



ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

# VICTORIÆ REGINÆ.

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## Cap. cxxi.

An Act for the Improvement of *Blackrock*, *Monkstown*, and *Boooterstown*, in the Baronies of *Dublin* and *Rathdown* and County of *Dublin*.

[13th July 1863.]

**W**HEREAS the District of *Blackrock* in the Baronies of *Dublin* and *Rathdown* and County of *Dublin* (in this Act called "the present *Blackrock* Township") is a District in which "The Towns Improvement (*Ireland*) Act, 1854," is in force, and under that Act Commissioners for the Improvement of the present *Blackrock* Township have been elected and are in Office: And whereas the Districts of *Monkstown* and *Boooterstown* in the Baronies of *Dublin* and *Rathdown* and County of *Dublin* adjoin to the present *Blackrock* Township, and comprise several Villages, and are large, populous, and improving Districts, and the Population thereof has of late Years greatly increased and is increasing: And whereas it would conduce to the Health and Welfare of the Inhabitants of the Districts of *Blackrock*, *Monkstown*, and *Boooterstown*, and would be of public Advantage, if the Districts were formed into One Township, and Provision were made for the lighting, paving, sewerage, draining, cleansing, supplying with Water, and otherwise improving and regulating of the Township, and if "The Towns Improvement (*Ireland*) Act, 1854," were put in force in the whole Township as

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is by this Act provided : And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows ; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as " The *Blackrock Township Act, 1863.*"

Commencement of Act.

2. This Act shall commence and have effect on and after the First Day of *September* next after the passing thereof.

8 & 9 Vict.  
c. 18. and  
23 & 24 Vict.  
c. 106. incor-  
porated.

3. " The Lands Clauses Consolidation Act, 1845," and " The Lands Clauses Consolidation Acts Amendment Act, 1860," (save so far as any of the Sections and Provisions of those Acts respectively are expressly excepted or varied by this Act,) are incorporated with this Act: Provided, that this Act shall not authorize the Purchase or taking of any Lands otherwise than by Agreement.

17 & 18 Vict.  
c. 103. incor-  
porated.

4. " The Towns Improvement (*Ireland*) Act, 1854," (save so far as any of the Sections and Provisions of that Act are expressly excepted or varied by this Act,) is incorporated with this Act, and shall have effect as if that Act had been duly adopted for the Township within the Limits of this Act, and the Adoption thereof had been duly approved by the Lord Lieutenant, with the Advice of the Privy Council, and the Commissioners for executing this Act were duly appointed under that Act: Provided, that the following Sections of that Act are not incorporated with this Act ; (that is to say,) Sections Four to Twenty-one, both inclusive, and so much of Section Twenty-two as defines the Qualification of Electors at Elections of Commissioners, and Sections Twenty-five, Seventy, Seventy-eight to Eighty-nine, both inclusive, and Ninety-four and Ninety-eight.

10 & 11 Vict.  
c. 14. and  
Parts of  
10 & 11 Vict.  
cc. 15. & 17.  
incorpo-  
rated.

5. " The Markets and Fairs Clauses Act, 1847," and " The Gasworks Clauses Act, 1847," and the several Provisions " with respect to the Supply of Water by the Undertakers," and " with respect to Communication Pipes to be laid by the Inhabitants," and " with respect to the Payment and Recovery of the Water Rates," of " The Waterworks Clauses Act, 1847," (save so far as any of the Sections and Provisions of the same respectively are expressly excepted or varied by this Act,) are incorporated with this Act: Provided, that this Act does not authorize the making of any Gasworks or Waterworks.

Same Mean-  
ings to  
Words in  
incorporated

6. The several Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Con-  
text:

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text: Provided, that the Word "Town" in "The Towns Improvement (Ireland) Act, 1854," means for the Purposes of this Act the Township to which this Act relates. Acts as in this Act.

7. The Lands, Villages, and Hereditaments comprised within the Limits of this Act shall from and after the Commencement of this Act, and for the Purposes thereof, be a separate and distinct Township by the Name of "The *Blackrock* Township" (in this Act called "the Township"), and this Act shall for all the Purposes thereof be put in force within those Limits. "Township of Blackrock."

8. The following are the Limits of this Act, and the Boundary of the Township to which this Act relates; (that is to say,) Limits of Act.

The Boundary commences at the Sea at Low-water Mark outside the Embankment of the *Dublin and Kingstown* Railway at the Boundary of the Parishes of *Donnybrook* and *Boosterstown*; and runs thence to the Shore, and thence in a South-westerly Direction along the Boundary of the Parish of *Boosterstown* to the South-west Angle of the Gate Lodge of *Saint Helens* on the *Dublin and Bray* Road; thence Southward along the Eastern Side or Wall of said Road to *Stillorgan Priory* Gate Lodge; thence Northwardly along the Parish Boundary until it meets *Merrion Avenue*; thence Eastwardly along the Parish Boundary to *Grove Avenue* or *Verschoylé's Lane*; thence Southwardly along the West Side or Fence of *Grove Avenue* to Mr. *Geoghegan's* Entrance Gate at *Carysfort* Lodge; thence Eastwardly across the Road and along the North Side of the old Lane or Passage bordering Mrs. *Saurin's* Demesne, until it meets the Boundary of the Townland of *Carysfort*; thence following the Boundary of the Townland to *Carysfort Avenue*; thence across the Road and Northwardly along the East Side of said Avenue to the North-western Corner of *Oakly Park*; thence along the Northern and Eastern Boundary of *Oakly Park* to *Newtown Park Avenue*; thence Northwardly along the Eastern Side of said Avenue to a Point opposite to the narrow Passage running Eastwardly from *Newtown Park Avenue* to the *Bray Road*; thence along the South Fence of the said Passage to the Road from *Blackrock* to *Bray*; thence Northerly by the Eastern Boundary of the same as far as the South Wall of the *Stradbroke Cottages*; thence Eastward by the said Wall and a Fence in continuation of the same through Mr. *Francis Codd's* Land to the Boundary of the Townland of *Monkstown* at *Charles Alder's* Holding; thence Eastwardly along the said Boundary to the South-east Angle of Dr. *Mahood's* Holding (*Monkstown Hill*), and along the Eastern Boundary of the same Northwards to the Wall or Fence separating *Richmond Hill* from *Yapton*, in the Occupation of Mr. *Thomas Hone*, and by the same in a direct Line until it meets the Boundary of the *Kingstown* Township

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Township at the Entrance to *Richmond Hill*; thence along the Boundary of the *Kingstown* Township to the Sea at Low-water Mark at *Salt Hill*; and thence along the Sea at Low-water Mark Westwardly, until it meets the Point of Commencement opposite the Boundary of the Parishes of *Boosterstown* and *Donnybrook*:

The several Lands, Villages, and Hereditaments being within those Limits and constituting the Township are situate within the Townlands of *Intake, Blackrock, Boosterstown, Williamstown, Merrion, Blackrock, Newtown, Castlebyrn, Newtown Blackrock, Carysfort, Woodland, Stillorgan Grove, Stillorgan Park, Rockfield, Seapoint or Temple Hill, Montpelier, Stradbrook, Monkstown, Monkstown Castle Farm, Mount Ashton, Lansville,* and *Dunleary*, all being situate in the Parishes of *Boosterstown, Stillorgan,* and *Monkstown*, in the Baronies of *Dublin* and *Rathdown* and County of *Dublin*.

Township to consist of Three Wards:  
1. Blackrock Ward;  
2. Monkstown Ward;  
3. Boosterstown Ward.

Boundary of Wards.

9. The Township shall consist of Three Wards; (that is to say,)

- First, "*Blackrock Ward*;"  
Second, "*Monkstown Ward*;"  
Third, "*Boosterstown Ward*."

10. The Ward Divisions of the Township shall be:

The First Division or Boundary commences in the Centre of *Merrion Avenue*, at the Junction of the Township Boundary, Eleven Chains distant from the Entrance Gate of *Mount Merrion*, and is continued through the Centre of that Avenue to the Centre of the *Rock Road* opposite to the Eastern Boundary of *Lisaniskea* Premises, and by that Eastern Boundary of *Lisaniskea* Premises in a direct Line to the Sea at Low Water, and so much of the Township as lies to the Northward and Westward of the Boundary thus defined shall constitute *Boosterstown Ward*:

The Second Division or Boundary commences at *Rock Villa* in *Newtown Park Avenue*, and runs thence Northwardly through the Centre of *Newtown Park Avenue* to the *Bray Road*, thence through the Centre of the *Blackrock and Bray Road* to *Dove House*, thence Eastward by *Seapoint Manor* and the Northern Side of *Seapoint Avenue* to the Entrance of *Ardenza Terrace*, thence by the said Terrace to the Sea at Low-water Mark, and so much of the Township as lies to the Eastward of the Boundary thus defined shall constitute *Monkstown Ward*:

The Third Division, all the Residue of the Township, being the Part thereof that lies between those Two Divisions and Wards, shall constitute *Blackrock Ward*.

Township Commissioners incorporated.

11. The Commissioners named in this Act, and their Successors from Time to Time elected under this Act, shall be One Body Corporate by the Name of "*The Blackrock Township Commissioners*," and by that Name shall

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shall have perpetual Succession and a Common Seal, and Power to purchase, take, hold, and dispose of Lands, Goods, Chattels, and other Property for the Purposes, but subject to the Restrictions, of this Act; and in addition to the Powers and Authorities by this Act expressly conferred on the Commissioners, they shall, except where it is by this Act otherwise expressly provided, have the like Powers and Authorities as if they were appointed under "The Towns Improvement (*Ireland*) Act, 1854."

**12.** The Number of the Commissioners shall be Twenty-four, being Nine Commissioners for *Blackrock Ward*, Nine Commissioners for *Monkstown Ward*, and Six Commissioners for *Boooterstown Ward*.

Number of Commissioners for Township and Wards.

**13.** *Thomas Dixon Esquire, Henry Loftus Tottenham Esquire, John FitzGerald Esquire, George Stormont Esquire, Charles Kernan Esquire, Joseph Craige Scully Esquire, William John Wallnutt, Wax Chandler, John Richardson, Grocer, Thomas Magrath, Linendraper* (being Nine of the present Commissioners for the present *Blackrock Township*), as Commissioners for *Blackrock Ward*; and *William Plant Esquire, Monkstown; John Knight Boswell Esquire, Monkstown; John McCurdy Esquire, Monkstown; Adam Seaton Findlater Esquire, Monkstown; Sheffield Betham Esquire, Blackrock; William Crow Builder, Great Brunswick Street, Dublin; Eldred Oldham Esquire, Monkstown; Stephen Maylin Esquire, Monkstown; and Henry Andrews Esquire, Monkstown*, as Commissioners for *Monkstown Ward*; and *Edmond Meares Kelly Esquire, Williamstown; John Rafferty Esquire, Williamstown; Edward Love Alma Esquire, Merrion Avenue; John Barrington Esquire, Merrion Avenue; Alexander Curtis La Nauze, Boooterstown, and Joseph Johnson Esquire, Boooterstown*, as Commissioners for *Boooterstown Ward*, shall be the First Commissioners under this Act, and shall retire from Office by rotation, in accordance with the Provisions in that Behalf of "The Towns Improvement (*Ireland*) Act, 1854," incorporated with this Act, and *Thomas Dixon Esquire*, or, failing him, *William Plant Esquire*, if he continues a Commissioner, shall be the Chairman of the Commissioners until and at the First Election of Commissioners under this Act; and the Fifteenth Day of *October* shall be the Day for the yearly Retirement and Election of Commissioners: Provided that the Fifteenth Day of *October* One thousand eight hundred and sixty-three shall be the Day for the First Retirement and Election of Commissioners.

Appointment by Act of First Commissioners.

**14.** On and after the Commencement of this Act the Commissioners appointed under "The Towns Improvement (*Ireland*) Act, 1854," as now in force in the present *Blackrock Township* (in this Act called "the *Blackrock Commissioners*"), shall cease to be Commissioners for that Township, and that Act shall be in force in that Township only as Part of this Act, and in accordance with the Powers and Provisions of this

Blackrock Commissioners to cease to be Commissioners, and their Property vested in

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the Commis-  
sioners.

Act, and all the Property and Effects to which the *Blackrock* Commissioners were immediately before the Commencement of this Act in any way entitled are by this Act transferred to and vested in the Commissioners, but subject to all Debts, Liabilities, and Engagements affecting the same, or affecting the *Blackrock* Commissioners in respect thereof.

General  
Saving of  
Rights in  
respect of  
*Blackrock*  
Commis-  
sioners.

**15.** Except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done and suffered by and with respect to the *Blackrock* Commissioners under or by virtue of "The Towns Improvement (*Ireland*) Act, 1854," shall be as valid as if the *Blackrock* Commissioners continued to be Commissioners under that Act for the present *Blackrock* Township, and this Act and the Operation thereof shall accordingly be subject and without Prejudice to everything so done and suffered respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the *Blackrock* Commissioners so continued to be Commissioners, would be incident to and consequent on any and every thing so done and suffered respectively, and the Commissioners shall with reference thereto represent the *Blackrock* Commissioners as if the *Blackrock* Commissioners and the Commissioners had originally been and continued without Intermission to be one and the same Body of Commissioners; provided that the Generality of this Provision shall not be restricted by any other of the Sections and Provisions of this Act.

Contracts,  
&c. of *Black-*  
*rock* Com-  
missioners  
preserved.

**16.** Notwithstanding the *Blackrock* Commissioners cease to be Commissioners, all Purchases, Sales, Conveyances, Mortgages, Bonds, Deeds, Securities, and Contracts before the Commencement of this Act made by, to, or with respect to the *Blackrock* Commissioners shall be as effectual to all Intents for, against, and with respect to the Commissioners as if the same had been made or executed by, to, or with respect to them instead of the *Blackrock* Commissioners, and may be proceeded on and enforced by and against the Commissioners accordingly.

Actions, &c.  
by and  
against  
*Blackrock*  
Commission-  
ers not to  
abate, &c.

**17.** Notwithstanding the *Blackrock* Commissioners cease to be Commissioners, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the *Blackrock* Commissioners before the Commencement of this Act shall not abate or be discontinued or prejudicially affected by this Act, but shall continue and take effect both in favour of and against the Commissioners in the same Manner to all Intents as if this Act were not passed, the same might continue and take effect in favour of and against the *Blackrock* Commissioners, and where necessary the Name of the Commissioners shall be substituted therein for the Name of the *Blackrock* Commissioners.

Debts owing  
to and by  
*Blackrock*  
Commission-

**18.** All Persons who immediately before the Commencement of this Act owed any Money to the *Blackrock* Commissioners, or to any Person on their Behalf, shall pay the same with all Interest (if any) due and payable

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payable or accruing for the same to the Commissioners; and all Monies which immediately before the Commencement of this Act were owing by or recoverable from the *Blackrock* Commissioners, or for the Payment of which they were, or, but for this Act, would be liable, shall be paid with all Interest (if any) due and payable or accruing for the same, by or be recoverable from the Commissioners.

ers to be paid.

19. Notwithstanding the *Blackrock* Commissioners cease to be Commissioners, all Books, Documents, and Writings by "The Towns Improvement (*Ireland*) Act, 1854," directed or authorized to be kept by the *Blackrock* Commissioners, and which if this Act were not passed would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Books, &c. of *Blackrock* Commissioners continued Evidence.

20. The Qualification of a Commissioner, whether named in or elected under this Act, shall be his being resident within the Ward for which he is elected, and being rated for the Relief of the Poor therein at the yearly Sum of Twenty Pounds or upwards, or being Owner or immediate Lessor of rated Property within the Township of the rated Value of Fifty Pounds a Year, or, if non-resident within the Township, his being seised or possessed or in the Enjoyment of the Rents or Profits of Lands, Tenements, or Hereditaments, of the yearly Value of One hundred Pounds or upwards within the Township.

Commissioners Qualification.

21. The Commissioners to be elected under this Act for every Ward shall be elected by all Male Persons of full Age who are immediate Lessors of Lands, Tenements, or Hereditaments within the Ward of the yearly Value of Fifty Pounds or upwards, according to the then last Poor Law Valuation, and whose Names have been on the Township Rate Book as immediate Lessors for Three Months at least before the Day for the Election, and by all Male Persons of full Age respectively rated to the Relief of the Poor within the respective Ward for any Lands, Tenements, or Hereditaments of the yearly Value of Eight Pounds or upwards who, on or before the Fifteenth Day of *July* next before the Day for the Election, have occupied the Lands, Tenements, or Hereditaments in respect whereof they respectively claim to vote for not less than Three Months; provided that no Person shall be qualified to vote unless he before voting have paid all Rates for the Relief of the Poor and under this Act payable by him within the Township, except those which are assessed within Three Months next before the Day for the Election: Provided nevertheless, that at the First Election of Commissioners it shall not be necessary that the Persons claiming to vote shall have their Names on the Township Rate Book or shall be rated to the Township Rate.

Electors Qualification.

22. Every

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Nomination  
of Candi-  
dates for  
Election as  
Commis-  
sioners.

**22.** Every Person intending to become a Candidate and every Person intending to propose a Candidate at any Election of Commissioners shall, by Writing under his Hand left at the Office of the Commissioners Five Days at least before the Day for the Election, signify his Intention to become a Candidate, or, as the Case requires, his Intention to propose a Candidate, and the Name and Place of Abode of the Candidate intended to be proposed by him, and the Name of the Ward for which he is to be a Candidate.

First Meet-  
ing of Com-  
missioners.

**23.** The Commissioners shall hold their First Meeting at the present Board Room of the *Blackrock* Commissioners, at Eleven of the Clock in the Forenoon on the Day of the Commencement of this Act, and may and shall then and thenceforth put this Act in execution.

Justice  
being Com-  
missioner  
not disquali-  
fied.

**24.** A Person shall not be incapable of acting as a Justice in the Execution of this Act by reason of his being a Commissioner or liable to Assessment under this Act.

Purchase of  
Lands by  
Commis-  
sioners.

**25.** The Commissioners from Time to Time, but only by Agreement, may purchase, take on Lease, or otherwise acquire any Lands within the Township which they think requisite for any of the Purposes of this Act, and may hold, use, and enjoy the same accordingly.

Commission-  
ers may  
appoint  
Officers.

**26.** The Commissioners may appoint a Surveyor for the Township, and a Registrar or Secretary, and subordinate Officers, to superintend, manage, and conduct the Business of the Township; and may dismiss any of such Officers, and appoint another or others in their Stead, or may discontinue any of such Officers, and may pay them such Salaries or Fees as to the Commissioners shall from Time to Time seem fit out of the Improvement Rates to be levied under this Act.

Power to  
Commission-  
ers to supply  
Water.

**27.** The Commissioners may supply the Township with Water for all such public and private Purposes as they from Time to Time think fit, the public Purposes including the watering of Streets and the supplying of Water to Public Baths and Wash-houses, and may contract for such Supply with the Corporation of *Dublin* as by this Act provided.

Power to  
Commission-  
ers and Cor-  
poration of  
*Dublin* to  
contract for  
Water.

**28.** Whereas by "The *Dublin* Corporation Waterworks Act, 1861," the Mayor, Aldermen, and Burgesses of the Borough of *Dublin* (in this Act called "the Corporation") are authorized to bring Water from the River *Vartry* for the Supply of the Inhabitants of *Dublin* and divers Parishes near thereto: Therefore, after the Corporation have commenced to supply to and distribute the Waters of the *Vartry* in the City of *Dublin*, the Commissioners may give notice to the Corporation requiring them to supply Water to the Commissioners, to be distributed by the Commissioners in the Township, and thereupon the Corporation shall, within Six Months after the Service of the Notice, supply and thenceforth

continue



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continue to supply a Quantity of Water equivalent to Twenty Gallons *per Head per Day* for the Population from Time to Time of the Township, and the Commissioners shall pay and continue thenceforth to pay to the Corporation for such Supply, out of the Rates levied under this Act, a yearly Rent equivalent in Amount to the Sum which would be produced by Threepence Halfpenny in the Pound on the Valuation from Time to Time of the rateable Property in the Township as rated under the Provisions of this Act, the Water to be delivered at High Pressure to the Commissioners at such Point or Points (not exceeding Three in Number) as may be selected by the Commissioners in the Portion of the Main Pipe of the Corporation passing through or along the Boundary of the Township, and to be taken by the Commissioners at their own Expense by a Valve or Valves, or Branch or Branches, properly constructed at such Point or Points as aforesaid, or by any other Means or at any other Point or Points from Time to Time mutually agreed upon: Provided always, that nothing in this Act contained shall give to the Corporation any Right to give such Supply or require such Payment until such Notice shall have been served by the Commissioners; and provided also, that the Commissioners shall not contract with any other Person or Persons, or Company or Body Corporate, for any Supply of Water to the Township, unless or until the Corporation make default in supplying, according to the Provisions aforesaid, to the Commissioners such Water and in such Manner and Quantity as in this Section in that Behalf is mentioned.

**29.** The Rent for the Water Supply shall be paid by the Commissioners to the Collector General of Rates, and may be collected by him from the Commissioners at the same Time and in the same Manner and by the same Means (in addition to any other legal Remedies) as the Contract Water Rate, under the Provisions of "The *Dublin* Corporation Waterworks Act, 1861," and the Rent may be included either originally or by Addition or Alteration in the Account or Rental from Time to Time of the Contract Water Rate, and the Commissioners may and shall from Time to Time levy and assess on the Township such Rate or Rates as shall be required for Payment of the Rent.

Payment of  
Water Rent  
to Dublin  
Corporation.

**30.** The Commissioners from Time to Time may provide and erect, in such Places in the Township as they think fit, Lands and Buildings as Fire-engine Stations for the Accommodation of Firemen, Horses, Fire Engines, Fire Escapes, and other Apparatus and Appliances for the Extinction of Fires, and from Time to Time may alter the Situations of the Fire-engine Stations.

Power to  
Commission-  
ers to pro-  
vide Accom-  
modation  
for Fire  
Brigade,  
Fire En-  
gines, &c.

**31.** The Commissioners from Time to Time may establish in the Township such Market or Markets for the Sale of such marketable Commodities as they think fit, and may maintain and regulate the Markets.

Power to  
Commission-  
ers to esta-  
blish Mar-  
kets.

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Power to  
Commission-  
ers to pro-  
vide Market  
Places.

**32.** The Commissioners from Time to Time on Lands vested in them may make, provide, maintain, and regulate such Market Houses or Market Places in the Township, with all necessary Buildings, Stalls, Pens, Works, Approaches, Conveniences, and Appurtenances, as they think fit, and may appropriate the same respectively for the Sale therein of such marketable Commodities as they think fit.

Power to  
Commission-  
ers to enlarge  
Market  
Places.

**33.** If and whenever the Commissioners so think fit, they may alter the Appropriation of any Market House or Market Place provided under this Act, and may enlarge and improve any such Market House or Market Place, and maintain and regulate the same when enlarged and improved.

Power to  
Commission-  
ers to pro-  
vide Slaugh-  
ter Houses.

**34.** The Commissioners from Time to Time may provide such Slaughter-houses in the Township as they think fit.

General  
Market  
Tolls as in  
Sched. (A.)

**35.** The Commissioners from Time to Time may demand and take from every Person being the Occupier of any Shop, Stall, Stand, Bench, or Place in any Market House or Market Place provided under this Act any Tolls which the Commissioners from Time to Time think fit, not exceeding the General Market Tolls specified in the Schedule (A.) to this Act annexed.

Wholesale  
Market  
Tolls, as in  
Sched. (B.)

**36.** The Commissioners from Time to Time may demand and take from every Person bringing into any Market Place provided under this Act any Waggon or Cart, or pitching in the Market Place any marketable Commodity, any Tolls which the Commissioners from Time to Time think fit, not exceeding the wholesale Market Tolls specified in the Schedule (B.) to this Act annexed.

Weighing  
and Mea-  
suring Tolls  
as in Sched.  
(C.)

**37.** The Commissioners from Time to Time may demand and take, in respect of their Weighing House or Weighing Place for weighing or measuring Articles sold by Weight or Measure, such Tolls as the Commissioners from Time to Time appoint, not exceeding the Weighing and Measuring Tolls specified in the Schedule (C.) to this Act annexed, and the Tolls payable for any such Article shall be paid before the Article is weighed or measured.

Cart-weigh-  
ing Tolls as  
in Sched.  
(D.)

**38.** The Commissioners from Time to Time may demand and take in respect of the weighing of Carts such Tolls as the Commissioners from Time to Time think fit, not exceeding the Cart-weighing Tolls specified in the Schedule (D.) to this Act annexed, and the Toll payable for any Cart shall be paid before the Cart is weighed.

Slaughter-  
house Tolls  
as in Sched.  
(E.)

**39.** The Commissioners from Time to Time may demand and take in respect of the Slaughter-houses provided by them such Tolls as the Commissioners from Time to Time think fit, not exceeding the Slaughter-house Tolls specified in the Schedule (E.) to this Act annexed.

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**40.** The Commissioners from Time to Time may license for not exceeding One Year any Number of Porters, Basket Men, and Basket Women they may think proper, to ply for Hire and to be employed in and about the Market Houses and Market Places of the Commissioners, and no Person shall ply for Hire there as Porter, Basket Man, or Basket Woman without the Licence under a Penalty not exceeding Twenty Shillings for every such Offence; and the Porters, Basket Men, and Basket Women shall be subject to all Byelaws for their Regulation and Government from Time to Time made by the Commissioners.

Power to Commissioners to license Porters, &c.

**41.** For every such Licence there shall be paid to the Clerk or other Person appointed by the Commissioners any Sum they direct, not exceeding Two Shillings.

Fee for Licence.

**42.** The Commissioners; if and when they think fit, may erect or rent or hire any Buildings, and fit up and maintain the same, for Baths and Wash-houses, and make reasonable Charges for the Use of the same; and the several Provisions applicable for this Purpose of the Acts of the Sessions of the Ninth and Tenth Years of Her present Majesty, Chapter Seventy-four, and of the Tenth and Eleventh Years of Her present Majesty, Chapter Sixty-one, relating to Baths and Wash-houses, are incorporated with this Act.

Power to Commissioners to provide Baths and Wash-houses.

**43.** It shall not be lawful to build in any Street formed after the Fifteenth Day of *November* One thousand eight hundred and sixty-three in the Township any House or Row of Houses, unless the House or Row be at least Thirty Feet from the Centre of the Road, save with the Consent of the Commissioners.

Restriction as to Width of Streets.

**44.** Except as is by this Act otherwise expressly provided, the Grand Jury of the County of *Dublin* shall not have any Jurisdiction, Power, or Authority with respect to the making or maintaining of any Road or Bridge or Footpath within the Township, but all Roads and Bridges and Footpaths within the Township shall be made and maintained by the Commissioners at the Cost of the Township.

Commissioners and not Grand Jury to have Jurisdiction as to Roads in Township.

**45.** The Commissioners shall have from Time to Time under this Act all and the like Jurisdiction, Power, and Authority with respect to Roads, Bridges, Footpaths, and other Public Works within the Township which the Commissioners are by this Act authorized to make and maintain as by the Acts of the Session of the Sixth and Seventh Years of *William* the Fourth, Chapter One hundred and sixteen, and the Session of the Seventh and Eighth Years of Her present Majesty, Chapter One hundred and six, are on the Commencement of this Act vested in the Grand Jury.

Powers of Commissioners for making Roads, &c.

**46.** After

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No Presentment by Grand Jury for repairing Roads, &c. within Township.

**46.** After the Commencement of this Act the Grand Jury shall not make any Presentment with respect to any Road or Bridge or Footpath or other Work within the Township, and the Township shall not be chargeable with the Cost of making or maintaining any Road or Bridge or Footpath not within the Township: Provided that this Section does not interfere with or in any Way prevent the Grand Jury from presenting, raising, and levying the Instalments for building *Sandymount Bridge*, or the Proportion of the Amount of the existing Contracts for Works partly within the Township, which Amount shall be ascertained and regulated by reference to the Number of Perches in each Contract, or the Expense of any Road, Bridge, or Footpath, or other Work presented on the County at large.

As to Road from Dublin to Kingstown and Bray.

**47.** With respect to that Portion of the Road leading from the City of *Dublin* to *Kingstown* and *Bray*, and the Maintenance and Repair of which is provided for by Section One hundred and seventeen of the Act of the Session of Seventh and Eighth Years of Her present Majesty, Chapter One hundred and six, nothing in this Act contained shall affect or interfere with the Control, Rights, Liabilities, and Powers of the respective Grand Juries of the City and County of *Dublin* to contract for the Maintenance and Repair of the Road, and the Township shall pay and contribute to the Grand Jury of the County of *Dublin* towards the Cost of maintaining and repairing the Road so much of the Cost as is by that Act chargeable on the Baronies of *Dublin* and *Rathdown* respectively as the Valuation of the Land and Premises in the Township within said Baronies bears to the gross Valuation of the Baronies of *Dublin* and *Rathdown* respectively.

All Warrants now in force to remain until Collections completed.

**48.** Provided, That all Warrants issued by the Finance Committee of the County of *Dublin* before the Commencement of this Act for the Collection of Public Monies off the Township shall remain in full Force and Effect until the several Collections thereunder be fully completed.

Subsisting Contracts of Grand Jury vested in Commissioners.

**49.** All Contracts made and entered into by and between any Person or Persons and the Grand Jury, or any Person or Persons on their Behalf, for Public Works wholly within the Township and subsisting at the Time of the Commencement of this Act shall be and continue in full force, and the Commissioners as representing in that Behalf the Grand Jury, and all such Persons respectively, shall be bound by and liable to execute and perform and be entitled to enforce the same according to the Terms and Conditions of the respective Contracts, and the Grand Jury shall be by this Act freed from all Liability in respect thereof, and all the Powers and Authorities at the Time of the Commencement of this Act vested in the Grand Jury and their Officers for the due Supervision and Execution of the Works according to the respective  
Contracts

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Contracts are by this Act transferred to and vested in the Commissioners, provided that this Section does not extend to the building of *Sandymount Bridge*.

50. After the Commencement of this Act the Grand Jury shall not present the whole or any Part of the Salary of any County Surveyor appointed by them to be levied on the Township, but all such Salaries shall be borne and paid by such Part of the County at large, exclusive of the Township, as is from Time to Time liable thereto, and shall be apportioned thereon accordingly.

Salary of County Surveyors not to be levied on Township.

51. The Finance Committee of the County of *Dublin*, in estimating and apportioning the Amount to be levied off the Township, whether on Account of baronial Charges or Charges on the County at large, shall exclude all Charges presented by the Grand Jury from which the Township is by this Act exempted, and shall make out a separate Warrant for the Sum properly assessable upon the Township after allowing the Exemptions, and within Ten Days after the making thereof shall deliver at the Office of the Commissioners a Copy of the Warrant, and the Amount set forth in the Warrant shall be the First Charge on the General Improvement Rate under this Act; and the Commissioners shall pay the same in Two equal Payments, One within Two Months after the Delivery of the Copy of the Warrant, and the other within Eight Months after the Delivery thereof.

Grand Jury Cess payable by Township.

52. In case either Payment be not made to the Finance Committee within the prescribed Period, they may transmit Copies of the said Warrants to the Collectors of the Baronies of *Rathdown* and *Dublin* respectively, adding thereto a Sum not exceeding Two Shillings in the Pound for the Expenses of applotting and collecting the Amount therein expressed; and the Collectors shall thereupon proceed to have the same applotted upon the Ratepayers of the Township, and may and shall levy and recover the same in like Manner as is provided by the Act of the Session of the Seventh and Eighth Years of Her present Majesty, Chapter One hundred and six, and shall have the like Powers of applotting, levying, and recovering the same as are given by that Act or any other Acts now in force and applicable in that Behalf, and as fully to all Intents and Purposes as if this Act were not passed.

For enforcing Payment.

53. With respect to that Portion of the Road from the Sea Shore at the West Side of *Longford Terrace, Salthill*, in front of the Parish Church of *Monkstown*, and thence to the Entrance of *Monkstown Castle*, which is the common Boundary on the West and South-west Sides of the *Kingstown* Township, it is hereby enacted, That the Expenses of watering, scavengering, lighting, sewerage, repairing, and maintaining such Portion of the Road and such other Roads as may become Boundary

Maintenance of Boundary Roads.

*The Blackrock Township Act, 1863.*

dary Roads between the Townships of *Kingstown* and *Blackrock* shall be borne in equal Proportions by the respective Townships, and the Commissioners of the respective Townships may enter into Agreements for the due carrying out of all such Works, and for the Payment out of their respective Township Rates of the Expenses of the same; and in case of any Dispute as to the Amount to be contributed by the respective Townships, the same shall be determined in the Manner provided for by "The Railways Act (*Ireland*), 1851," or the Acts amending or continuing the same, for determining Questions of Compensation with regard to Lands purchased or taken, or the same may be determined by Arbitration.

As to "The Blackrock Township Rate."

**54.** The General Assessment to be made once or more often in every Year by the Commissioners shall be called "the *Blackrock* Township Rate," and the total Assessment in any One Year may be at the Rate of Two Shillings in the Pound, but shall not exceed that Rate without the Consent of at least Two Thirds of the Ratepayers of the Township present at a Meeting specially called for the Purpose by at least Fourteen Days public Notice stating the Object of the Meeting: Provided, that the total Rate in any One Year shall not exceed Two Shillings and Sixpence in the Pound, and provided also that for the Purposes of Section Sixty-two of "The Towns Improvement (*Ireland*) Act, 1854," incorporated with this Act, the Proportion of Five Sixths shall be substituted for the Proportion of One Fourth.

"The Water Rate."

**55.** Once or more often in every Year the Commissioners shall make a special Assessment, to be called "the Water Rate," on the Occupiers of all the Property in the Township rateable to the *Blackrock* Township Rate, and the Assessment for the Water Rate may be at the Rate of Eightpence in the Pound by the Year, but shall not exceed that Rate without the Consent of at least Two Thirds of the Ratepayers of the Township liable to the Payment thereof present at a Meeting specially called for the Purpose by at least Fourteen Days public Notice stating the Object of the Meeting: Provided, that the total Amount to be raised in any One Year by the Water Rate shall not exceed the Amount required in the Year for the Purposes of this Act with respect to the Water Supply; provided also, that the Water Rate in any One Year shall not exceed One Shilling in the Pound.

Provisions of this Act apply to Water Rate.

**56.** The several Provisions of this Act with respect to the making, assessing, levying, recovering, and collecting of the *Blackrock* Township Rate, and all incidental Matters, extend and apply *mutatis mutandis* to the making, assessing, levying, recovering, and collecting of the Water Rate and all incidental Matters.

**57.** The

*The Blackrock Township Act, 1863.*

**57.** The Commissioners shall not make any District Assessment in respect of any local or special Improvement without the Sanction of a Majority of the Ratepayers liable to the District Assessment, signified at a Meeting called for the Purpose by the Commissioners by at least Seven Days public Notice, stating the Object of the Meeting.

Restriction on District Assessments.

**58.** The several Assessments or Rates from Time to Time made under this Act by the Commissioners are by this Act vested in the Commissioners and shall be payable when and as they appoint, and to the Collectors or other Persons whom they appoint to receive the same.

Rates vested in Commissioners.

**59.** Save only as is by this Act otherwise expressly provided, all Monies received by the Commissioners in respect of the Market and other Tolls specified in the several Schedules to this Act annexed, and in respect of the Public Baths and Wash-houses, and all Penalties received by them, and all other Income of the Commissioners not by this Act otherwise expressly appropriated, (and which Monies, Penalties, and Income are in this Act referred to as "the Township Income,") shall (subject to the Payment of the Expenses of obtaining this Act) be applied in or towards Payment of the Expenditure and Liabilities of the Commissioners in and about the carrying of this Act into execution.

Application of Township Income.

**60.** All Monies raised by the Water Rates shall be applied only to the Purposes of this Act with respect to Water Supply.

Application of Water Rate.

**61.** All Monies raised by District and private Assessments under this Act shall be applied to the several Purposes for which the same Assessments respectively are made.

Application of District and private Assessments.

**62.** For any of the Purposes of this Act the Commissioners from Time to Time may, under the Authority of this Act, borrow and reborrow on Mortgage of the *Blackrock* Township Rate any Sum or Sums not exceeding in the whole Twenty thousand Pounds, and the Monies so borrowed shall be applied only to the Purposes for which they are so borrowed: Provided, that when any Portion of the Monies so borrowed shall be paid off by means of the Sinking Fund herein provided, the Commissioners shall not reborrow on Mortgage of the Township Rate that Portion of the said Monies so paid off.

Commissioners may borrow on Mortgage of Township Rate.

**63.** Provided, That no Money shall be borrowed on Mortgage under this Act at any Rate of Interest greater than Five Pounds *per Centum per Annum*: Provided also, that no Mortgage under this Act shall be granted unless at a Meeting of the Commissioners specially called for the Purpose, and at which at least Sixteen Commissioners are present and are consenting to such Mortgage, nor shall the aggregate Amount of Rates raised and levied under this Act in any One Year for all the Purposes of this Act exceed Three Shillings in the Pound.

Restrictions on borrowing.

**64.** The

*The Blackrock Township Act, 1863.*

Arrears may be enforced by Appointment of a Receiver.

**64.** The Mortgagees of the Commissioners under this Act may enforce the Payment of the Arrears of Interest or of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver is One Tenth of the Sum secured by all the Mortgages.

Sinking Fund.

**65.** The Amount to be set apart in every Year by the Commissioners for discharging the Principal Money borrowed on Mortgage shall be One Thirtieth of the Money so borrowed.

Sinking Fund special Rate.

**66.** Once or more often in every Year the Commissioners shall make a special Assessment, to be called "The Sinking Fund Special Rate," on all the Persons who as Occupiers or Owners of all Property in the Township rateable to the *Blackrock* Township Rate are liable to be rated thereto: Provided the total Amount to be raised in any One Year shall not exceed the Amount required for the Year for paying the Interest on Money borrowed, and from Time to Time remaining due on Mortgage under this Act, and providing the Sinking Fund for discharging the Principal Money borrowed on Mortgage.

Year to begin on Sept. 1.

**67.** With respect to all Assessments, Rates, and Accounts under this Act, the Year shall begin with the First Day of *September*.

Purposes for which Commissioners may make Byelaws.

**68.** The Commissioners from Time to Time, when and as they think fit, may make Byelaws for all or any of the following Purposes; (that is to say,)

- (A). For regulating the Proceedings of the Commissioners:
- (B). For regulating the Duties and Conduct of the Officers and Servants of the Commissioners.

Application of Penalties.

**69.** The Justice by whom any Penalty recovered under this Act is imposed shall award it to the Commissioners, to be by them carried to the Credit of the Township Income, and to be applied accordingly.

Saving Rights of Corporation and Commissioners of Dublin Police.

**70.** Nothing in this Act contained shall take away, lessen, or prejudice any of the Jurisdictions, Powers, Rights, or Authorities of the Corporation of *Dublin*, or of the Commissioners of Police for the Police District of *Dublin* Metropolis.

Saving Rights of Guardians of Rathdown Union.

**71.** Nothing in this Act contained shall take away, lessen, or prejudice any of the Powers, Rights, and Authorities of the Guardians of the Poor of *Rathdown* Union acting as a Burial Board under the Provisions of the Act of the Session of the Nineteenth and Twentieth Years of *Victoria*, Chapter Ninety-eight: Provided that nothing in this Act contained shall confer upon the Guardians any Powers, Rights, or Authorities

over,



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over, or Right to levy Rates for Burial Purposes within any Portion of the Township of *Blackrock* as existing previously to the passing of this Act.

**72.** All the Costs, Charges, and Expenses of and incident to the preparing and applying for, obtaining, and passing of this Act shall be paid by the Commissioners, and shall be so paid out of Monies raised by or on the Credit of the *Blackrock* Township Rate. Expenses of Act.

**73.** Provided, That so much of the *Blackrock* Township Rate as is so made for defraying the Expenses of obtaining this Act shall be distinctly set forth in the Assessment of the Rate, and the same shall be paid, deducted, and retained by the same Persons and in the same Proportions as if the same were a Rate levied for the Relief of the Poor in the Township. Amount levied for Expenses of Act to be stated in Assessment.

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*The Blackrock Township Act, 1863.*


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The SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

GENERAL MARKET TOLLS.

*Shops.*

To be paid by the Occupier of every enclosed Shop for the Sale of Butcher's Meat, Game, Poultry, Fish, Vegetable, Fruit, China, Glass, Earthenware, Baskets, Hardware, or other marketable Commodities, according to the Size and Dimensions of the Shop, namely, for every Lineal Foot of the Frontage thereof, and so in proportion for less than a Foot:

	£	s.	d.
If let by the Year, any yearly Sum not exceeding - -	3	0	0
If let by the Half Year, any half-yearly Sum not exceeding -	2	0	0
If let by the Quarter, any quarterly Sum not exceeding -	1	2	6
If let by the Week, any weekly Sum not exceeding - -	0	2	0

*Butchers Stalls.*

To be paid by the Occupier of every Butcher's Stall, according to the Size and Dimensions of the Stall, namely, for every Lineal Foot of the Frontage thereof, and so in proportion for less than a Foot:

	£	s.	d.
If let by the Year, any yearly Sum not exceeding - -	2	0	0
If let by the Half Year, any half-yearly Sum not exceeding -	1	2	6
If let by the Quarter, any quarterly Sum not exceeding -	0	12	6
If let by the Week, any weekly Sum not exceeding - -	0	1	0
If otherwise let or occupied, for every Market Day or other lawful Day any daily Sum not exceeding - - -	0	0	6

*Vegetable and other Stalls.*

To be paid by the Occupier of every Stall raised above the Ground for the Sale of Vegetables, Fruit, Fish, Game, Poultry, China, Glass, Earthenware, Baskets, Hardware, or other marketable Commodities, according to the Size and Dimensions of the Stall, namely, for every Lineal Foot of Frontage thereof, and so in proportion for less than a Foot:

	£	s.	d.
If let by the Year, any yearly Sum not exceeding - -	1	5	0
If let by the Half Year, any half-yearly Sum not exceeding -	0	15	0
If let by the Quarter, any quarterly Sum not exceeding -	0	9	0
If let by the Week, any weekly Sum not exceeding - -	0	0	9
If otherwise let or occupied, for every Market Day or other lawful Day, any daily Sum not exceeding - - -	0	0	3

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*The Blackrock Township Act, 1863.*


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*Stands or Benches.*

To be paid by the Occupier of every Stand or Bench according to the Size or Dimensions of the same, namely, for every Superficial Square Foot or Fraction of a Superficial Foot thereof:

	£	s.	d.
If let by the Year, any yearly Sum not exceeding -	0	4	0
If let by the Half Year, any half-yearly Sum not exceeding -	0	2	6
If let by the Quarter, any quarterly Sum not exceeding -	0	1	3
If let by the Week, any weekly Sum not exceeding -	0	0	4
If otherwise let or occupied, for every Market Day or other lawful Day, any daily Sum not exceeding -	0	0	2

*Ground Space.*

To be paid by the Occupier of every Compartment or Space on the Surface of the Ground according to the Size and Dimensions of the same, namely, for every Superficial Square Foot or Fraction of a Superficial Square Foot thereof:

	£	s.	d.
If let by the Year, any yearly Sum not exceeding -	0	3	0
If let by the Half Year, any half-yearly Sum not exceeding -	0	1	3
If let by the Quarter, any quarterly Sum not exceeding -	0	0	9
If let by the Week, any weekly Sum not exceeding -	0	0	3
If otherwise let or occupied, for every other Market Day or other lawful Day, any daily Sum not exceeding -	0	0	1

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**SCHEDULE (B.)**


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**WHOLESALE MARKET TOLLS.**

	£	s.	d.
For every Waggon used by any Person for exposing or in which shall be exposed to Sale any marketable Commodity, for every Market Day or other lawful Day, any Sum not exceeding -	0	2	6
For every Cart used by any Person for the like Purpose, for every Market Day or other lawful Day, any sum not exceeding:			
If drawn by One Horse or other Animal -	0	1	0
If drawn by Two or more Horses or other Animals -	0	2	0
For every Compartment or Space on the Surface of the Ground used by any Person for the like Purpose, according to the Size or Dimensions of the same, namely, for every Superficial Square Foot thereof or Fraction of a Superficial Square Foot thereof, any daily Sum not exceeding -	0	0	2

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*The Blackrock Township Act, 1863.*

## SCHEDULE (C.)

## WEIGHING AND MEASURING TOLLS.

*For weighing everything.*

	£	s.	d.
If weighing not more than 28 lbs. Avoirdupois - - -	0	0	0½
If weighing more than 28 lbs. and not more than Two Hundred-weight - - - - -	0	0	1
And for every entire Hundredweight or Fraction of a Hundredweight, not less than a Half Hundredweight, beyond Two Hundredweight - - - - -	0	0	0½

*For measuring every Quantity of Things sold by Measure.*

If not exceeding One Bushel - - - - -	0	0	0½
If exceeding One Bushel and not exceeding Two Bushels - - -	0	0	1
And for every Bushel beyond Two Bushels - - - - -	0	0	0½

## SCHEDULE (D.)

## CART-WEIGHING TOLLS.

	£	s.	d.
For weighing every Waggon, whether loaded or unloaded - - -	0	0	4
For weighing every Cart, whether loaded or unloaded - - -	0	0	2

## SCHEDULE (E.)

## SLAUGHTER-HOUSE TOLLS.

	£	s.	d.
For every Ox, Cow, or Bullock, any Sum not exceeding - - -	0	2	0
For every Calf, any Sum not exceeding - - - - -	0	1	0
For every Sheep or Lamb, any Sum not exceeding - - - - -	0	0	6
For every Hog or Pig, any Sum not exceeding - - - - -	0	0	8
For any other Beast, any Sum not exceeding - - - - -	0	2	0

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1863.