits, per Puncheon	1	0
Sacks, per 120	0	3
Saltpetre, per Hundred Weight	0	1
Salt, per Ton	0	1
Sugar, per Cask	0	6
Scythes, per Gross	0	2
Sickles, per Gross	0	1
Staves, Pipe, per 1,200	0	6
Ditto, Hogshead	0	3
Ditto, Barrel,	0	1
Tallow, per Hundred Weight	0	2
Tea, per Chest	0	4
Tin, per Box	0	1
Tobacco, per Hogshead	1	0
Ditto, per Roll	0	1
Vinegar, per Tierce	0	1
Wine, per Pipe	1	0
Ditto, per Hogshead	0	6
Ditto, per Quarter Cask	0	3
Ditto in Bottle, per Dozen	0	1
Wood, per Car Load	0	2
Woollen Goods, per Bale	1	0
Cotton ditto	0	4
Wood Hoops, per Thousand	0	2
Wool, per Hundred Weight	0	1
Barm, per 120 Gallons	0	4
Ditto, per 60 ditto	0	2
Lime, per Car Load	0	0½
Hay, per Load	0	1
Straw, per Ditto	0	1
Oats, per Barrel of Fourteen Stone	0	1
Barley, ditto, of Sixteen ditto	0	1
Wheat, per Hundred Weight	0	1
Malt, per Barrel of 12 Stone	0	1
Oatmeal, per Hundred Weight	0	1
Horses, each	0	2
Cows and Oxen, each	0	2
Calves, each	0	1
Sheep, each	0	1
Lambs, each	0	0½

	<i>s.</i>	<i>d.</i>
Pigs, each	- 0	1
Small Ditto, each	- 0	0½
Mules and Asses, each	- 0	1

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

SCHEDULE OF OUT-GATE TOLLS.

Being Schedule (B.) in this Act mentioned.

	<i>s.</i>	<i>d.</i>
Bacon and Hams, per Ton	- 0	6
Candles and Soap, per Hundred Weight	- 0	1
Earthenware, per Hogshead or Crate	- 0	1
Herrings, per Barrel	- 0	1
Ditto, in Bulk, per 1,200	- 0	1
Glass (Window), per Crate	- 0	2
Ditto Bottles, per Gross or Twelve Dozen	- 0	1
Hides and Skins, not manufactured, per Hundred Weight	- 0	0½
Leather, per Hundred Weight	- 0	1
Provision, salted, per Tierce	- 0	1
Ditto, per Barrel	- 0	0½
Iron, per Hundred Weight	- 0	0½
Steel, per Ditto	- 0	1
Coals, per Ton	- 0	1
Lead, per Hundred Weight	- 0	2
Bark, per Car Load	- 0	1
Pitch, Tar, Resin, and Turpentine, per Barrel	- 0	1
Plaster of Paris and Cement, per Barrel	- 0	1
Slates, per Ton	- 0	2
Staves (Pipe), per 1,200	- 0	4
Ditto (Hogshead), per ditto	- 0	2
Ditto (Barrel), per ditto	- 0	1
Tallow, per Hundred Weight	- 0	1
Salt, per Ton	- 0	2
Timber, Foreign, per Ton	- 0	2
Deals, per Dozen	- 0	1
Hoops, per 1,200	- 0	1
Wine, per Pipe	- 0	8
Ditto, per Hogshead	- 0	4
Sugar, per Hogshead	- 0	6
Ditto, per Tierce	- 0	3
Ditto, per Barrel or Bag	- 0	1
Flour, per Ton	- 0	2

[Local.]

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	<i>s.</i>	<i>d.</i>
Spirits, per Puncheon	-	0 6
Beer, Porter, and Ale, per Hogshead	-	0 1
Ditto, ditto, ditto, per Tierce or Barrel	-	0 0½
Tobacco, per Hogshead	-	0 6
Ditto, per Roll	-	0 1
Malt, per Barrel of 12 Stone	-	0 1
Books and Paper, per Car Load	-	0 6
Brimstone, per Hundred Weight	-	0 0½
Furniture, per Car Load	-	0 6
Cheese, per Hundred Weight	-	0 0½

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

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1836.