



ANNO PRIMO

GEORGIIV. REGIS.



Cap. lii.

An Act for erecting a Ballast Office, and for regulating Pilots within the Port and Harbour of *Cork*; and for rendering more safe and commodious the said Port and Harbour for all Ships and Vessels trading to and from the same. [8th July 1820.]

WHEREAS the Laws now in force for cleansing, improving, and keeping in proper Condition the Port and Harbour of *Cork*, and the River *Lee*, and for regulating the Conduct of Masters and Owners of Shipping resorting to the said Port and Harbour of *Cork*, as well in the Discharge and taking in of Ballast as in other Particulars, and for regulating the Conduct of Pilots within the said Harbour, have been found ineffectual: And whereas the present State of the said River is extremely disadvantageous to the Trade and Commerce of the Port of *Cork*: And whereas it is expedient that the Powers and Authorities herein-after mentioned should be vested in the Commissioners herein-after appointed, and that a Fund should be created and vested in the said Commissioners for the Purposes herein-after mentioned: 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 so much of an Act passed in the Third Year of the Reign of His late Majesty King George the Second, intituled *An Act for cleansing the Ports, Harbours, and Rivers of the City* 3 G. 2. c. 21. of
[Local.] 18 C of

53 G. 3. c. 70.

of Cork, and of the Towns of Galway, Sligoe, Drogheda, and Belfast; and for erecting a Ballast Office in the said City, and each of the said Towns, as relates to the Harbour or Port of Cork; and also so much of an Act passed in the Fifty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act for reviving, amending, and making perpetual an Act passed in the Parliament of Ireland, in the Fortieth Year of the Reign of His said present Majesty, for the better Regulation of the Butter Trade of the City of Cork, and the Liberties thereof, and for other Purposes therein mentioned*, as relates to the Appointment of Commissioners for widening, deepening, and improving the Harbour and River of Cork, be and the same are hereby from henceforth repealed.

Commis-
sioners ap-
pointed.

II. And be it further enacted, That the Members for the said City of Cork for the Time being, the Mayor and Sheriffs of the said City for the Time being, and Five Persons, being Members of the Common Council of the said City, and to be elected and chosen in Manner herein-after mentioned, together with *William Beamish, John Cotter, Daniel Callaghan, William Crawford, John Lecky, Daniel Goold, Joshua Carroll, Thomas Cuthbert, David Galwey, William Maxwell, George Waters, Henry Bagnell, Reuben Harvey, Gerard Callaghan, James Morgan, James Murphy, Jacob Mark, Daniel Callaghan the younger, Sir Anthony Perrier, John Creagh Moylan, John Monrogh, Joseph King Cummins, Simeon Hardy, Samuel Lane, and Isaac Hewitt*, all of the City of Cork, Merchants, and their Successors, to be elected, nominated, and appointed as herein-after is mentioned, shall be, and they are hereby appointed Commissioners for carrying into Execution the Purposes of this Act.

Additional
Commis-
sioners.

III. And be it further enacted, That as soon as conveniently may be after the passing of this Act, Five Persons, Members of the Common Council of the said City, shall be elected and chosen by the Common Council of the said City for the Time being, to be also Commissioners for the Purposes aforesaid; and that when and as often as any of such Five Persons so to be elected and chosen shall die or resign, or refuse or decline to act, or shall cease to be a Member of the said Common Council, or shall absent himself as herein-after mentioned, then and so often as it shall so happen, it shall and may be lawful to and for the Common Council of the said City for the Time being, as soon as conveniently may be after such Vacancy shall happen, to elect and choose another Person, being a Member of the said Common Council, to be a Commissioner as aforesaid, in the Place and Stead of the Person so dying or resigning, or refusing or declining to act, or ceasing to be of the said Common Council, or absenting himself as aforesaid; and so on from Time to Time upon the Death, Resignation, Refusal, or declining to act, or ceasing to be of the Common Council, or Absence of any Person who shall be elected and chosen by the said Common Council in pursuance of this Act, so as to make up and keep complete the full Number of Five Commissioners from amongst the Common Council of the said City; and all and every Person and Persons so elected and chosen Commissioners, in Manner aforesaid, from amongst the Common Council of the said City, shall have the same Power and Authority, to all Intents and Purposes, as they would or could have had in case they had been originally named and appointed Commissioners in and by this Act; provided that the Person or Persons so elected shall, previous to his or their acting in the Execution of the Powers and Authorities

Authorities by this Act granted, take and subscribe, before One of His Majesty's Justices of Assize for the said City, or before the Recorder, Deputy Recorder, or before Two Justices of the Peace of the said City, the Oath following:

‘ I A. B. do swear, That I will truly and faithfully execute the Powers and Authorities reposed in me by an Act passed in the First Year of the Reign of His Majesty King George the Fourth, intituled [*here insert the Title of this Act*]. So help me GOD.’

IV. And be it further enacted, That on the Second *Tuesday* in *June* One thousand eight hundred and twenty-three, or on some other convenient Day, not more than Ten Days from the said Second *Tuesday* in said Month, to be appointed as herein-after mentioned, and on the Second *Tuesday* in *June* One thousand eight hundred and twenty-four, or on some other convenient Day, not more than Ten Days from the said Second *Tuesday* in *June* One thousand eight hundred and twenty-four, to be appointed as aforesaid, and on the Second *Tuesday* in *June* annually thereafter, or on some other convenient Day, not more than Ten Days from the said Second *Tuesday* in *June*, annually to be appointed as aforesaid, the Four Commissioners whose Names shall stand first in the List of Commissioners, not being Members of the Common Council, or hereafter to be elected in their Places, shall, as being disqualified by Seniority, go out of Office, and Four other Commissioners shall be chosen to supply their Places, by the Mayor, Sheriffs, and Commonalty of the said City, or the major Part of them, in their open Court of D'Oyer Hundred duly assembled, and which Court the Mayor of the said City for the Time being shall from Time to Time cause to be held for such Purpose, giving Six Days Notice at the least of the Time and Place of holding the same, by Advertisement in One or more of the Public Newspapers of the said City of *Cork*, so that there shall ever thereafter be an Election of Four Commissioners in each Year: Provided always, that the Persons going out of Office in Manner aforesaid shall be eligible to be immediately re-elected; and in case they shall be so re-elected, they shall thereupon come in as the junior Commissioners, and be enrolled as such accordingly.

Provision for continuing Succession of such Commissioners.

V. And be it further enacted, That when and as often as any of the said Persons herein-before specifically named, or hereafter to be elected, not being Members of the Common Council, shall die or resign, or refuse or decline to act, or shall be removed as herein provided, or shall be elected and chosen a Common Councilman of the said City, the Place or Places of him or them so from Time to Time dying, resigning, refusing or declining to act, or being removed or elected a Common Councilman or Common Councilmen of the said City, shall be from Time to Time supplied by such Person or Persons as shall be elected to fill the same by the Mayor, Sheriffs, and Commonalty of the said City, or the major Part of them, in their open Court of D'Oyer Hundred, duly assembled for that Purpose, and so on successively from Time to Time, as often as there shall be Occasion.

Filling up Vacancies of Commissioners herein specifically named.

VI. And be it further enacted, That all and every Sum and Sums of Money and Property of what Nature or Kind soever, which are, or is, or was, or were immediately before the passing of this Act vested in the Commissioners for widening, deepening, and improving the Harbour and River

Present Funds vested in Commissioners here-by appointed.

River of *Cork*, be and the same are hereby from henceforth vested in the said Commissioners hereby appointed, to and for the several Uses and Purposes by this Act directed; and that the same, and all and every the Books of Account, Minutes, Vouchers, Securities, Papers, Evidences, and Writings whatsoever, belonging to or kept by the said "Commissioners for widening, deepening, and improving the Harbour and River of *Cork*," acting in pursuance of the said recited Acts, or any of them, shall be, immediately after the passing of this Act, delivered to the said Commissioners hereby appointed, or to their proper Officer or Officers.

Sums payable in future under 53 G. 3. c. 70. 54 G. 3. c. 196. to be paid to Commissioners.

VII. And be it further enacted, That all Sum and Sums of Money which under the said recited Act of the Fifty-third Year of the Reign of His said late Majesty, and also all such Sum and Sums of Money as under a certain Act passed in the Fifty-fourth Year of His said late Majesty's Reign, intituled *An Act to raise a Fund for defraying the Charge of Commercial Improvements within the City and Port of Cork in Ireland*, would from Time to Time be payable unto "the Commissioners for widening, deepening, and improving the Harbour and River of *Cork*," if this Act had not been passed, shall be from henceforth from Time to Time paid and payable unto the Commissioners hereby appointed, to be by them applied and disposed of to and for the several Uses and Purposes by this Act directed.

Meetings of Commissioners.

VIII. And be it further enacted, That the said Commissioners shall have full Power and Authority, at all Time and Times hereafter, to meet and assemble themselves together whensoever and wheresoever they may think proper for the Purposes of this Act; and that all Powers and Authorities by this Act granted to the said Commissioners shall and may be exercised from Time to Time by the major Part of them who shall attend at any Meeting to be holden in pursuance of this Act (the Number of the Commissioners present at such Meeting not being less than Seven, except where otherwise directed); and all the Acts, Orders, and Proceedings of the major Part of such Commissioners present at such their several Meetings, shall have the same Force and Effect as if the same were made or done by all such Commissioners for the Time being (save and except as herein excepted); and at every Meeting of the said Commissioners a Chairman shall and may be appointed, and when and as often as it shall so happen that there shall be an Equality of Votes at any such Meeting upon 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 the decisive or casting Vote.

Proceedings to be entered in Books, and to be Evidence.

IX. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or 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 their several Meetings; and all Entries in such Books being signed by the Chairman then present shall be deemed Originals, and shall be allowed to be read as Evidence in all Cases, Suits, and Actions touching or concerning any thing done in pursuance of this Act; and that such Books shall at the said Meetings of the said Commissioners, and at all other reasonable Times, be kept open and liable to the

the Inspection of all and every of the said Commissioners, and that any of the said Commissioners shall and may have and take Copies thereof.

X. Provided nevertheless, and be it further enacted, That no Person herein-before specifically named, or hereafter to be elected, shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall then be seized and possessed in his own Right, or in the Right of his Wife, and in the actual Enjoyment or Receipt of the Rents and Profits of a Real Estate in Law or Equity of the clear yearly Value of Thirty Pounds, or possessed of a Personal Estate to the Amount or Value of One thousand Pounds over and above what shall be sufficient to satisfy his Debts; and if any Person, not being so qualified, shall presume to act as a Commissioner, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record in *Dublin*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, together with Costs of Suit, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed, and wherein the Proof of Qualification shall lie on the Person prosecuted; and it shall be sufficient on the Part of the Prosecutor to prove that the Person so prosecuted had acted as a Commissioner in the Execution of this Act; but nevertheless the Acts and Proceedings which shall have been done by any such Person, touching the Execution of this Act, previous to his being convicted of acting without such Qualification, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

Qualification
of Commis-
sioners.

Penalty on
acting if not
qualified.

XI. Provided always, and be it enacted, That no Person herein-before specifically named, or hereafter to be elected at such Court of D'Oyer Hundred as aforesaid, shall take upon himself to act as a Commissioner in the Execution of this Act, except in administering the Oath or Affirmation hereafter mentioned, until he shall make and subscribe before One of His Majesty's Justices of Assize for the said City, or before the Recorder or Deputy Recorder, or before Two Justices of the Peace of the said City, the Oath or Affirmation following:

Oath of Qua-
lification.

‘ I *A. B.* do swear (or being One of the People called *Quakers*, do so-
‘ lemnly affirm), That I am in my own Right, or in the Right of my
‘ Wife (*if the Party shall be married, if not, the Words “ or in the Right of*
‘ *my Wife,” to be omitted*) in the actual Possession and Receipt of the
‘ Rents and Profits of Lands, Tenements, or Hereditaments of the clear
‘ yearly Value of Thirty Pounds, or possessed of or entitled to a Per-
‘ sonal Estate of the Value of One thousand Pounds over and above what
‘ shall be sufficient to discharge my Debts; and that I will discharge the
‘ Duty of a Commissioner without Favour or Affection, Prejudice or
‘ Malice, to any Person or Persons whomsoever. So help me GOD.’

XII. 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 find it expedient, at such respective Meeting or Meetings, to give and sign Orders for the Payment of all Expenditures which they shall find and judge to be necessary for carrying into Execution the Purposes of this Act, and to elect and appoint such

Powers of
Commis-
sioners.

[*Local.*]

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Officer

Officer and Officers, Servant and Servants as they shall think fit and proper for the Execution of the several Matters comprised in this Act, and to establish such Salaries and Allowances to be paid to such Officer and Officers, and every of them respectively, out of the Products of the Payments and Duties herein-after directed to be paid, as to the said Commissioners shall seem fit and reasonable, and the same to increase and diminish from Time to Time as to them shall seem reasonable; and also from Time to Time, as often as it shall appear fit to the said Commissioners so to do, to remove such Officers or any of them, and to elect such others in their Stead as they shall think fit, and also to enter into Contracts for the Purchase of any Lands, Tenements, or Premises which they are hereby authorized to purchase, or for the Execution of all or any of the Works hereby authorized to be done and performed, and to do any Act or Acts hereby authorized to be done by the said Commissioners.

Commissioners empowered to make Bye Laws, &c.

XIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby empowered, from Time to Time to make and ordain such Rules, Orders, Bye Laws, and Regulations, for cleansing, deepening, and otherwise improving the said Port, Harbour, and River of *Cork*, and for regulating the Conduct of the Masters and Owners of Shipping resorting to the said Port and Harbour, in throwing out and taking in their Ballast, and for the ordering, securing, and safely and conveniently stationing or placing of the Ships and Vessels coming into or lying in the said Harbour and Port, and for loading, unloading, mooring, and unmooring such Ships and Vessels, and for the Safety and Preservation of the Goods and Merchandize landing and shipping, and for directing and good conducting of Ships or Vessels into or out of, or whilst within the said Harbour or Port, and respecting the Use of, or for preventing Fires, and the melting of combustible Matters on board any such Ships or Vessels, and for keeping clear and uninterrupted the public Piers, Wharfs, and Quays which are now or hereafter shall be within the said Port or Harbour, and for regulating the Conduct of and determining what Rates and Fares shall be taken by the Owners of all Boats, Wherries, Lighters, and other small Craft kept or used for Hire at or in the said Port or Harbour of *Cork*, and all Porters and Barrowmen plying on the said Piers, Wharfs, and Quays, and for removing and preventing Nuisances within the said Harbour or Port, and for regulating the Conduct of Owners and Masters of Lighters, Gabbards, and other Vessels to be employed in furnishing Ballast to and taking Ballast from such Shipping, and for regulating, conducting, and well governing the Business of the several Officers and Clerks to be employed by or under said Commissioners, and for regulating the Conduct of the several Pilots to be appointed as herein-after mentioned, and for appointing the Place or Places where a Ballast Office or Ballast Offices, Quay and Quays, Wharf and Wharfs, for taking in and discharging Ballast within said Port and Harbour, shall be from Time to Time held and established, and to alter, vary, or repeal such Rules, Orders, Bye Laws, and Regulations as Occasion shall appear to the said Commissioners to require, and to impose reasonable Fines and Penalties for the Breach and Non-observance of such Bye Laws, Rules, Orders, and Regulations, so as no one Penalty shall exceed Five Pounds; which Fines and Penalties shall be recovered and levied as other Fines, Penalties, and Forfeitures by this Act inflicted or imposed are hereby directed to be recovered and levied; and all Rules,

Orders,

Orders, and Bye Laws so to be made as aforesaid, being reduced to Writing and entered in a Book to be kept for that Purpose, shall be binding upon and be observed by all Persons; and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act upon the same; provided that no such Bye Law or Bye Laws so to be made or changed, shall be valid, unless Thirteen of the said Commissioners shall be present at the Time of making or changing the same; and provided also, that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *Ireland*, or any of the express Directions or Provisions of this Act; and provided that Copies of such Rules, Orders, and Bye Laws shall be written or printed, and be affixed and continued in some conspicuous Place or Places within or adjoining to the Ballast Office or Ballast Offices to be established under this Act, and renewed as often as the same shall be obliterated or defaced.

Authentica-
tion of Bye
Laws.

XIV. And be it further enacted, That if any Person or Persons shall at any Time hereafter wilfully or designedly pull down, destroy, obliterate, or deface the Copy or Copies of such Rules, Orders, or Bye Laws as shall be so affixed as aforesaid, or any of them, such Person or Persons shall for every such Offence forfeit and pay to the Use of the said Commissioners, any Sum not exceeding Five Pounds.

Penalty for
destroying
the same.

XV. And be it further enacted, That if any of the Persons hereinbefore specifically nominated, or who shall hereafter be elected a Commissioner pursuant to the Powers of this Act, whether a Member of the Common Council or otherwise, shall continue to absent himself from the Meetings of the said Commissioners for the Space of Three Calendar Months, without Licence from the said Commissioners previously given, and entered upon the Minutes of the said Commissioners, unless some satisfactory Excuse for the Absence of such Member who shall not have attended as aforesaid shall be given in, admitted, and entered on the Minutes of the said Commissioners within Twenty-one Days after the Expiration of the said Three Calendar Months, then and in every such Case the Person or Persons so absenting himself or themselves without Licence as aforesaid, and without satisfactory Excuse given, admitted, and entered as aforesaid, shall thereupon cease to be a Commissioner or Commissioners, and in such Case One other Commissioner or Commissioners shall be elected in the Place or Places of such Person or Persons in like Manner as if such Person or Persons had died or resigned.

Commis-
sioner ab-
senting him-
self Three
Months may
be removed.

XVI. And be it further enacted, That no Commissioner under this Act shall hold any Place or Office of Profit or Emolument thereunder, nor enter into any Contract with the said Commissioners; and if any Person, being such Commissioner, shall accept any Place or Office under his Act, or shall enter into or be concerned or interested in any Contract with the said Commissioners, he 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 or interested in such Contract, as the Case may be; and shall be and remain incapable of acting as or of being elected to be a Commissioner under this Act whilst he shall continue to hold such Place or Office, or during the Continuance of such Contract, as the Case may be; and then another Person shall be elected

No Commis-
sioner to hold
Office of Pro-
fit or Emolu-
ment.

electd, according to the Directions of this Act, in the Room and Place of the Person so ceasing to be a Commissioner.

Security to
be taken
from Officers.

XVII. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and they are hereby required to take such sufficient Security from their Treasurer or Treasurers, Receiver or Receivers, or other 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 proper; and that no such Treasurer, Receiver, or other Officer shall be permitted to enter upon such their Offices respectively, until they shall have given such Security.

Same Person
not to be
Clerk and
Treasurer.

XVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; 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 shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

The Duty of
the Treas-
urer.

XIX. And be it further enacted, That each and every Treasurer to be appointed by the said Commissioners is and are hereby directed and required 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 order and direct.

Treasurer
and other
Officers to
account.

XX. And be it further enacted, That each and every of such Treasurer, Collector, or other Officer so to be appointed, shall, as often as they shall be thereunto required by the said Commissioners, or any Seven or more of them, render and deliver unto the said Commissioners, or any Seven or more of them, or to such Person 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 the 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 paid and applied, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments; and shall pay all such Monies as shall remain due from them respectively to the said Commissioners or any Seven or more of them, or to such Person or Persons as they the said Commissioners shall from Time to Time direct; 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 State-
ments

ments and Accounts when thereunto required as aforesaid, or shall not produce and deliver up the Receipts or Vouchers relating to all Monies received and paid by him or them, or shall not pay the Monies in his Hands to such Commissioners or any Seven or more of them, or to such Person as the said Commissioners shall direct; or shall not deliver to such Commissioners, or to any other Person or Persons whom they shall direct, all Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, within Twenty-four Hours next after he or they shall have been required so to do by a Notice in Writing signed by any Seven of the said Commissioners, or delivered to or left at the last or usual Place of Abode of such Officers, then and in either of the said Cases the said Commissioners may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against 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 Securities for him or them; or such Commissioners, or any Seven or more of them, or any other Person whom they shall direct for that Purpose, may complain of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the County, City, Borough, or Place wherein such Officer so neglecting or refusing shall be or reside, and such Justice may, and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause such Collector so refusing or neglecting, 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 Confession 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, being of the People called *Quakers*, upon Affirmation, (which Oath or Affirmation such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies that shall have been collected and received by any such Officer or Person, shall remain due from such Officer or Person, then such Justice may, and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause such Money and all Costs, Charges, and Expences incurred and to be incurred thereabouts, to be levied by Distress and Sale of the Goods, Chattels, and other Effects of such Officer or Person respectively; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the said Costs, Charges, and Expences of distraining, removing, and selling the said Goods, Chattels, and other Effects, and all such Costs and Expences as aforesaid; or if it shall in Manner aforesaid appear to such Justice that such Officer or Person shall not have rendered such true and perfect Accounts signed as aforesaid, or shall have detained any Receipts or Vouchers, Rates, Books, Papers, and Writings as aforesaid, then and in each and every of such Case such Justice shall commit every such Offender to the Common Gaol or House of Correction of the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have rendered and delivered, signed as aforesaid, such true and perfect Account as aforesaid, and shall have delivered as aforesaid all Receipts and Vouchers relating thereto, and shall have paid all Monies remaining in his Hands, or shall have compounded with the said Commissioners, or any Seven or more of them, for all such Money to their Satisfaction, and

[*Local.*]

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shall

Commitment
to Prison not
to be for more
than Twelve
Calendar
Months.

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 up 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 Collector or other Officer or Person so committed for Want of sufficient Distress 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.

Proceedings
against Prin-
cipals not to
discharge the
Securities.

XXI. Provided always, and be it further enacted, That no Prosecution or Commitment, Action or other Proceeding of or against any Treasurer, Collector, or other Officer by the said Commissioners appointed, shall in any Manner acquit, release, or discharge any Surety or Security that shall or may have been taken by or given to or for the said Commissioners for the due and faithful Execution of the Duties of any such Appointment, or for the due and punctual Payment and Application of the Monies received by him or them in pursuance or by virtue of such Appointment, or for the proper Observance and Performance by him of the Duties enjoined on any such Treasurer or Collector, 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 for him or on his Behalf to the said Commissioners.

Accounts to
be kept of
Receipts and
Disburse-
ments.

XXII. And be it further enacted, That the said Commissioners shall 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 for the Time being, in which Book or Books such Clerk 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 of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners without Fee or Reward, and the said Commissioners shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit the said Commissioners or any of them to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in Manner in the said Act directed.

Copy of Pro-
ceedings of
Commis-
sioners to be
Evidence.

XXIII. And be it further enacted, That in all Proceedings whatsoever, and in all Courts of Law and Equity, and before all Magistrates, a Copy of any Bye-law, Order, Proceeding or Regulation of the said Commissioners, certified under the Hand of the Clerk of the said Commissioners to be a true Copy of such Bye-law, Order, Proceeding, or Regulation respectively, shall be deemed and taken to be sufficient Evidence that the Bye-law, Order, Proceeding, or Regulation so certified was or is the Bye-law, Order, Proceeding, or Regulation of the said Commissioners, as in the said Certificate set forth.

Commis-
sioners to
provide and

XXIV. And be it further enacted, That the said Commissioners do and shall as soon as conveniently may be after the passing of this Act, and from

from Time to Time thereafter, provide Ballast for all Ships and Vessels wanting or requiring Ballast within the said Port, and furnish the same to such Ships and Vessels at the Rates specified and set forth in the Schedule marked A. to this Act annexed, within Twenty-four Hours after a Requisition or Notice in Writing shall be given for that Purpose, by the Commanders or Masters of such Ships or other Vessels to the Person who shall from Time to Time act as Ballast Master under the said Commissioners, or be left at the Ballast Office to be established by the said Commissioners, so soon as Wind and Weather shall permit the same to be done; and in case Wind or Weather shall not within such Twenty-four Hours permit the same to be done, then the said Commissioners, or the proper Officer or Officers who shall act under the said Commissioners for that Purpose, shall furnish, or cause to be furnished, such Ballast to such Ships or Vessels respectively, as soon after as Wind and Weather shall permit them so to do; such Ballast to be provided as aforesaid, to be brought to the Side or Sides of the Ship or Vessel which shall have Occasion for the same by the Lighters or Gabbards so to be provided and kept by the said Commissioners as aforesaid, and thence immediately thrown into such Ships or Vessels by the Persons employed by the said Commissioners for that Purpose; provided always, that when and as soon as One or more Wharf or Wharfs, Quay or Quays, shall be provided, built, or erected for the saving and storing of Ballast by the said Commissioners, and there shall be a sufficient Quantity of Ballast in or upon such Wharf or Wharfs, Quay or Quays, for supplying of any Ship or Vessel wanting the same, it shall and may be lawful to and for the said Commissioners, or the Officer or Officers to be appointed by them for that Purpose, to order and direct, at their Discretion, any Ship or Vessel requiring Ballast as aforesaid, to go alongside of such Wharf or Wharfs, Quay or Quays, provided such Ship or Vessel can conveniently and with Safety lay her Side to such Wharf or Wharfs, Quay or Quays, and take in such Ballast from the Side or Sides thereof, in which Case the said Commissioners or their Officer or Officers shall not be obliged to furnish such Ship or Vessel with Ballast in a Lighter or Gabbard.

furnish Ballast at Rates specified in Schedule A.

XXV. And be it further enacted, That the said Commissioners shall furnish or cause to be furnished, at the Rate specified in the aforesaid Schedule marked A. to this Act annexed, to the Commanders or Masters of any Ships or Vessels which shall from Time to Time arrive within the said Port, laden wholly or in part with Ballast, good and sufficient Lighters or Gabbards, with proper and sufficient Workmen, to be employed and paid by the said Commissioners, for the taking and carrying such Ballast from such Ships or Vessels, within Twenty-four Hours after Notice in Writing for that Purpose shall be given by such Commanders or Masters respectively, at the Ballast Office of the said Commissioners, if Wind and Weather shall permit; and in case Wind and Weather shall not permit the same then within Twelve Hours after Wind and Weather shall permit them so to do; provided always, that *Sunday* shall not be accounted any Part of the Twenty-four Hours or Twelve Hours aforesaid: Provided also, that when and so soon as a Wharf or Wharfs, Quay or Quays shall be provided, built, or erected as aforesaid, it shall and may be lawful to and for the said Commissioners, or the Officer or Officers to be appointed by them for that Purpose, to order and direct, at their Discretion, any Ships or Vessels requiring to discharge

Commissioners shall supply Lighters for removing Ballast from Vessels.

discharge and unlade Ballast, to discharge and unlade such Ballast at and upon such Wharf or Wharfs, Quay or Quays as aforesaid, provided such Ship or Vessel can conveniently and safely lay her Side to such Wharf or Wharfs, Quay or Quays, in which Case the said Commissioners or their said Officer or Officers shall not be obliged to furnish to the Commander or Master of any such Ship or Vessel any Lighter or Gabbard for the taking such Ballast from such Ship or Vessel.

If Master of Vessel detain Ballast Lighter unnecessarily, he shall pay a Sum to be awarded for Loss of Time not exceeding 5s. per Hour.

XXVI. And to the end that such Lighters or Gabbards as shall or may be employed in taking Ballast to or taking Ballast from any Ships or Vessels as aforesaid respectively, shall not be longer detained in so doing than shall be necessary; be it enacted, That in case the Crew, Master, or Commander, or such other Person as shall have the Command of any Ship or Vessel whereto Ballast shall be required to be brought, or wherefrom Ballast shall be required to be taken as aforesaid, shall neglect or refuse to take in or cast out his or their Ballast, so as to occasion any unreasonable or unnecessary Delay therein to any Lighter or Lighters, Gabbard or Gabbards, which may be employed under the said Commissioners to bring Ballast to or take Ballast from such Ship or Vessel, then and in such Case the Commander or Master, or other Officer of every Ship or Vessel respectively so causing such Delay, shall pay or cause to be paid to the Ballast Master or other Officer appointed by the said Commissioners for such Purpose for the Time being, for the Damage which shall be sustained by such Delay, such Sum or Sums of Money as the Mayor or any Justice of the Peace for the said City shall in a summary Manner finally adjudge and determine; such Sum or Sums of Money to be levied by Warrant under the Seal of such Mayor or Justice of the Peace, by Sale of the Offender's Goods: Provided that such Sum do in no Case exceed Five Shillings for every Hour such Lighter or Gabbard shall be so unnecessarily detained by the Neglect or Default of the Master, Commander, or other Person having Command of such Ship or Ships, Vessel or Vessels as aforesaid, which Fine shall be paid before the said Ship or Vessel shall be entitled to her Certificate as herein-after directed.

Penalty on Masters of Vessels taking Ballast from or delivering Ballast to any Persons except Commissioners.

XXVII. And be it further enacted, That if the Master or Commander of any Ship or Vessel which shall be in the said Harbour, Port, or River shall take or permit, or suffer to be taken into such Ship or Vessel, any Ballast whatsoever from any Person or Persons, save only such Person or Persons as shall be thereunto appointed by the said Commissioners, or shall permit or suffer any Ballast whatsoever to be taken from such Ship or Vessel, save only by such Person or Persons as shall be thereunto appointed by the said Commissioners, or cause the same to be thrown from any Ship or Vessel to supply any other Ship or Vessel, or to be thrown out of any Ship or Vessel, Lighter or Gabbard, or Boat, into the River, or shall, under Pretence of the same, take in or put out of any Ship or Vessel arriving at or sailing from the said Port or Harbour of *Cork*, any Street Dirt, Coal Ashes, Dung, Manure of any Kind, Stones, Gravel, or Rubbish, or Matters of the like Nature, without having first obtained from the Commissioners aforesaid a Licence under their Seal for that Purpose, then and in every such Case the said Master or Commander, or other Officer, and the Person or Persons who shall deliver to or take from or throw out of any such Ship or Vessel, Lighter, Gabbard, or Boat, any such Ballast, Street Dirt, Coal Ashes, Dung, Manure, Gravel, Stones,

Stones, or Rubbish, or Matters of such like Nature as aforesaid, shall for every such Offence, forfeit and pay to the Use of the said Commissioners any Sum not exceeding Twenty Pounds, to be recovered as herein-after is provided.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time, under their Seal, to appoint, at such Salary or Salaries as to the said Commissioners shall seem fit, a proper and discreet Person to be Harbour Master of and for the said Port and Harbour, and One or more proper Person or Persons to be Deputy Harbour Master or Deputy Harbour Masters thereof; and that such Harbour Master, or such Deputy Harbour Master or Deputy Harbour Masters, or any of them, shall and may order, and cause to be placed or removed, Ships or Vessels within the said Harbour where such Ships or Vessels can in his and their Judgment most conveniently moor or lie; and in case any Master or Owners of any such Ship or Vessel shall refuse or neglect removing as aforesaid, then and in that Case it shall and may be lawful for the said Harbour Master or Deputy Harbour Master, or any of them, to hire and employ proper Persons to remove such Ship or Ships, Vessel or Vessels, to such Port or Place in the said Harbour, as the said Harbour Master, or Deputy Harbour Masters, or any of them, shall appoint, and the Expence or Hire of every such Person so to be employed in the said Service shall be paid and borne by the Master or Owner of such Ship or Vessel, together with a Sum not exceeding Five Pounds, as a Fine or Penalty, to be recovered as herein-after directed, and such Sum together with such Fine or Penalty paid before any Clearance or Discharge shall be allowed or granted for such Ship or Vessel, and also that the said Harbour Master or Deputy Harbour Masters, or any of them, shall and may and are and is hereby empowered in Cases of urgent Necessity, and for preventing the Loss of any Ship or Vessel, to cut the Rope or Cable of any other Ship or Vessel lying within the said Port or Harbour of *Cork*, (not being any of His Majesty's Ships of War), which may obstruct the Navigation or endanger the Safety of any other Vessel.

Commissioners may appoint Harbour Master and Deputies.

Duties of Harbour Masters.

XXIX. And be it further enacted, That the said Harbour Master or Deputy Harbour Masters, and every of them, is and are hereby also empowered to remove Timber in Rafts floating upon any Part of the said River, where it may appear that the same may in any Manner obstruct or impede the Navigation of Ships and Vessels upon the said River, and also to remove Wrecks and all other Obstructions and Impediments to the said Navigation, which may be from Time to Time upon the said River, the Expence of removing which Timber, Wrecks, and other Obstructions, shall be paid by the Owner or Owners of such Timber, Wrecks, or other Matters causing such Obstruction or Obstructions as aforesaid; and in case such Owner or Owners shall refuse to pay the same; or if no such Owner or Owners shall appear within Seven Days, then and in every such Case the aforesaid Harbour Master, or Deputy Harbour Masters respectively, are and is hereby directed to report the same to the said Commissioners; and the said Commissioners are hereby empowered thereupon to issue their Warrant, empowering such Harbour Master, or Deputy Harbour Masters, to sell by public Cant such Timber, Wrecks, or other Matter, or any of them, or so much thereof, as shall

Timber Rafts and other Obstructions to be removed.

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be sufficient to pay the Expence of removing the same as aforesaid; and after paying and defraying such Expence the said Harbour Master, or Deputy Harbour Masters, or any of them, shall return the Overplus of the Money arising by such Sale (if any) to such Person or Persons as shall appear to be Owner or Owners of such Timber, Wrecks, or other Matter respectively.

Penalty on Persons obstructing Harbour Master in Execution of his Duty.

XXX. And be it further enacted, That if the said Harbour Master, or Deputy Harbour Masters, or any of them, shall be obstructed or maltreated by any Person or Persons in the Execution of their or his Duty or Business aforesaid, in the doing of any Matter or Thing which the said Harbour Master, or Deputy Harbour Masters, are or is by this Act empowered to do, such Person or Persons shall severally pay for every such Offence any Sum not exceeding the Sum of Ten Pounds Sterling, to be recovered and levied as herein-after mentioned.

Buoy to be attached to every Anchor.

XXXI. And be it further enacted, That if the Master or Commander of any Ship or Vessel casting Anchor within the said Harbour shall not immediately on so doing tie or fasten, or cause to be tied or fastened, a Buoy to such Anchor, in such Manner as that the said Buoy shall float in a conspicuous Manner, so that it may be plainly and easily seen in what Place such Anchor has been cast; such Master or Commander shall for every such Offence or Neglect, forfeit and pay the Sum of Five Pounds Sterling, and shall over and besides the same forfeit and pay the Sum of Five Shillings for every Hour such Anchor shall remain without such Buoy being tied or fastened thereto as aforesaid; the said Penalties to be recovered and levied in such Manner as is herein-after directed; the enforcing of which said Penalties shall not in any Manner affect any Remedy which any Person or Persons shall or may have by Action or otherwise against such Master or Commander for any Damage or Injury which may be done to such Person or Persons by Means of such Neglect as aforesaid.

Commissioners may appoint Pilots.

XXXII. And whereas divers Accidents have happened to Vessels trading to and from the said City by the Incompetence of Persons taking Charge of Vessels as Pilots which renders it necessary that there should be an Establishment of proper Persons to act as such in the said River and Harbour; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for the said Commissioners, and they are hereby empowered from Time to Time to license and appoint by Writing under the Seal of the said Commissioners during their Will and Pleasure, such Number of skilful Pilots for the Purpose aforesaid, as they shall think expedient.

Penalty on Persons unlicensed acting as Pilots.

XXXIII. And be it further enacted, That from and after Forty Days next after the passing of this Act, no Person shall offer himself as a Pilot, or take Charge of any Vessel arriving at or sailing from the said Port, Harbour, and River of *Cork*, save and except such Persons as are or may be appointed for that Purpose by the said Commissioners under this Act; and if any Person or Persons shall so take Charge of any Vessel arriving at or sailing from the said Port, Harbour, or River, such Person or Persons shall for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds: Provided always, that if the Person or

Persons

Persons who shall have taken Charge of any Vessel arriving at the Harbour or Port of *Cork*, at any other Place than the Mouth of the said Harbour, shall, upon the Arrival of the said Vessel within the Headlands of the said Harbour, or as soon after as any Pilot nominated and appointed by the said Commissioners under the Authority of this Act, shall board or offer himself as a Pilot for such Vessel, deliver up the Charge of such Vessel to such Pilot so nominated and appointed by the said Commissioners, and offering himself for such Purpose, that then and in such Case such Person or Persons shall not be liable to any Penalty under this Act.

XXXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and their Successors, and they are hereby authorized and empowered, for the Purposes in this Act mentioned, to rent or purchase all such Lands, Tenements, Grounds, Hereditaments, and Premises, of what Nature or Kind soever, as the said Commissioners shall deem it expedient to rent, purchase, or make use of for the Purpose of making, erecting, and establishing a Ballast Office or Ballast Offices, Wharfs, Quays, or other Works authorized by this Act, and also for the renting or purchasing of any Part or Parts of all or any Lands, Tenements, Houses, Grounds, Hereditaments, or Premises which the said Commissioners shall deem it expedient or necessary to rent or purchase for making or forming Roads to or through such Works, or any of them.

Commissioners to purchase Ground, &c. for Ballast Office.

XXXV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic and Corporate or Collegiate, and all Corporations, whether Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Trustees, Guardians of Infants, Committees of Lunatics or Idiots, Femes Covert with their Husbands, and all other Persons whatsoever, not only for and on Behalf of themselves and their Heirs and Successors, but also for and on Behalf of their respective Cestuique Trusts, and to and for all Persons, whether Tenants for Life or Tenants in Tail, General or Special, or for Years determinable upon any Life or Lives, and to and for all and every Person or Persons whomsoever, who are or shall be seised or possessed of, interested in, or entitled unto any Estate or Interest whatsoever in Lands, Tenements, Grounds, Hereditaments, or Premises, which by the said Commissioners shall be thought necessary to be rented or purchased for any of the Purposes of this Act, to treat, contract, and agree with the said Commissioners for a Lease or Leases, or for the Sale thereof, or any Part thereof, and for the Purchase of all Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, to the said Commissioners and their Successors, and that all Leases, Agreements, Contracts, Bargains, Sales, and Conveyances, which shall be made by virtue and in pursuance of this Act, shall without any Fine or Fines, Recovery or Recoveries, be good, valid, and effectual: Provided always, that nothing in this Act contained shall extend or be construed to extend to authorize the said Commissioners to take or pull down any Dwelling House, or to take in or make use of any Orchard, Yard, Garden, Park, Paddock, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained: Provided also, that the

Bodies Politic, &c. empowered to sell and convey Lands.

Houses, &c. not to be taken without Consent.

the Ground which shall be purchased or rented by the said Commissioners for the Purpose of making and erecting such Works as are hereby authorized to be erected or made, shall not exceed in Quantity Five Acres *English* Statute Measure.

Value of Concerns may be ascertained by Jury.

XXXVI. And be it further enacted, That if any Body Politic, Corporate, Collegiate, or other Person or Persons having or claiming to have any Estate, Title, Term, or Interest in or to such Tenements, Grounds, Hereditaments, or Premises as aforesaid, which the said Commissioners are by this Act enabled to purchase and make use of for the several Purposes thereof, or having or claiming to have any Charge, Lien, or Incumbrance thereon, shall not agree with the said Commissioners, or their Successors, for the Sale and Conveyance of their respective Rights, Terms, and Interests therein; or shall not produce or evince a clear Title to such Estate, Right, Title, Term, or Interest as they shall or may claim; or if the said Commissioners, or their Successors, shall be ignorant who are entitled to the same, then and in every or any of such Cases it shall and may be lawful to and for the said Commissioners, and they are hereby empowered and authorized from Time to Time to issue a Warrant or Warrants, Precept or Precepts to the Sheriffs of the County of the City of *Cork*, who are hereby authorized, directed, and required accordingly to impanel, summon, and return a competent Number of substantial Persons qualified to serve on Juries, not less than Forty nor more than Sixty, out of which Persons so to be impanelled, summoned, and returned a Jury of Twelve Persons shall be drawn by some Person to be by the said Commissioners or their Successors appointed in such Manner as Juries for the Trial of Issues joined in His Majesty's Four Courts at *Dublin*, by an Act made in *Ireland* in the Twenty-ninth Year of His late Majesty King *George* the Second, intituled *An Act for better regulating Juries*, are directed to be drawn, which Persons so to be impanelled, summoned, and returned as aforesaid are hereby required to come and appear before the said Commissioners, at such Time and Place as in such Warrant or Warrants, Precept or Precepts shall be directed and appointed, and to attend the said Commissioners, or their Successors, until discharged by them; and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array.

When a Deficiency of Jurors, others to be impanelled.

XXXVII. And be it further enacted, That in all Cases of Trials by Juries before the said Commissioners, or their Successors, where a full Jury shall not appear before them, or where after the Appearance of a full Jury it shall so happen, either by Means of Challenges or otherwise, that there shall be a Default of Twelve Jurors for such Trial, it shall and may be lawful to and for the said Commissioners or their Successors to command the Sheriffs of the County of the City of *Cork* to impanel so many other Persons as shall make up a full Jury of Twelve Men, which Persons so to be empanelled shall be added to the former Pannel, and all Parties interested in such Trials shall have their Challenges to the Jurors so added to the former Pannel, as if they had been originally summoned; and the said Commissioners or their Successors are hereby authorized and empowered by Precept or Precepts from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whatsoever, who shall be thought proper or necessary to be examined as a Witness or Witnesses before them, on their Oath or Oaths, touching or concerning

the Premises; and the said Commissioners and their Successors, if they shall think fit, shall and may authorize and require the said Jury to view the said Tenements, Grounds, Hereditaments, or Premises intended to be valued, purchased, or rented; and the said Commissioners and their Successors shall have Power to adjourn such Meeting from Day to Day, and Place to Place, as Occasion shall require; and to command such Juries, Witness, and Parties to attend, until the Business for which they shall be so summoned by virtue of this Act shall be concluded; and the said Jury shall, upon their Oaths (which Oaths as also the Oaths to such Person or Persons as shall be called upon to give Evidence the said Commissioners or their Successors are hereby required and empowered to administer) fairly, truly, and impartially enquire of the Value of such Tenements, Grounds, Hereditaments, or Premises, and of the respective Estate, Right, Title, Term, and Interest of every Person and Persons seised or possessed thereof, or interested therein, or of or in any Part thereof, and shall assess or award the Sum or Sums to be paid to every such Person or Persons for the Purchase of such their respective Estates, Rights, Titles, Terms, and Interests therein; and the said Commissioners and their Successors shall and may give Judgment for such Sum and Sums so to be assessed, as and for the Value of the said several Estates, Rights, Titles, Terms, and Interest in the said Tenements, Grounds, Hereditaments, or Premises, and for the Payment thereof respectively, in Manner herein-after mentioned; which said Verdict or Verdicts, and the said Judgment, Decree, and Determination thereupon (Notice in Writing being first given to the Person or Persons interested, at least Fourteen Days before the Time of the First Meeting of the said Jury, declaring the Time and Place of such Meeting of the Commissioners and Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his, her, or their several Place or Places of Abode, or with some Tenant or Occupier of the Houses, Buildings, Ground, Tenements, Hereditaments, or Premises intended to be valued or assessed, and also in the *Dublin Gazette*) shall be binding and conclusive to all Intents and Purposes whatsoever, against all Bodies Politic or Corporate, Infants, Lunatics, Idiots, Femes Covert, and Persons under any legal Disability, and against all and every Person or Persons whatsoever, his, her, or their Heirs, Successors, Executors, and Administrators, having or claiming to have any Estate, Right, Trust, Use, or Interests in, to, or out of the said Tenements, Grounds, Hereditaments, or Premises, either in Possession or Reversion, Remainder or Expectancy, or in any Manner whatsoever, or any Charge, Lien, or Incumbrance thereon, which said Verdicts, Judgments, and Decrees, and all other Proceedings of the said Commissioners, or their Successors, and such Judgments to be made, given, and pronounced as aforesaid, shall be fairly written on Parchment, and signed by Five of the said Commissioners, and sealed with the Common Seal of the said Commissioners; and all Verdicts of the said Juries, and all Judgments, Decrees, Orders, and other Proceedings of the said Commissioners, or their Successors, shall be entered in the Rolls Office of His Majesty's High Court of Chancery in *Ireland*, and the same or true Copies thereof shall be deemed and taken to be good Evidence of the several Matters therein set forth in any Court of Law or Equity whatsoever.

XXXVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or for any

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Application
of Compensation
amount-

ing to or
exceeding
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any other Matter, Right, or Interest of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as herein-before mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Commissioners for improving and preserving the Port, Harbour, and River of *Cork*, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Lands, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited; or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Government Stock; and in the meantime, and until the said Stock shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce thereof shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where Com-
pensation is
less than
200/ and
exceeds 20/.

XXXIX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *Ireland*, in the Name and with the Privity of the said Accountant General of the Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Three Commissioners,

Commissioners, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the Commissioners appointed under this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XL. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners or any Five or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Where less than 20/.

XLI. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to order the said Sum or Sums so awarded to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Control, and Disposition of the said Court; which said Court, upon the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof or Payment of the Dividends thereof according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Ireland*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for the same, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of not making out a good Title.

XLII. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act,

In case of disputed Titles, Persons in Possession to be deemed lawfully entitled.

for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Stock to be purchased with such Money, and also the Capital of such Stock, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may order Expence of Purchases to be paid by Commissioners.

XLIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners hereby incorporated, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Form of Conveyance.

XLIV. And be it further enacted, That all Sales, Conveyances, and Assurances of Lands, Tenements, or Hereditaments, to be made to the said Commissioners and their Successors, shall be made in the Form and to the Effect following; (that is to say),

‘ I (or we, as the Case may be) of _____ in Consideration
 ‘ of the Sum of _____ to me (or, us) paid by the
 ‘ Commissioners established under or by virtue of an Act passed in the
 ‘ First Year of the Reign of King George the Fourth, intituled *An Act*
 ‘ [here insert the Title of this Act], do hereby grant and release (or, assign,
 ‘ as the Case may be), to the said Commissioners and their Successors, all
 ‘ [here describe the Premises to be conveyed], and all my (or, our) Right,
 ‘ Title, and Interest, in and to the same and every Part thereof, to hold to
 ‘ the said Commissioners and their Successors for ever, or (as the Case
 ‘ may be) during all the Remainder of my (or, our) Term, Estate, and In-
 ‘ terest in the said Premises. In witness whereof, I, (or, we) have here-
 ‘ unto set my Hand and Seal, (or, our Hands and Seals), this
 ‘ Day of _____ in the Year of Our Lord _____ .’

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual, to all Intents and Purposes whatsoever, as to and against the Person and Persons making the same, and his, her, or their
 Cestuique

Cestuique Trusts; and all other Persons claiming or to claim by, from, under, or in trust for him, her, or them, respectively, or in Remainder, Reversion, or Expectancy, as aforesaid; and the same shall be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder or Expectancy, and the Issue and Issues of such Person and Persons claiming under them as effectually as Fines or Common Recoveries would do, if levied or suffered by the proper Parties, in due Form of Law; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

XLV. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by any Jury or Juries in Manner aforesaid, for the Purchase of any such Lands, Tenements, Hereditaments, Grounds, or Premises, to the Proprietor or Proprietors of such Lands and Premises, or such other Person or Persons as shall be interested therein or entitled to receive such Compensation; or if the Person or Persons so entitled or interested or any of them cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act, then, upon Payment of the said Sum or Sums of Money into the Bank of *Ireland*, as herein-after directed and required, for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners and their Agents, Servants or Workmen, immediately to enter upon such Lands, Tenements, Grounds, or other Hereditaments respectively; and then and thereupon the Lands, Tenements, Grounds, and other Hereditaments, and the Fee Simple and Inheritance thereof, together with the Yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth become vested in and become the sole Property of the said Commissioners, to and for the Purposes of this Act, for ever; and such Tender, Payment, or Investiture, shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder of his, her, and their Issue, and of every other Person whomsoever therein.

On Payment or tender of Money assessed Commissioners may enter.

XLVI. And be it further enacted, That the Houses, Buildings, Grounds, Tenements, Hereditaments, and Premises to be purchased by virtue of this Act, on Payment of the Money agreed or awarded to be paid for the Purchase thereof, to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, entitled thereto, or on depositing the same in the Bank of *Ireland*, in Manner by this Act directed; and all Buildings and Erections, and other Matters and Things thereon or belonging thereto, which shall be made, built, provided, or established by virtue of and in pursuance of this Act; and all Lighters, Gabbards, and other Boats, and all Engines, Instruments, Articles, Matters, and Things whatsoever, which shall be provided by the said Commissioners for the raising and supplying Ballast, and all Materials for Ballast, and all and singular such other Matters and Things as the said Commissioners shall from Time to Time

Lands to vest in Commissioners.

[Local.]

18 H

purchase

purchase or procure for the Purpose of carrying this Act into Effect and Execution, shall be, and the same are hereby vested in the said Commissioners and their Successors, and that the said Commissioners shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal or carry away, detain, spoil, injure or destroy, the several Articles, Matters, and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment respectively, it shall be deemed and taken to be sufficient to state generally, that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners for improving and preserving the Port, Harbour, and River of *Cork*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners.

Commissioners may sell Ground not wanted.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners, by Indenture, to sell, grant, and convey, by way of absolute Sale, all such of the Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased by and conveyed to the said Commissioners as shall not be wanted for the said Works, or any Part or Parts thereof, for such Sum or Sums of Money as in such Conveyances shall be expressed, and that all such Grants and Conveyances shall be valid and effectual, any thing to the contrary notwithstanding; and upon Payment of the Money which shall arise by such Sale or Sales of such Messuages, Lands, Tenements, or Hereditaments, or any Part or Parcels thereof, or of any Land by virtue of this Act, it shall and may be lawful for the Treasurer or Treasurers of the said Commissioners for the Time being, to sign and give Receipts for the Money for which the same shall be sold (which Receipts shall be sufficient Discharges to the Purchaser or Purchasers for the Money for which such Premises shall be so sold, or for so much thereof as in such Receipts shall be acknowledged or expressed to be received), and such Person or Persons shall not be answerable or accountable for any Losses, Misapplication, or Non-application of such Purchase Money, or any Part thereof, which said Money shall be applied by the said Commissioners for the same or for the like Purposes as the Money hereby authorized to be raised is to be applied: Provided that the said Commissioners, before they shall contract for the absolute Sale and Disposal of any such Messuages, Lands, Tenements, and Hereditaments, shall first offer to re-sell the same to the Person or Persons from whom the said Commissioners shall have purchased such Premises, or his, her, or their Heirs, at a Price to be fixed on by the said Commissioners; but in case of Difference in that respect, then the Price at which the same shall be resold shall be adjusted and settled by a Jury in like Manner as the Price for any Land to be taken in pursuance of this Act is herein directed to be settled in case of Difference or Dispute as to the Value thereof; and in case such Person or Persons, or his, her, or their Heirs, to whom such Offer shall be made, shall not then and thereupon agree, or shall refuse to repurchase the same, on an Affidavit being made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County, City, or Place in which such Lands, Tenements, or Hereditaments shall lie or be situate, by some Person or Persons no way interested

rested in the said Premises, stating that such Offer was made by or on Behalf of the said Commissioners, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so made, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be.

XLVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized by themselves or their Deputies, Agents, Workmen, and Servants, to make, erect, build, establish, complete, and maintain in or upon such Lands, Tenements, Grounds, Hereditaments, and Premises, or any Part or Parts thereof, One or more Ballast or other Office, and to erect and make Wharfs, Quays, or any other Works which the said Commissioners shall consider necessary for the Improvement of said Harbour and River, or for the Interest of the Trade of the said Port, or the Safety of the Ships resorting thereto, and from Time to Time to place or cause to be placed in the said River, according to the Discretion of the said Commissioners, Buoys, Landmarks, Beacons, and Perches.

Commissioners may erect Ballast Office, Quays, and Wharfs.

XLIX. And be it further enacted, That the said Commissioners may and they are hereby authorized and empowered, from Time to Time to contract with any Person or Persons for doing or 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 thereto; 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 Non-performance thereof, or of any Stipulation or Agreement 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 Contract or Contracts to be null and void, and the same shall thereupon be null and void accordingly; or it shall and may be lawful to and for the said Commissioners to compound for such Sum or Sums of Money with the Person or Persons who shall have so entered into such Contract or Contracts, for such Breach or Non-performance of 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; or 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 any 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 or on the Case, in any of His Majesty's Courts of Record at *Dublin*, in which Action or Actions no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Commissioners may contract for Execution of Works.

L. And be it further enacted, That all Actions which shall or may be brought by or against the said Commissioners, or any of them, for any thing done touching or relating to the Execution of or for the Purposes of this Act, shall and may be brought or instituted in any of

Actions to be brought and defended in the Name of Treasurer or Clerk.

His

His Majesty's Courts of Record, in the Name of any One of the said Commissioners, or of the Clerk or Treasurer to the said Commissioners; and that no such Action shall abate or be discontinued by the Death or Removal of such Commissioner, or of such Clerk or Treasurer, but any One of the said Commissioners, or the Clerk or Treasurer for the Time being to the said Commissioners, shall be deemed the Plaintiff or Defendant in every such Action, as the Case may be: Provided always, that every such Commissioner, Clerk, and Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid out of the Monies to arise by virtue of this Act, all such Expences, Damages, Costs, and Charges, as by the Event of any such Proceeding he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein.

Tonnage
Duty to be
paid.

LI. And whereas continual Expence will be required to carry on the Works necessary for improving and cleansing the said River and Harbour, and making such other Improvements therein as may from Time to Time be requisite; be it enacted, That from and after Thirty Days after the passing of this Act, there shall be paid for the Use of the said Commissioners, such Rates and Duties as the said Commissioners may from Time to Time appoint, not exceeding at any Time the Rates and Duties which are particularly described and set forth in the Schedule marked B. to this Act annexed; which Rates and Duties shall be and are hereby directed to be paid over and above all other Rates and Duties now payable for or in respect of any Ship or Vessel entering the Port or Harbour of *Cork*.

Power to
purchase and
abolish Cor-
poration
Dues.

LII. And whereas the Mayor, Sheriffs, and Commonalty of the City of *Cork* claim to be entitled by Law to certain Fees, Rates, Duties, Tolls, or Customs, on the Importation of Goods into the said Port or Harbour of *Cork*; and certain other Fees, Rates, Duties, Tolls, or Customs called Anchorage, Plankage, and Ballast Dues on Ships and Vessels coming into the same: And whereas it is considered advisable that the said Commissioners shall have Power to make the Agreement herein-after mentioned, with the Mayor, Sheriffs, and Commonalty of the City of *Cork*, for the abolishing of the said Fees, Rates, Duties, Tolls, and Customs; be it therefore further enacted, That it shall and may be lawful to and for the Mayor, Sheriffs, and Commonalty, and their Successors, by Indenture, to grant, assign, convey, and make over to the Commissioners hereby appointed, or their Successors, such and so many of the said several Rates, Fees, Duties, Tolls, and Customs, as the said Mayor, Sheriffs, and Commonalty are or shall be lawfully entitled to; and thereupon and from thenceforth, such Fees, Rates, Duties, Tolls, and Customs shall cease, and be no longer paid or payable.

Compensa-
tion in lieu
of Dues.

LIII. And be it further enacted, That from and after the Execution of such Indenture, there shall be paid and payable to the said Mayor, Sheriffs, and Commonalty of the City of *Cork*, out of the Rates and Duties herein-before mentioned, and of the Rates and Duties to be appointed, settled, established, and imposed as herein-after mentioned, yearly and every Year for ever thereafter, such Sum as shall be mutually agreed upon between the Mayor, Sheriffs, and Commonalty of the said City and the said Commissioners hereby appointed; provided however,
that

that the Sum to be paid to the said Mayor, Sheriffs, and Commonalty, therefore, shall not exceed Four hundred Pounds *per Annum*: Provided always, that nothing contained in this Act shall extend or be construed to extend, by Implication or otherwise, to confirm or strengthen the Claim of the said Mayor, Sheriffs, and Commonalty to the Fees, Rates, Duties, Tolls, and Customs aforesaid: Provided also, that nothing in this Act contained shall be deemed, construed, or taken to invalidate or question any Right which the said Mayor, Sheriffs, or Commonalty may have to such Fees, Rates, Duties, Tolls, and Customs.

LIV. And be it further enacted, That from and after the Abolition of the said Rates, Duties, Tolls, or Customs so paid to the Mayor, Sheriffs, and Commonalty aforesaid, by the Execution of such Indenture as aforesaid, or otherwise, it shall and may be lawful to and for the said Commissioners hereby appointed, or their Successors, from Time to Time, and at any Time or Times hereafter, and they are hereby authorized and empowered to fix, appoint, settle, establish, and impose such Rates and Duties to be paid upon the exporting or importing from or to the said Port of *Cork* of any Goods, Wares, Merchandizes, or Commodities (Coals excepted), as they shall think fit, so as such Rates or Duties shall not exceed the Sum of Three-pence on every Two Shillings of the Freight of such Goods, Wares, Merchandizes, or Commodities respectively; and that such last-mentioned Rates and Duties shall be paid to the said Commissioners, or to such Person or Persons as they shall appoint to collect and receive the same, by the Merchant or Merchants or other Person or Persons exporting or importing such Goods, Wares, and Merchandizes, or into whose Custody or Possession the same shall be delivered, or by whom the same shall be shipped respectively, upon Delivery or Shipping of the same respectively.

Power to appoint Duties after the Abolition of Corporate Dues.

LV. And be it further enacted, That all such Goods, Wares, and Merchandizes as shall be brought into the said Port of *Cork*, and shall be chargeable with Duties according to the Weight or Measure thereof, shall be respectively weighed or gauged as the same shall require immediately, or as soon as may conveniently be before the same shall be shipped, or after the same shall be landed or unshipped, as the Case may be, and before any Samples for Sale shall be taken from the same.

Mode of ascertaining Weight and Measure of Goods.

LVI. Provided always, and be it enacted, That a Table of the several Rates and Duties so to be appointed, settled, established, and imposed by the said Commissioners as aforesaid, shall be provided and fixed up in some conspicuous Place or Places within or adjoining to the Ballast Office or Ballast Offices to be established under this Act, and renewed as often as the same shall be obliterated or defaced.

Table of Rates to be fixed up in Ballast Office.

LVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and their Successors to alter or vary such Rates and Duties from Time to Time, as they shall see fit; in which Case a new Schedule or Schedules shall be made and posted as aforesaid, provided such last-mentioned Rates and Duties shall not exceed the Rates and Duties hereby authorized as aforesaid.

Commissioners may alter or vary Rates, &c.

Penalty on
Persons in-
juring Table
of Rates, &c.

LVIII. And be it further enacted, That if any Person or Persons shall at any Time hereafter wilfully or designedly pull down, destroy, obliterate, or deface any such Table of Rates and Duties as shall be so affixed as aforesaid, such Person or Persons shall for every such Offence forfeit and pay to the Use of the said Commissioners any Sum not exceeding Five Pounds.

Manner of
recovering
Rates and
Duties.

LIX. And to the Intent that the Rates and Duties imposed by this Act may be more effectually collected and levied, be it enacted, That in case any Owner or Master, or any other Person or Persons having the Rule or Command of any Ship, Boat, Barge, or other Vessel, or any Factor or Consignee chargeable with Rates or Duties granted by this Act, shall refuse or neglect to pay the same, then and in such Case it shall and may be lawful to and for the said Commissioners, or other Person or Persons appointed in pursuance of this Act to receive the same, to go on board such Ship or other Vessel, to demand, collect, and receive the said Rates or Duties, and on Non-payment thereof, to take and distrain every such Ship or other Vessel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and all or any Part of the Goods, Wares, or Merchandizes, in respect whereof such Rates or Duties shall be payable, either on board such Ship or Vessel or on Land, and the same to retain until the respective Rates or Duties shall be satisfied and paid; and in case of any Neglect or Default in Payment of the said Rates or Duties for the Space of Five Days after any Distress or Distresses so made or taken, that then it shall and may be lawful to and for the said Commissioners, or other Person or Persons appointed as aforesaid, to cause the same to be appraised by Two or more sworn Appraisers or other sufficient Persons, and afterwards to sell the said Distress or Distresses, 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 the same, as also for and in respect of the said Rates and Duties, and every of them, rendering the Overplus (if any such there be) to the Owner upon Demand; and it shall and may be lawful for the said Commissioners, in case of Non-payment of the Rates and Duties as aforesaid, instead of recovering the same in Manner aforesaid, or in case the whole thereof shall not be so recovered, to proceed for the Recovery of the same, or as much thereof as shall not be so recovered by Action of Debt or on the Case, in any Court of Record at *Dublin*.

Persons
evading Pay-
ments to re-
main liable,
and also to
forfeit a
Sum equal
thereto.

LX. And be it further enacted, That if any Master, Owner, or other Persons having the Rule or Command of any Ship or other Vessel, or the Owner, Factor, or Consignee of any Goods, Wares, or Merchandize, shall by any Means whatsoever, at any Time or Times, elude, evade, or avoid the Payment of the Rates or Duties hereby made payable in respect thereof, or any Part of the same, every Person eluding, evading, or avoiding Payment as aforesaid, shall forfeit and pay to the said Commissioners a Sum equal to the Amount of such Rates and Duties, and shall also stand charged with and be liable to the Payment of the said Rates and Duties, which Rates and Duties, as well as the Forfeiture incurred by having eluded, evaded, or avoided the Payment thereof, shall and may be recovered from such Master or Owner, Factor or Consignee, or such

such other Person having such Rule or Command respectively, at any Time or Times, either by the Means herein-before prescribed for the levying the said Duties, and by the same Method or in such Manner as is herein-after directed for levying and recovering the Fines, Forfeitures, and Penalties imposed by this Act, and with the like Costs.

LXI. And be it further enacted, That the Tonnage or Admeasurement of all Ships and Vessels required to be registered by any Act or Acts of Parliament of *Great Britain* or *Ireland*, and trading or coming to or departing from the said Harbour, and liable to the Payment of the Rates or Duties of Tonnage by this Act imposed, shall be ascertained according to the certified Tonnage in the Ship's Register, and the Master or other Person having the Command of any such Ship or Vessel is hereby required to produce such Certificate of Registry at the Time of Payment of the said Rates and Duties to the Person or Persons who shall be duly authorized to collect and receive such Duties; and in case of any Dispute in or about the same, or in case of any Dispute in respect of the Tonnage of any Ship or Vessel not required to be registered, or of any Foreign Ship or Vessel, then the Tonnage of any such Ship or Vessel shall be ascertained in the Manner and according to the Directions of an Act passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the Encouragement of Shipping and Navigation*.

Mode of as-
certaining
Tonnage.

LXII. And be it further enacted, That if the Collector or Collectors of any of the said Rates or Duties, or such other Person or Persons as the said Commissioners shall in that Behalf nominate or appoint, and the Master or other Person or Persons having the Charge or Command of any Ship or other Vessel cannot agree about or otherwise ascertain the Tonnage of such Ship or other Vessel, then and in every such Case it shall and may be lawful for the said Collector or Collectors, or Person or Persons appointed as aforesaid, from Time to Time, and at all convenient and reasonable Times, to stop, detain, enter into, measure, and gauge the same; and in case the same shall, upon such measuring or gauging, appear to be of greater Tonnage than shall be set forth and contained in the Account which shall be given thereof, then the Master, Owner, or Person giving in such Account, shall pay the Costs and Charges of such measuring and gauging; all which Costs and Charges, upon Refusal of Payment thereof on Demand, shall and may be recovered and levied by such Ways and Means and in such Manner as the Rates and Duties hereby granted or imposed are hereby appointed to be recovered and levied; but if any such Ship or other Vessel shall be found to be of the same or of less Tonnage than the same shall by such Account appear to be of, then the said Collector or Collectors, or such other Person or Persons appointed as aforesaid respectively, shall pay the Costs and Charges of such measuring or gauging, and shall also pay such further Damages as shall appear to Two or more Justices of the Peace for the County of the City of *Cork*, on the Oath of One or more credible Witness or Witnesses, to have arisen from such Detention; and such Costs, Charges, and Damages shall be recovered and levied on the Goods and Chattels of the said Commissioners, in the same Manner as other Fines, Penalties, and Forfeitures can or may be recovered and levied under this Act; and if any Master, Commander, or other Officer of any Ship or Vessel,

For settling
Differences
respecting
Tonnage of
Vessels not
registered:

Vessel, or any Person or Persons whomsoever, shall obstruct or hinder any Person or Persons so employed in or from measuring or gauging any Ship or Vessel in pursuance of this Act, every such Master, Commander, or other Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds over and above the said Rates.

Application
of Rates.

LXIII. And be it further enacted, That the Rates and Duties payable to the said Commissioners shall, after Payment of the Purchase Money of such Ground or Premises as by the said Commissioners shall be judged necessary for the Purpose of a Ballast Office or Ballast Offices, Quay or Quays, Wharf or Wharfs, and such other Works as are hereby authorized to be made and erected; and after the Payment of the Expences of erecting such Ballast Offices, Wharfs, and other Works, and of keeping the same in Repair and after Payment of the Expences incident to and which shall attend the supplying of Ballast in Manner herein mentioned, the Salaries of Officers and Clerks, and the Expences of this Act, and of carrying the same from Time to Time into Execution and Effect, shall be paid and applied to such Improvements of the River and Harbour of *Cork*, and in such Manner as they the said Commissioners may appoint and determine, and to no other Use or Purpose whatsoever.

To prevent
Delay or
Evasion in
Payment of
Rates.

LXIV. And to prevent any Delay or Evasion in the Payment of the Rates and Duties aforesaid, be it further enacted, That from and after the passing of this Act, there shall be produced to the Collector or other proper Officer of His Majesty's Customs of the Port of *Cork*, by the Master or Owner of every Ship or Vessel coming into or sailing out of the said Port or Harbour, a Receipt or other sufficient Voucher of the Payment of the said Rates or Duties from the Officer or Officers appointed by the said Commissioners for the Collection thereof, and that until such Production of the said Collector or other proper Officer of His Majesty's Customs shall not take or receive or grant or issue any Entry, Report, Cocket, Permit, Sufferance, or other Dispatch Outwards, for any such Ship or Vessel; which Receipt or other sufficient Voucher, the Officer or Officers appointed by the said Commissioners is and are hereby required to give, on Payment of such Duties respectively, without Fee, Reward, or Delay, under a Penalty of Ten Pounds for any Refusal or Delay, the same to be recovered before any Justice of the Peace for the County of the City of *Cork*, and levied in Manner directed by this Act.

Preventing
unnecessary
Delay in fur-
nishing Bal-
last.

LXV. And to the End that the Commander or Master of any Ship or Ships, Vessel or Vessels resorting to the said Port or Harbour of *Cork*, shall not be inconvenienced, or his Voyage retarded by the Neglect of the Officer or Officers appointed by the said Commissioners or their Servants, through want of having Ballast furnished to or taken from such Ship or Ships, Vessel or Vessels; be it further enacted, That in case the Ballast Master or Officers so to be appointed by the said Commissioners, his, her, or their Servant or Servants, shall refuse or neglect to take of and from, or bring Ballast to any Ship or Ships, Vessel or Vessels, in Manner herein-before provided, and at the respective Times for doing thereof as aforesaid, the Master or Commander of such Ship or Vessel not having been directed as aforesaid to take in or put out such Ballast at such Wharf or Wharfs as aforesaid, or if wanting Ballast after having been so ordered and directed, shall not be able to obtain such Ballast

at such Wharf or Wharfs, that then and in any of the said Cases, it shall and may be lawful to and for the Master or Commander of such Ship or Vessel at any Time after Notice in Writing of such Vessel wanting to take in or put out Ballast as aforesaid, having been given at the said Office in Manner herein-before directed, to employ any Lighter or Lighters, Gabbard or Gabbards for the doing thereof.

LXVI. And be it further enacted, That on the Day of the annual Appointment of the Auditors of the Accounts of the Mayor, Sheriffs, and Commonalty of the City of *Cork*, in the Court of D'Oyer Hundred of the said City, Auditors shall be also then chosen to examine and audit the Accounts to be kept by the Commissioners hereby appointed, and their Successors, and to examine into the Application and Expenditure of the Money to be received by them; and that such Accounts when audited, together with the Report of the Auditors, shall be annually laid before the said Court of D'Oyer Hundred, and shall be printed, and a general Abstract of such Accounts shall also be published in some one Newspaper circulated in the said City.

Commissioners to account annually.

LXVII. And be it further enacted, That all Complaints and Informations of Offences against this Act, or any Rule, Order, or Bye-law to be made in pursuance thereof (except in Cases where the Manner of hearing and determining thereof is herein-before otherwise directed), shall and may be made before One or more Justice or Justices of the Peace for the County or Place wherein the Offence shall be committed; and such Justice or Justices is and are hereby authorized and empowered to take Cognizance thereof, and to summon the Person or Persons complained of to appear before him or them, or upon Complaint upon Oath or Affirmation, to issue his, her, or their Warrant or Warrants for the Apprehension of any such Person or Persons; and upon the appearing or not appearing of such Person or Persons pursuant to such Summons, or upon such Person or Persons being apprehended with such Warrant, to hear the Matter of every such Complaint and Information, by Examination of any Witness or Witnesses upon Oath or Affirmation, and to make such Determination thereon as such Justice or Justices shall think proper; and upon Conviction of any Person, such Justice or Justices shall and may issue a Warrant under his or their Hand and Seal, or Hands and Seals, for levying the Fine, Penalty, or Forfeiture by virtue of this Act, or of any Bye-law made in pursuance thereof, imposed for such Offence, by Distress and Sale of the Goods and Chattels of the Person so convicted; and it shall and may be lawful to and for any such Justice or Justices to order any Person so convicted to be detained and kept in the Custody of any Constable or other Peace Officer, until it can be ascertained whether such Person hath any Goods and Chattels whereon such Fine, Penalty, or Forfeiture can be levied; and in case sufficient Goods or Chattels of any Person liable to pay any such Fine or Penalty or Forfeiture cannot be found whereon to make such Distress, and such Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender to the Common Gaol or House of Correction for any Term not exceeding Three Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof,

Fines and Forfeitures.

[Local.]

18 K

shall

shall be sooner paid and satisfied ; and all such Fines, Penalties, and Forfeitures when recovered, shall, when the Application is not otherwise directed by this Act, be paid into the Hands of the Treasurer of the said Commissioners, and shall be applied and disposed of for the Purposes of this Act, and the Overplus (if any) arising from such Distress and Sale, after Payment of the Penalty and the Costs and Charges attending the same shall be returned upon Demand to the Owners of the Goods and Chattels so distrained.

Justices may
compel At-
tendance of
of Witnesses.

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

Appeal.

LXIX. Provided always, and be it further enacted, That any Person or Persons thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye-law, or Order of the said Commissioners, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may, within Three Calendar Months after such Order shall be made or given, complain to the Justices of the Peace at the General Quarter Sessions of the Peace to be held in and for the County wherein the Offence shall be alleged to be committed, the Person or Persons appealing having first given at least Fourteen Days clear Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk of the said Commissioners, and forthwith after such Notice entering into a Recognizance before some Justice of the said County, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereupon ; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General Quarter Sessions of the Peace to be held for the said County, or if they think proper, adjourn the Hearing thereof until the next General Quarter Sessions of the Peace to be held for the said County ; and if they see cause, may mitigate any Forfeitures or Fines, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye-law, Order, or Determination, and shall and may also 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 whatsoever.

LXX. And be it further enacted, That the Justice of the Peace before whom any Offender shall be convicted of any Offence under this Act, shall cause the said Conviction to be made out 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),

Form of Conviction.

County of } BE it remembered, That on the Day of
 to wit. } in the Year of our Lord
 is (or are) convicted before me (or us, as the Case may be)
 of His Majesty's Justices of the Peace for the said County of
 by virtue of an Act passed in the First Year of the Reign of King
 George the Fourth, intituled (*here insert the Title of this Act*) of having
 (*specifying the Offence, and the Time and Place when and where the same*
was committed, as the Case shall be) contrary to the said Act, and for
 which Offence I (or we, as the Case shall be) do adjudge the said
 to have forfeited the Sum of
 Given under my Hand and Seal (or our Hands and Seals, as the Case
 shall be) the Day and Year first above written.

Which Conviction or Convictions shall (if required) be written fairly upon Parchment, and returned to the Clerk of the Peace for the County wherein the said Offence shall have been committed, to be filed by him, and to remain and be kept among the Records of the said County, or County of the said City (as the Case may be).

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

Form of Warrant for levying Penalties.

County of } TO and each of them, and
 to wit. } their and each of their Assistants.
 WHEREAS, on the Day of now last
 past of was duly convicted before me (or, us, as
 the Case may be) of His Majesty's Justices of the Peace for the
 County of by virtue of an Act passed in the First
 Year of the Reign of King George the Fourth, intituled (*here insert the*
Title of this Act) of having (*specifying the Offence, and the Time and Place*
when and where 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, as the Case may be) do there-
 fore, by these Presents, authorize and command you, and each of you,
 to take into your Possession 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 aforesaid; and if the Goods
 shall not be redeemed by the Payment of the said Sum, within
 Days from the Day of taking the same, you are by public Sale thereof
 to levy the said Sum, rendering to the said the Overplus
 (if any), and the said Sum so levied you shall bring to me (or, us, as
 the Case shall be) without Delay, to be disposed of according to Law.
 Given under my Hand and Seal (or, our Hands and Seals, as the Case
 shall be) this Day of

And

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

' AND whereas, on the _____ Day of _____ a Warrant was issued to levy the said Sum from the Goods of the said Offender, and such Goods could not be found sufficient to answer the said Sum, I (*or, we, as the Case shall be*) 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 _____ and bring him before me (*or us, as the Case shall be*), or any other Magistrate of the said County.'

And the Form of Committal for committing any such Offender to prison shall follow the Form of such Warrant, save only that the Directions thereof shall be to the proper Gaoler, and that from and after the Words, 'I (*or, we, as the Case shall be*) do therefore hereby authorize and command you,' there 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 and Seal (*or, our Hands and Seals, as the Case shall be*) this _____ Day of _____'

And each and every of the said Forms, or any Form of Words 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.

LXXII. And be it further enacted, That where 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 of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Proceedings not to be quashed for want of Form.

LXXIII. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceeding made touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only, or be removed or removable 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.

Notice of Action to be given, and

LXXIV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons, for

for any thing done in pursuance of this Act, unless notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends have been made to him, her, or them, or to his, her, 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 wherein such Action shall have been brought at any Time before Issue joined, to pay into Court such Sum of Money as he, she, 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.

Plaintiff not to recover after Tender of Amends.

LXXV. 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, or in relation to the Matters herein contained, after Three Calendar Months from 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 or Suit shall or may at his or 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 and under the Authority of this Act; and if the same shall appear to have been done, or if such Action or Suit shall have been brought before the Expiration of Twenty-eight 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 than as aforesaid, then and in every of the said Cases, 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, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or upon any Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Double Costs, and have such Remedy for recovering the same, as any Defendant or Defendants hath or have in other Cases by Law.

Limitation of Actions.

General Issue.

Double Costs.

LXXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or their Successors, to reward any Person or Persons who shall give Information of Offences committed against this Act, so as such Reward shall not exceed the Amount of the Penalty or Forfeiture which the Person or Persons so informed against shall have incurred, any thing herein contained to the contrary notwithstanding.

Informers of Offences against the Act to be rewarded.

LXXVII. 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 and Justices of the Peace to administer an Oath to any Person, for his or their more certain Information in the Matter then depending; and if any Person shall, upon his, her, or their Examination on Oath before the said Commissioners, or

Justice to administer Oaths.

Punishing Persons guilty of Perjury.

[Local.]

18 L.

before

before any Justice or Justices, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof convicted, 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 Persons convicted of wilful and corrupt Perjury are liable to.

Expences
of Act.

LXXVIII. And be it further enacted, That all Charges and Expences incident to and attending the obtaining and passing this Act, and of carrying the same into Effect and Execution, shall be paid out of the Monies received or to be received by the said Commissioners, under the Provisions of the said recited Acts and of this Act.

Public Act.

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

SCHEDULE A.

	£	s.	d.
For each and every Ton of Ballast (not Limestone) delivered to any Vessel, a Sum not exceeding	0	1	0
For each and every Ton of marketable Limestone Ballast, a Sum not exceeding	0	2	0
		If discharged by Lighter.	If discharged at a Wharf or Quay.
For each and every Ton of Ballast discharged or taken from any Vessel, a Sum not exceeding	£	s.	d.
	0	0	8
			£
			s.
			d.
			0
			0
			4

The above Rates to be British Sterling.

SCHEDULE B.

For and upon every Ton of the Admeasurement of every Vessel reporting at the Custom House of Cork (except Colliers and Coasters) a Sum not exceeding	}	Three-pence British per Ton.
For and upon every Ton of the Admeasurement of every Collier reporting at the said Custom House, for each and every Voyage made to and from the said Port, a Sum not exceeding	}	Two-pence British per Ton.
For and upon every Ton of the Admeasurement of every Vessel reporting at the Custom House of Cork, arriving from any Port in Ireland, for each and every Voyage made to and from said Port of Cork a Sum not exceeding	}	One Penny British per Ton.

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MEMORANDUM

TO : SAC, [illegible]

FROM : [illegible]

SUBJECT: [illegible]

[illegible]

[illegible]

[illegible]

[illegible]